
Title VI Plan and Procedures

Title VI of the Civil Rights Act of 1964



Adopted date

May 28, 2015

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I. INTRODUCTION

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." (42 U.S.C. Section 2000d).

The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of Federal-aid recipients, sub-recipients, and contractors whether those programs and activities are federally funded or not.

Recently, the Federal Transit Administration (FTA) has placed renewed emphasis on Title VI issues, including providing meaningful access to persons with Limited English Proficiency.

Recipients of public transportation funding from FTA and the Virginia Department of Rail and Public Transportation (DRPT) are required to develop policies, programs, and practices that ensure that federal and state transit dollars are used in a manner that is nondiscriminatory as required under Title VI.

This document details how Bay Aging incorporates nondiscrimination policies and practices in providing services to the public. Bay Aging's Title VI policies and procedures are documented in this plan and its appendices and attachments. This plan will be updated periodically (at least every three years) to incorporate changes and additional responsibilities that arise.

II. OVERVIEW OF SERVICES

Established in 1978, Bay Aging has a diverse menu of services designed to help meet the needs of people of all ages. Some services are authorized by the Older Americans Act and as such are applicable only to older adults, while many others are available to people of all ages.

Services include: Options Counseling, Meals on Wheels, Care Transitions Intervention Coaching, In-Home Care, Personal Assistant, Veterans Directed Home and Community Services, Adult Day Break Centers (day care), Active Lifestyle Centers (senior centers), Medicare Insurance Counseling, Ombudsman, Senior Medicare Patrol, Senior Employment, Legal Aid, Retired and Senior Volunteer Program, Bay Transit, New Freedom Mobility Management, MedCarry, Emergency Home Repair, Weatherization, Indoor Plumbing Rehabilitation, Community Development Block Grant Substantial Housing Rehabilitation, Service Enriched Senior Apartment Communities and Housing Choice Voucher Program.

Bay Aging is the Lead Community Based Organization for the Eastern Virginia Care Transitions Partnership (EVCTP) which delivers Care Transitions Intervention Coaching to people who are at risk of being readmitted to a hospital within 30 days post discharge. EVCTP's service area reaches from Fredericksburg/King George, to the Middle Peninsula/Northern Neck, to Williamsburg/James City County/York County, Peninsula, Southside and the Eastern Shore. EVCTP's membership includes the health systems of Bon Secours, Mary Washington, Rappahannock General, Riverside and Sentara and 11 hospitals – most of which are located in CFC's region. In FY14 – 8,396 patients received 40,000 hours of Coaching, reducing health care and taxpayer costs while improving a person's health and saving millions in health care dollars.

Bay Aging contracts with Peninsula Agency on Aging, Inc. (PAA) to work with seniors in their service area - counties of James City and York, and the cities of Poquoson, Newport News and Hampton. Services include: Medicare Insurance Counseling, Ombudsman and Senior Medicare Patrol.

Bay Aging is the only Area Agency on Aging in Virginia that delivers Veterans-Directed Home and Community Services. Bay Aging contracts with Hunter McGuire Veterans Medical Center in Richmond to deliver home and community supports for veterans who are at risk of entering into a nursing care facility. These less costly services help the veterans stay at home far longer. Bay Aging staff also responds to veterans who live in other parts of Virginia.

Bay Transit, a service of Bay Aging, is the only federally funded public transportation provider in the Middle Peninsula and Northern Neck, and the counties of Charles City and New Kent. In FY14, Bay Transit provided 147,375 transit trips for 3,132 people to gain access to jobs, health care, cancer/dialysis treatments and other therapy services and consumer services. New Freedom, a service of Bay Transit, gives seniors and people with disabilities access to transportation outside of Bay Transit's normal service region and hours of operation. New Freedom is especially helpful for people seeking health care services in the cities of Richmond, Hampton, Newport News and Williamsburg. Over 4,100 rides were provided through New Freedom in FY14.

III. POLICY STATEMENT AND AUTHORITIES

Title VI Policy Statement

Bay Aging is committed to ensuring that no person shall, on the grounds of race, color, national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, whether those programs and activities are federally funded or not.

The Bay Aging Title VI Manager is responsible for initiating and monitoring Title VI activities, preparing required reports, and other responsibilities as required by Title 23 Code of Federal Regulations (CFR) Part 200, and Title 49 CFR Part 21.



Signature of Authorizing Official

5-28-25

Date

Authorities

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (refer to 49 CFR Part 21). The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub recipients, and contractors, whether such programs and activities are federally assisted or not.

Additional authorities and citations include: Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d); Federal Transit Laws, as amended (49 U.S.C. Chapter 53 et seq.); Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601, et seq.); Department of Justice regulation, 28 CFR part 42, Subpart F, “Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs” (December 1, 1976, unless otherwise noted); U.S. DOT regulation, 49 CFR part 21, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964” (June 18, 1970, unless otherwise noted); Joint FTA/Federal Highway Administration (FHWA) regulation, 23 CFR part 771, “Environmental Impact and Related Procedures” (August 28, 1987); Joint FTA/FHWA regulation, 23 CFR part 450 and 49 CFR part 613, “Planning Assistance and Standards,” (October 28, 1993, unless otherwise noted); U.S. DOT Order 5610.2, “U.S. DOT Order on Environmental Justice to Address Environmental Justice in Minority Populations and Low-Income Populations,” (April 15, 1997); U.S. DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient Persons, (December 14, 2005), and Section 12 of FTA’s Master Agreement, FTA MA 13 (October 1, 2006).

IV. NONDISCRIMINATION ASSURANCES TO DRPT

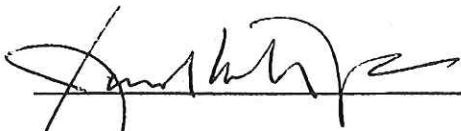
In accordance with 49 CFR Section 21.7(a), every application for financial assistance from the Federal Transit Administration (FTA) must be accompanied by an assurance that the applicant will carry out the program in compliance with DOT's Title VI regulations. This requirement is fulfilled when the Virginia Department of Rail and Public Transportation (DRPT) submits its annual certifications and assurances to FTA. DRPT shall collect Title VI assurances from sub-recipients prior to passing through FTA funds.

As part of the Certifications and Assurances submitted to DRPT with the Annual Grant Application and all Federal Transit Administration grants submitted to the DRPT, **Bay Aging** submits a Nondiscrimination Assurance which addresses compliance with Title VI as well as nondiscrimination in hiring (EEO) and contracting (DBE), and nondiscrimination on the basis of disability (ADA).

In signing and submitting this assurance, Bay Aging confirms to DRPT the agency's commitment to nondiscrimination and compliance with federal and state requirements.

V. PLAN APPROVAL DOCUMENT

We, the Board of Directors of Bay Aging, hereby acknowledge the receipt of the Bay Aging Title VI Implementation Plan 2015-2018. We have reviewed and approve the Plan. We are committed to ensuring that no person is excluded from participation in, or denied the benefits of Bay Aging's transportation services on the basis of race, color, or national origin, as protected by Title VI according to Federal Transit Administration (FTA) Circular 4702.1B Title VI requirements and guidelines for FTA sub-recipients.



Signature of Authorizing Official

Jimmie Carter

Chairman of the Board of Directors

Bay Aging

6/8/15

DATE

VI. ORGANIZATION AND TITLE VI PROGRAM RESPONSIBILITIES

Bay Aging's Transit Director is responsible for ensuring implementation of the agency's Title VI program. Title VI program elements are interrelated and responsibilities may overlap. (Note, more than one official may be designated to serve as the Title VI official). The specific areas of responsibility have been delineated below for purposes of clarity.

Overall Organization for Title VI

The Title VI Manager and staff are responsible for coordinating the overall administration of the Title VI program, plan, and assurances, including complaint handling, data collection and reporting, annual review and updates, and internal education.

Detailed Responsibilities of the Title VI Manager

The Title VI Manager is charged with the responsibility for implementing, monitoring, and ensuring compliance with Title VI regulations. Title VI responsibilities are as follows:

1. Process the disposition of Title VI complaints received.
2. Collect statistical data (race, color or national origin) of participants in and beneficiaries of agency programs, (e.g., affected citizens, and impacted communities).
3. Conduct annual Title VI reviews of agency to determine the effectiveness of program activities at all levels.
4. Conduct Title VI reviews of construction contractors, consultant contractors, suppliers, and other recipients of federal-aid fund contracts administered through the agency.
5. Conduct training programs on Title VI and other related statutes for agency employees.
6. Prepare a yearly report of Title VI accomplishments and goals, as required.
7. Develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English.
8. Identify and eliminate discrimination.
9. Establish procedures for promptly resolving deficiency status and writing the remedial action necessary, all within a period not to exceed 90 days.

General Title VI responsibilities of the agency

The Title VI Manager is responsible for substantiating that these elements of the plan are appropriately implemented and maintained, and for coordinating with those responsible for public outreach and involvement and service planning and delivery.

1. Data collection

To ensure that Title VI reporting requirements are met, Bay Aging will maintain:

- A database or log of Title VI complaints received. The investigation of and response to each complaint is tracked within the database or log.
- A log of the public outreach and involvement activities undertaken to ensure that minority and low-income people had a meaningful access to these activities.

2. Annual Report and Updates

As a sub-recipient of FTA funds, Bay Aging is required to submit a Quarterly Report Form to DRPT that documents any Title VI complaints received during the preceding quarter and for each year. Bay Aging will also maintain and provide to DRPT an annual basis, the log of public outreach and involvement activities undertaken to ensure that minority and low-income people had a meaningful access to these activities.

Further, we will submit to DRPT updates to any of the following items since the previous submission, or a statement to the effect that these items have not been changed since the previous submission, indicating date:

- A copy of any compliance review report for reviews conducted in the last three years, along with the purpose or reason for the review, the name of the organization that performed the review, a summary of findings and recommendations, and a report on the status or disposition of the findings and recommendations
- Limited English Proficiency (LEP) plan
- procedures for tracking and investigating Title VI complaints
- A list of Title VI investigations, complaints or lawsuits filed with the agency since the last submission
- A copy of the agency notice to the public that it complies with Title VI and instructions on how to file a discrimination complaint

3. Annual review of Title VI program

Each year, in preparing for the Annual Report and Updates, the Title VI Manager will review the agency's Title VI program to assure implementation of the Title VI plan. In addition, they will review agency operational guidelines and publications, including those for contractors, to verify that Title VI language and provisions are incorporated, as appropriate.

4. Dissemination of information related to the Title VI program

Information on our Title VI program will be disseminated to agency employees, contractors, and beneficiaries, as well as to the public, as described in the "public outreach and involvement" section of this document, and in other languages when needed according to the LEP plan as well as federal and State laws/regulations.

5. Resolution of complaints

Any individual may exercise his or her right to file a complaint if that person believes that he, she or any other program beneficiaries have been subjected to unequal treatment or discrimination in the receipt of benefits/services or prohibited by non-discrimination requirements. Bay Aging will report the complaint to DRPT within three business days (per DRPT requirements), and make a concerted effort to resolve complaints locally, using the agency's Title VI Complaint Procedures. All Title VI complaints and their resolution will be logged as described under Section 1. Data collection and reported annually (in addition to immediately) to DRPT.

6. Written policies and procedures

Our Title VI policies and procedures are documented in this plan and its appendices and attachments. This plan will be updated periodically to incorporate changes and additional responsibilities that arise. During the course of the Annual Title VI Program Review (item 3 above), the Title VI Manager will determine whether or not an update is needed.

7. Internal education

Our employees will receive training on Title VI policies and procedures upon hiring and upon promotion. This training will include requirements of Title VI, our obligations under Title VI (LEP requirements included), and required data that must be gathered and maintained. In addition, training will be provided when any Title VI-related policies or procedures change (agency-wide training), or when appropriate in resolving a complaint.

Title VI training is the responsibility of the Transit Director.

8. Title VI clauses in contracts

In all federal procurements requiring a written contract or Purchase Order (PO), Bay Aging's contract/PO will include appropriate non-discrimination clauses. The Title VI Manager will work with the Chief Financial Officer who is/are responsible for procurement contracts and PO's to ensure appropriate non-discrimination clauses are included.

VII. PROCEDURES FOR NOTIFYING THE PUBLIC OF TITLE VI RIGHTS AND HOW TO FILE A COMPLAINT

Requirement to Provide a Title VI Public Notice

Title 49 CFR Section 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI. At a minimum, Bay Aging shall disseminate this information to the public by posting a Title VI notice on the agency's website and in public areas of the agency's office(s), including the reception desk, meeting rooms, in federally-funded vehicles, etc. (see Appendix A).

Title VI Complaint Procedures

Requirement to Develop Title VI Complaint Procedures and Complaint Form.

In order to comply with the reporting requirements established in 49 CFR Section 21.9(b), all recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public. Recipients must also develop a Title VI complaint form. The form and procedure for filing a complaint shall be available on the recipient's website and at their facilities.

Any individual may exercise his or her right to file a complaint with Bay Aging if that person believes that he or she has been subjected to unequal treatment or discrimination in the receipt of benefits or services. We will report the complaint to DRPT within three business days (per DRPT requirements), and make a concerted effort to resolve complaints locally, using the agency's Nondiscrimination Complaint Procedures. All Title VI complaints and their resolution will be logged and reported annually (in addition to immediately) to DRPT.

A person may also file a complaint directly with the Federal Transit Administration, Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th floor – TCR, 1200 New Jersey Avenue SE, Washington, DC 20590.

Bay Aging includes the following language on all printed information materials, on the agency's website, in press releases, in public notices, in published documents, and on posters on the interior of each vehicle operated in passenger service:

Bay Aging/BayTransit is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transportation services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1B. If you feel you are being denied participation in or being denied benefits of the transit services provided by Bay Aging/Bay Transit or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, our contact information is:

Name: Ken Pollock
Title: Transit Director
Agency Name: Bay Aging/Bay Transit
Address: PO Box 610, , VA 23175
City: Urbanna, VA 23175
Telephone Number: 804-758-2386 ext. 1210
Email address: kpollock@bayaging.org.

Instructions for filing Title VI complaints are posted on the agency's website and in posters on the interior of each vehicle operated in passenger service and agency's facilities, and are also included within Bay Transit's brochures (see Complaint Form, Appendix B).

Procedures for Handling and Reporting Investigations/Complaints and Lawsuits

Should any Title VI investigations be initiated by FTA or DRPT, or any Title VI lawsuits are filed against Bay Aging the agency will follow these procedures:

Procedures

1. Any individual, group of individuals, or entity that believes they have been subjected to discrimination on the basis of race, color, or national origin may file a written complaint with the Title VI Manager. The complaint is to be filed in the following manner:
 - a. A formal complaint must be filed within 180 calendar days of the alleged occurrence.
 - b. The complaint shall be in writing and signed by the complainant(s).
 - c. The complaint should include:
 - the complainant's name, address, and contact information
 - (i.e., telephone number, email address, etc.)
 - the date(s) of the alleged act of discrimination (if multiple days, include the date when the complainant(s) became aware of the alleged discrimination and the date on which the alleged discrimination was discontinued or the latest instance).
 - a description of the alleged act of discrimination
 - the location(s) of the alleged act of discrimination (include vehicle number if appropriate)
 - an explanation of why the complainant believes the act to have been discriminatory on the basis of race, color, and national origin
 - if known, the names and/or job titles of those individuals perceived as parties in the incident
 - contact information for any witnesses
 - indication of any related complaint activity (i.e., was the complaint also submitted to DRPT or FTA?)
 - d. The complaint shall be submitted to the Bay Aging Title VI Manager at PO Box 610, Urbanna, VA 23175 or kpollock@bayaging.org.

- e. Complaints received by any other employee of Bay Aging will be immediately forwarded to the Title VI Manager.
 - f. In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the Title VI Manager. Under these circumstances, the complainant will be interviewed, and the Administration/Human Resources Director will assist the complainant in converting the verbal allegations to writing.
2. Upon receipt of the complaint, the Title VI Manager will immediately:
 - a. notify DRPT (no later than 3 business days from receipt)
 - b. notify the Bay Aging Authorizing Official
 - c. ensure that the complaint is entered in the complaint database
 3. Within 3 business days of receipt of the complaint, the Title VI Manager will contact the complainant by telephone to set up an interview.
 4. The complainant will be informed that they have a right to have a witness or representative present during the interview and can submit any documentation he/she perceives as relevant to proving his/her complaint.
 5. If DRPT has assigned staff to assist with the investigation, the Title VI Manager will offer an opportunity to participate in the interview.
 6. The alleged discriminatory service or program official will be given the opportunity to respond to all aspects of the complainant's allegations.
 7. The Title VI Manager will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned.
 8. The investigation may also include:
 - a. investigating contractor operating records, policies or procedures
 - b. reviewing routes, schedules, and fare policies
 - c. reviewing operating policies and procedures
 - d. reviewing scheduling and dispatch records
 - e. observing behavior of the individual whose actions were cited in the complaint
 9. All steps taken and findings in the investigation will be documented in writing and included in the complaint file.
 10. The Title VI Manager will contact the complainant at the conclusion of the investigation, but prior to writing the final report, and give the complainant an opportunity to give a rebuttal statement at the end of the investigation process.
 11. At the conclusion of the investigation and **within 60 days** of the interview with the complainant, the Title VI Manager will prepare a report that includes a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition. This report will be provided to the Authorizing Official, DRPT, and, if appropriate, Bay Aging's legal counsel.
 12. The Title VI Manager will send a letter to the complainant notifying them of the outcome of the investigation. If the complaint was substantiated, the letter will indicate the course of action that will be followed to correct the situation. If the complaint is determined to be unfounded, the letter will explain the reasoning, and refer the complainant to DRPT in the event the complainant wishes to appeal the determination. This letter will be copied to DRPT.
 13. A complaint may be dismissed for the following reasons:
 - a. The complainant requests the withdrawal of the complaint.

- b. An interview cannot be scheduled with the complainant after reasonable attempts.
 - c. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
14. DRPT will serve as the appealing forum to a complainant that is not satisfied with the outcome of an investigation conducted by Bay Aging. DRPT will analyze the facts of the case and will issue its conclusion to the appellant according to their procedures.

Transportation-Related Title VI Investigations, Complaints, and Lawsuits

Background

All recipients shall prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin:

- Active investigations conducted by FTA and entities other than FTA;
- Lawsuits; and
- Complaints naming the recipient.

This list shall include the date that the transportation-related Title VI investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to the investigation, lawsuit, or complaint. This list shall be included in the Title VI Program submitted to DRPT every three years and information shall be provided to DRPT quarterly and annually (see Appendix D).

Public Outreach and Involvement

PUBLIC PARTICIPATION PLAN

Introduction

The Public Participation Plan (PPP) is a guide for ongoing public participation endeavors. Its purpose is to ensure that Bay Aging utilizes effective means of providing information and receiving public input on transportation decisions from low income, minority and limited English proficient (LEP) populations, as required by Title VI of the Civil Rights Act of 1964 and its implementing regulations.

Under federal regulations, transit operators must take reasonable steps to ensure that Limited English Proficient (LEP) persons have meaningful access to their programs and activities. This means that public participation opportunities, normally provided in English, should be accessible to persons who have a limited ability to speak, read, write, or understand English.

In addition to language access measures, other major components of the PPP include: public participation design factors; a range of public participation methods to provide information, to invite participation and/or to seek input; examples to demonstrate how population-appropriate outreach methods can be and were identified and utilized; and performance measures and objectives

to ensure accountability and a means for improving over time.

Bay Aging established a public participation plan or process that will determine how, when, and how often specific public participation activities should take place, and which specific measures are most appropriate.

Bay Aging will make these determinations based on a demographic analysis of the population(s) affected, the type of plan, program, and/or service under consideration, and the resources available. Efforts to involve minority and LEP populations in public participation activities may include both comprehensive measures, such as placing public notices at all transit stations, stops, and vehicles, as well as targeted measures to address linguistic, institutional, cultural, economic, historical, or other barriers that may prevent minority and LEP persons from effectively participating in our decision-making process (see Appendix D)..

VIII. LANGUAGE ASSISTANCE PLAN FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)

Introduction and Legal Basis

LEP is a term that defines any individual not proficient in the use of the English language. The establishment and operation of an LEP program meets objectives set forth in Title VI of the Civil Rights Act and Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP). This Executive Order requires federal agencies receiving financial assistance to address the needs of non-English speaking persons. The Executive Order also establishes compliance standards to ensure that the programs and activities that are provided by a transportation provider in English are accessible to LEP communities. This includes providing meaningful access to individuals who are limited in their use of English. The following LEP language implementation plan, developed by Bay Aging is based on FTA guidelines.

As required, Bay Aging developed a written LEP Plan (below). Using 2010 and American Community Survey (ACS) Census data, Bay Aging has evaluated data to determine the extent of need for translation services of its vital documents and materials.

LEP persons can be a significant market for public transit, and reaching out to these individuals can help increase their utilization of transit. Therefore, it also makes good business sense to translate vital information into languages that the larger LEP populations in the community can understand.

Limited English Proficiency Assessment

PROCESS OF ANALYSIS

Census information and community profile was pulled for each county to obtain the racial make-up of each county. This data was entered in the assessment tool provided. This data was used to determine the LEP ratios for each county as well as the total population of foreign nationality.

The name and telephone numbers were obtained for each county: 1) Major employers in the county, 2) human services agencies, 3) county offices, 4) school systems and 5) churches. A poll by telephone calls was made to at least 3 – 5 resources on each list.

Conversations took place with the drivers and dispatcher of the local public transportation service, asking about the number and frequency of encounters with individuals exhibiting limited English speaking skills.

SUMMARY FOR NEW KENT & CHARLES CITY COUNTIES

Using the results of conversations with bus drivers and dispatchers; responses to the telephone calls made to sources listed above; and the census and profile data collected, the following summary was compiled:

| | | |
|--------------------------------------|--------|--------------------------------------|
| Total Population | 25,045 | |
| Population of foreign nationality | 508 | 2% of total population |
| Total Population over 5 years of age | 19,209 | |
| Total number of population w/LEP | 80 | 0.4% of population over 5 yrs of age |

One encounter with LEP situation in the last 12 months was recalled by dispatchers & drivers.

There were two responses of "yes" (one local business and the elementary school) during the survey made to local businesses and community resources. The languages specified were Spanish, Korean, Tai, and Malaysian.

SUMMARY FOR THE COUNTIES OF THE MIDDLE PENINSULA

Using the results of conversations with bus drivers and dispatchers; responses to the telephone calls made to sources listed above; and the census and profile data collected, the following summary was compiled:

| | | |
|--------------------------------------|--------|------------------------------------|
| Total Population | 81,475 | |
| Population of foreign nationality | 1,878 | 2% of total population |
| Total Population over 5 years of age | 40,105 | |
| Total number of population w/LEP | 396 | 1% of population over 5 yrs of age |

Encounters with riders (Spanish, Russian & Japanese) in need of language assistance are experienced routinely by dispatchers & drivers.

With exception to the local churches, there were consistent responses of "yes, there is a need for Spanish language assistance programs" during the survey made to local businesses and community resources. Several county offices and schools have interpreters on staff for the Spanish speaking clients/students.

SUMMARY FOR THE COUNTIES OF NORTHERN NECK

Using the results of conversations with bus drivers and dispatchers; responses to the telephone calls made to sources listed above; and the census and profile data collected, the following summary was compiled:

| | | |
|--------------------------------------|--------|--------------------------------------|
| Total Population | 63,134 | |
| Population of foreign nationality | 2,008 | 3% of total population |
| Total Population over 5 years of age | 56,681 | |
| Total number of population w/LEP | 367 | 0.6% of population over 5 yrs of age |

Dispatchers and drivers reported occasional regular riders or seasonal migrant workers would benefit from a language assistance program.

There were consistent responses of "yes, a need for Spanish language assistance programs" during the survey made to local businesses and community resources. Several county offices, schools and churches have interpreters or staff fluent in Spanish for the Hispanic population.

CONCLUSION

Data and poll indicates there is a limited need for a formal language assistance program in this geographic area at this time. However, since the need for Spanish speaking assistance appears to be increasing, Bay Transit is setting goals to do the following as a result of the needs assessment:

1. Provide a Spanish script to each dispatcher and driver that will assist them in communicating with callers and passengers with limited English proficiency.
2. Translate the company brochures into Spanish.
3. Make available a link on the web site to a Spanish translation of how to schedule a ride.
4. Have at least one staff person fluent in Spanish should the need arise for an interpreter.

IX. MINORITY REPRESENTATION ON PLANNING AND ADVISORY BODIES

Title 49 CFR Section 21.5(b)(1)(vii) states that a recipient may not, on the grounds of race, color, or national origin, "deny a person the opportunity to participate as a member of a planning, advisory, or similar body which is an integral part of the program."

Bay Aging has transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which we select.

1. Please provide a description of your selection process, including recruitment efforts made to encourage the participation of minorities on such committee(s)

It is Bay Aging's experience that it has been difficult to retain members on our planning and advisory committees. We recruit from the populations listed below and strive to maintain a balance when possible to ensure inclusive representation:

- a. Older individuals (including minority individuals and older individuals residing in rural areas) who are participants or who are eligible to participate in programs assisted under this Act
- b. Family caregivers of such individuals
- c. Representatives of older individuals
- d. Service providers
- e. Representatives of the business community
- f. Local elected officials
- g. Providers of veterans' health care
- h. General public.
- i. Health care provider organizations,
- j. Supportive services providers organizations
- k. Persons with leadership experience in the private and voluntary sectors.
- l. Private transportation providers

2. Please provide a table(s) depicting the racial breakdown of the membership of those committees (see Appendix E)

Appendix A

Title VI Notice to the Public; List of Locations

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

Bay Aging/BayTransit is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transportation services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1B. If you feel you are being denied participation in or being denied benefits of the transit services provided by Bay Aging/Bay Transit or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, our contact information is:

Name: Ken Pollock

Title: Transit Director

Agency Name: Bay Aging/Bay Transit

Address: PO Box 610, , VA 23175

City: Urbanna, VA 23175

Telephone Number: 804-758-2386 ext. 1210

Email address: kpollock@bayaging.org.

Title VI notices are posted on the agency's website and in posters on the interior of each vehicle operated in passenger service and agency's facilities, and are also included within Bay Transit's brochures.

Appendix B

Bay Aging/Bay Transit's Title VI Complaint Form

| | | | | |
|---|-------------|--|-------------------|----|
| Section I: | | | | |
| Name: | | | | |
| Address: | | | | |
| Telephone (Home): | | | Telephone (Work): | |
| Electronic Mail Address: | | | | |
| Accessible Format Requirements? | Large Print | | Audio Tape | |
| | TDD | | Other | |
| Section II: | | | | |
| Are you filing this complaint on your own behalf? | | | Yes* | No |
| *If you answered "yes" to this question, go to Section III. | | | | |
| If not, please supply the name and relationship of the person for whom you are complaining: | | | | |
| Please explain why you have filed for a third party: _____ | | | | |
| Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party. | | | Yes | No |
| Section III: | | | | |
| I believe the discrimination I experienced was based on (check all that apply): | | | | |
| <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin | | | | |
| Date of Alleged Discrimination (Month, Day, Year): _____ | | | | |
| Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form. | | | | |
| Section IV | | | | |
| Have you previously filed a Title VI complaint with this agency? | | | Yes | No |

Section V

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?

☐ Yes ☐ No

If yes, check all that apply:

☐ Federal Agency: _____

☐ Federal Court _____

☐ State Court _____

☐ State Agency _____

☐ Local Agency _____

Please provide information about a contact person at the agency/court where the complaint was filed.

Name:

Title:

Agency:

Address:

Telephone:

Section VI

Name of agency complaint is against:

Contact person:

Title:

Telephone number:

APPENDIX C

Investigations, Lawsuits and Complaints Document

List of Investigations, Lawsuits and Complaints

| | Date (Month, Day, Year) | Summary (include basis of complaint: race, color or national origin) | Status | Action(s) taken |
|-----------------------|-------------------------------|---|--------|--------------------|
| Investigations | | | | |
| 1. None | | | | |
| Lawsuits | | | | |
| 1. None | | | | |
| Complaints | | | | |
| 1. None | | | | |

APPENDIX D

Summary of Outreach Efforts

- **Determining and identifying what meetings and program activities lend themselves to client public participation.**
- **Scheduling meetings at times and locations that are convenient and accessible for minority and LEP communities..**
- **Coordination with community and faith-based organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities.**
- **Radio and newspaper ads on stations and in publications that serve LEP populations.**
- **Customer surveys to get feedback on transit services from minority and LEP populations**

APPENDIX E

MINORITY REPRESENTATION ON COMMITTEES BY RACE

| Committee | Black or African American | White/ Caucasian | Latino/ Hispanic | American Indian or Alaska Native | Asian | Native Hawaiian or other Pacific Islander | Other <i>*Note</i> | Totals |
|---|---------------------------------|---------------------|---------------------|---|-------|---|-----------------------|--------|
| Bay Aging Advisory Board | 7 | 16 | | | | | | 23 |
| Middle Peninsula- Northern Neck Coordinated Human Service Mobility Team | 3 | 10 | 1 | | | | | 14 |
| | | | | | | | | |
| | | | | | | | | |