

**Regional Transportation Program, Inc (RTP)**  
**Title VI Plan**  
Non-Discrimination in the Federal Transit Program

Approved by the RTP Board of Directors  
March 7, 2016



# **Regional Transportation Program, Inc (RTP) Title VI Plan**

## **Non-Discrimination in the Federal Transit Program**

### **Introduction**

Title VI was enacted as part of the landmark Civil Rights Act of 1964. It prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. All recipients and sub recipients of Federal Transit Administration (FTA) funds must ensure that programs, policies and activities comply with FTA Title VI regulations. To provide recipients with specific guidance, FTA published Circular 4702.1B, October, 2012 ([http://www.fta.dot.gov/legislation\\_law/12349\\_14792.html](http://www.fta.dot.gov/legislation_law/12349_14792.html) ). The instruction provided in the circular is intended to ensure recipients meet the Title VI requirements and appropriately integrate them into FTA-funded programs throughout each state.

To meet all Title VI requirements, FTA-Funded programs must submit to the Maine Department of Transportation (MaineDOT) a Title VI plan that exhibits policy adoption, public outreach and involvement procedures and complaint procedures. Pursuant to MaineDOT's Title VI Plan, Subrecipients of FTA dollars through MaineDOT are required to provide a Title VI Plan to MaineDOT by October 1, 2015. Following that submission, Title VI plans will be due every three years on the first of October. Plans will include or reference the following information:

- New signed Title VI Assurances
- A designated Title VI Coordinator responsible for Title VI compliance
- Appendix A & E included in contracts
- Title VI Complaint Process
- Four Factor Analysis
- LEP Plan
- Public Participation Plan

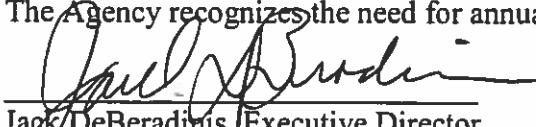
### **Title VI Assurances**

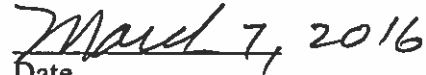
RTP affirms:

1. Title VI of the Civil Rights Act of 1964 prohibits discrimination in federally assisted programs. Title VI was amended by the Civil Rights Restoration Act of 1987 (P.L. 100-259), effective March 22, 1988, which added Section 606, expanding the definition of the terms "programs or activities" to include all of the operations of an educational institution, governmental entity, or private employer that receives federal funds if any one operation receives federal funds.
2. RTP is a public non-profit entity. It is the policy of RTP to ensure compliance with Title VI of the Civil Rights Act of 1964 and all related statutes or regulations in all programs and activities so administered.
3. The RTP Title VI Coordinator is granted the authority to administer and monitor the Title VI

Plan as promulgated under Title VI of the Civil Rights Act of 1964 and any subsequent legislation. The Title VI Coordinator will provide assistance as needed.

4. RTP will take all steps to ensure that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, or be denied the benefits of, or be subjected to discrimination under any program or activity of the Agency.
5. The Agency recognizes the need for annual Title VI training for Agency personnel. Signed:

  
\_\_\_\_\_  
Jack DeBeradinis, Executive Director

  
\_\_\_\_\_  
Date

### **MaineDOT Compliance/Monitoring Review and Training**

RTP agrees to participate in on-site reviews and cooperate with Compliance Staff throughout the review process. RTP agrees to participate in training that includes Title VI and its requirements.

### **Certification and Assurance Submission**

RTP agrees to submit the annual Title VI assurance to MaineDOT as part of the annual Certification and Assurance submission.

### **Agency Subcontracts**

RTP agrees to include in all contracts involving the use of FTA funds, Appendices A and E of the Maine Department of Transportation FTA Title VI Nondiscrimination Plan.

### **Designated Title VI Coordinator**

The designated Title VI Coordinator RTP is Jack DeBeradinis, Executive Director.

### **Title VI Complaint Procedures**

MaineDOT investigates and tracks Title VI complaints filed with MaineDOT against subrecipients.

RTP has developed procedures for investigating and tracking Title VI complaints filed against it and has made those procedures for filing a complaint available to the public. The RTP's complaint procedure is outlined below:

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by RTP may file a Title VI complaint by completing and submitting the Agency's Title VI Complaint Form. RTP investigates complaints received no more than 180 calendar days after the alleged incident. RTP will process complaints that have completed all elements of the complaint form.

Once the complaint is received, RTP will review it to determine whether or not RTP has jurisdiction. The complainant will receive an acknowledgment letter informing her/him whether the complaint will be investigated by RTP.

RTP has 10 business days to investigate the complaint. If more information is needed to resolve the case, RTP may contact the complainant. The complainant has 10 business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 10 calendar days, the investigator can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue the case.

After the investigator reviews the complaint, RTP will issue one of two letters to the complainant:

1. A closure letter that summarizes the allegations and states there was not a Title VI violation and that the case will be closed.
2. A Letter of Finding (LOF) that summarizes the allegations and the interviews regarding the alleged incident and any additional training of staff member(s) or other action that will occur.

If the complainant wishes to appeal the decision, she/he has 10 calendar days after the date of the closure letter or the LOF to do so. If an appeal has been submitted, RTP will forward appeals to the MaineDOT Civil Rights Title VI Coordinator within 10 days.

When a complaint has been directly filed with another state or federal agency, the Agency is to inform the Title VI Coordinator where the complaint has been filed and coordinate any action needed by MaineDOT to resolve the complaint.

A person may also file a complaint directly with the Maine Department of Transportation at:

Maine Department of Transportation  
Attn: Title VI Coordinator  
16 State House Station  
Augusta, Maine 04333

A person may also file a complaint directly with the Federal Transit Administration at:

FTA Office of Civil Rights  
1200 New Jersey Avenue SE  
Washington, DC 20590

### **Title VI Informal Complaint Policy**

Title VI complaints may be resolved by informal means. When informal means are utilized, the complainant must be informed of their right to file a formal written complaint. Such informal attempts and their results will be summarized by RTP's identified Title VI Coordinator. The coordinator will log the complaint in the required complaint log. If the complaint cannot be resolved informally, RTP's

identified Title VI Coordinator must inform the complainant of the formal process outlined above and instruct the complainant on how to proceed.

**Title VI Log of Complaints/Lawsuits, etc.**

RTP will prepare and maintain a list of any alleged discrimination on the basis of race, color, or national origin, including any active investigations conducted by entities other than FTA, lawsuits, and complaints naming the Agency. The list will include the date that the investigation, lawsuit or complaint was filed; a summary of the allegation(s) and date resolved.

**Title VI Notice to Public**

RTP will provide information to the public regarding RTP's obligations under FTA's Title VI regulations and apprise members of the public of the protection against discrimination afforded to them by Title VI. At a minimum, RTP shall disseminate this information to the public by posting the notice on its website (if available) and/or in local media. RTP will document where and when this information is posted.

RTP will widely distribute its Title VI plan. The Title VI notifications are also included with all newly printed or revised agency publications, brochures and pamphlets meant for public consumption. The following notice is standard wording for publications, brochures, flyers, etc.:

RTP is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and relevant guidance. The Agency assures that no person in the United States shall, on the grounds of race, color or nation 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.

To request additional information on RTP's Title VI policy, or to file a discrimination complaint, please contact RTP at (207) 774-2666 x 113

The Complaint Procedure is located at 127 Saint John Street, Portland Maine 04102

**Title VI Poster**

RTP will provide a poster to meet the requirements listed below and will provide updates as required. RTP will also keep a database of the location of all Title VI posters and ensure they are clearly posted in the appropriate public places. Posters will include the following information:

- Description of agency Title VI commitment
- Information for more of Agency's Title VI program and the procedures to file a complaint, contact information, email, and address
- For more information, visit [www.rtprides.org](http://www.rtprides.org)
- FTA and MaineDOT Office of Civil Rights, Attention Title VI Program Coordinators, address to file a complaint directly with either the state or federal agency directly
- Additional information if another language is needed (207) 774-2666.

## Limited English Proficiency

### Four Factor Analysis

RTP is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives. By completing the Four Factor Analysis below, RTP assures that no person 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 FTA service, program, or activity.

1. Indicate the number or proportion of LEP persons eligible to be served or likely to be encountered by the program. Based on information contained in MaineDOT's FTA Title VI Plan, dated February, 2015, Maine has a relatively low percentage of people who don't speak English very well. There are only four languages in which the number of persons who speak English less than very well exceed the 1,000 person/5% threshold: Spanish or Spanish Creole, French, Chinese and African languages.
  - a. Describe how LEP persons interact with the Agency. LEP persons can potentially interact with RTP when they telephone the agency, when they board or exit a transit vehicle, or when they attend a meeting sponsored by RTP.
  - b. Identify LEP communities by language group.

Cumberland County, Maine	
Spanish or Spanish Creole	890
French	1,221
Chinese	396
African Languages	1,597
  - c. Identify whether LEP persons are underserved by the Agency service due to language barriers. RTP has no data that suggests that LEP populations are underserved in our programs and services.
2. Indicate the frequency with which LEP persons come into contact with the program through the following methods:
  - a. Buses. As indicated by translator services. Please see answer to 2c below.
  - b. Public meetings. RTP has no data that suggests that LEP populations are attending its meetings.
  - c. Customer service interactions. RTP has a contract with Language Line Services. In Calendar years 2013 – 2015, RTP has spent a total of \$126.56 in translator services. Specifically, in 2015, the total spent on translator services was \$1.76. Since the implementation of the MaineCare broker, the broker is responsible for setting up all MaineCare rides and issuing bus passes. Since RTP no longer does this, the Customer service interactions with LEP has dropped significantly as indicated by the translator services billing.
  - d. Surveys. RTP has no data that suggests that LEP populations have participated in any customer surveys during the past three years.

3. Describe the service and the nature of importance of the service (narrative) to the LEP population.
  - a. Participate in the development of the coordinated plan to meet the specific transportation needs of seniors and people with disabilities especially those with LEP needs. RTP's buses are accessible to persons with disabilities, but RTP has no data that suggests that seniors and people with disabilities are part of Maine's LEP population.
  - b. Include special language assistance for public meetings. RTP has Language Line pamphlets available on its buses and at public meetings. Should the need arise, RTP can utilize use Language Line translator service.
4. Indicate the resources available to Agency for LEP outreach, as well as the costs associated with that outreach. RTP has Language Line pamphlets on its buses and at public meetings. If the need for translation services arises, RTP can use Language Line translator services at a cost of \$55.20 per hour (flat rate of \$0.92 per minute). The interpreter service previously provided by RTP for MaineCare riders are now the responsibility of the Broker.

#### **Language Assistance Plan**

Following completion of the Four Factor Analysis, RTP assures that based on the results of the Analysis, a Language Assistance Plan will be created. The RTP Language Assistance Plan includes the following:

1. Results of the Four Factor Analysis, including a description of the LEP Population(s) served. Maine has a relatively low percentage of people who don't speak English very well. There are only four languages in which the number of persons who speak English less than very well exceed the 1,000 person/5% threshold: Spanish or Spanish Creole, French, Chinese and African languages. There are no known LEP communities in RTP's service area.
2. RTP provides language assistance services by language. RTP has Language Line pamphlets available on its buses and at public meetings. Should the need arise, RTP can utilize Language Line translation services.
  - a. Vital written documents include Title VI Complaint Form, Notice to Public, and other documents that provide access to services. Within the past three years, there have been no requests by LEP persons to have these documents provided in another language.
3. RTP provides notice to LEP persons about the availability of language assistance. RTP has Language Line pamphlets available on its buses and at public meetings. RTP also posts Title VI posters in its offices and at other prominent places.
4. RTP monitors, evaluates and updates the language assistance plan. On a yearly basis, RTP's title VI Coordinator will review the Title VI plan in conjunction with Census data, FTA requirements, and any developments that would impact the plan including complaints and



requests for language assistance services. Based on this review, RTP's Language Assistance Plan will be updated accordingly.

**Staff Ongoing Title VI Training Process/Description:** RTP will participate in LEP training sessions provided by MaineDOT at Maine Transit Association meetings and will also review on an annual basis MaineDOT's training document titled "How to Work with a Telephone Interpreter" and any other Title VI documents on MaineDOT's website.

All RTP staff and volunteers will be trained on Title VI. Training will include the following documents:

- RTP's Title VI plan
- Language Line Pamphlet

RTP will utilize MaineDOT staff, when available, to assist with trainings. Affidavits will be signed when training is completed and filed as part of the Title VI program documentation.

### **Public Participation Plan**

RTP will work with MaineDOT staff to identify targeted minorities within the service area. MaineDOT staff will supply demographic information to the lowest census level possible within the region to identify specifically what minority populations exist within the RTP service area. RTP will identify the appropriate locations to disseminate information to the identified populations (e.g., church, neighborhood gathering space) to seek comment, interest in new service or service revisions and/or extensions. RTP will document and maintain on file all activities related to Title VI outreach. This plan and documentation will be made available at MaineDOT's request.

RTP coordinates with regional planning efforts including outreach to targeted populations within the RTP service area. RTP works with the Opportunity Alliance, SMAAA, CPCOG, MEDOT, medical facilities and other agencies to educate and solicit feedback on current services.

RTP provides a summary to MaineDOT of all outreach efforts upon request or prior to future plan submittals and review.

RTP recognizes that future funding for new or revised service requires documentation of the above efforts.

**APPENDIX A:**

**Table Depicting Minority Representation on Committees and Councils Selected by the Recipient**

Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar bodies—the membership of which is selected by the recipient—must provide a table depicting the membership of those committees broken down by race, and a description of efforts made to encourage the participation of minorities on such committees.

**Regional Transportation Program, (RTP) does not collect or request information from committee members or advisory councils regarding participant’s race, religious affiliations, ethnic backgrounds, income status or other factors. Every effort is made to include a broad range of representatives from a variety of backgrounds to ensure that the needs of the population are being met.**

<b>Body</b>	<b>Caucasian</b>	<b>Latino</b>	<b>African American</b>	<b>Asian American</b>	<b>Native American</b>
Board of Directors	**				

*\*\* RTP has 6 Board members, all of whom are presumed to be Caucasian.*

**Appendix B**

**Public Notice/Poster**

In accordance with the Civil Rights Act of 1964, RTP operates its programs and services without regard to race, color or national origin. Any person who believes she or he has been aggrieved by any unlawful discriminatory practices under Title VI may file a complaint with the Maine Department of Transportation or the Federal Transit Administration. For more information on RTP's civil rights program and the procedures to file a complaint, visit our website at:

**RTP**  
127 Saint John Street  
Portland, ME 04102  
[www.rtprides.org](http://www.rtprides.org)  
(207) 774-2666

Language translation services available upon request.  
Services de traduction langue disponibles sur demande  
Servicios de traducción disponibles bajo petición.  
要求提供的语言翻译服务。  
Lugha ya tafsiri huduma inapatikana juu ya ombi.  
Ladenan panarjamahan Basa aya kana paménta.

خدمات الترجمة اللغة متاحة عند الطلب

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## Appendix C

### Regional Transportation Program (RTP) External Discrimination Complaint Form

(Title VI/Nondiscrimination and ADA/Section 504 Complaints)

Name	Phone	Name of Person(s) That Discriminated Against You
Address		Location and Position of Person (If Known)
City, State, Zip		City, State, Zip
Agency involved		Date of Alleged Incident
Discrimination Because of: <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Sex <input type="checkbox"/> Age <input type="checkbox"/> Disability		What Remedy are you requesting?
Explain As Briefly And Clearly As Possible What Happened And How You Were Discriminated Against. Indicate Who Was Involved. Be Sure To Include How Other Persons Were Treated Differently Than You. Also Attach Any Written Material Pertaining To Your Case.		
Signature	Date	

**Please Mail Complaint to:**

Regional Transportation Program  
127 Saint John Street  
Attn: Executive Director  
Portland, ME 04102