

Columbus Transit

Title VI Plan

Update

2018-2020

Columbus City Transit Department
850 Lindsey Street
Columbus In 47201

Updated

9/28/2017

By



City of Columbus – ColumBUS Transit

Adopted on: September 1, 2015

Adopted by: Board of Public Works

Revised on: October 10, 2017

This policy is hereby adopted and signed by:

City of Columbus

Name/Title: Jim Lienhoop, Mayor

Signature: _____

Signed and accepted by the City of Columbus Board of Public Works & Safety this _____ day
of _____, 2018.

James D. Lienhoop, Mayor

Mary K. Ferdon, Member

John C. Pickett, Member

James D. Strietelmeier, Member

Brenda Sullivan, Member

Attested by:

Luann Welmer, Clerk-Treasurer

Policy Statement

The **ColumBUS** as a recipient of Federal Transit Administration (FTA) grant dollars either directly from FTA or through the Indiana Department of Transportation (INDOT) will comply with the Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the U.S. Department of Transportation implementing regulations.

Title VI Plan Elements

The **ColumBUS's** Title VI plan includes the following elements:

1. *Evidence of Policy Approval*
2. *Notice to the Public*
3. *Complaint Procedure*
4. *Complaint Form*
5. *List of transit related Title VI Investigations, Complaints and Lawsuits*
6. *Public Participation Plan*
7. *Language Assistance Plan*
8. *Minority Representation Table and Description*

Public Notification

The **ColumBUS's** Notice to the Public is as follows:

Notifying the Public of Rights Under Title VI**ColumBUS TRANSIT
(City of Columbus)**

- ✓ The **ColumBUS** operates its programs and services without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the **ColumBUS**.

For more information on the **ColumBUS's** civil rights program, and the procedures to file a complaint, contact :

*Title VI Coordinator
Cindy Setser, Transit Coordinator
City of Columbus
Columbus City Transit Department
850 Lindsey Street
Columbus In 47201
Phone at 812-376-2506
e-mail: csetser@columbus.in.gov*

- ✓ A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE Washington, DC, 20590.

If information is needed in another language, contact 812-376-2506.

Si necesita información en español, por favor de llamar al 812-376-2506

The **COLUMBUS's** Notice to the Public is posted in the following locations: (*check all that apply*)

- ✓ Agency website: www.columbus.in.gov/columbus-transit/
- ✓ Public areas of the agency office (common area, public meeting rooms, etc.)
- ✓ Inside vehicles
- ✓ Published as a legal notice in the paper on 9/17/17

Agency Information

City of Columbus operates "ColumBUS" public transit system as a fixed route service, and "Call-a-bus" demand response shared ride service for those persons who because of a disability are unable to access the Fixed Route System. ColumBUS service is provided on four routes on one hour headways. Columbus now operates five buses in fixed route service (added a new route in 2015) and four buses in Call-a-bus service. All of the buses are equipped with wheelchair lifts. Fixed Route and Call-a-bus service hours are from 6:00 a.m. to 8:00 p.m. Monday thru Friday and 6:00 to 6:00 on Saturdays. The fare for ColumBUS service is 25¢ for all riders. Discount, "half fare" rides for Medicare card holders and disabled citizens is .10¢. The fare for Call-a-bus service is 50¢ per trip. Easy Rider "free" passes are available for students up to the age of 18 or their graduation date.

Report/Plan Statement

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of to race, color, religion, sex, sexual orientation, gender identity, 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 City of Columbus is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, religion, sex, sexual orientation, gender identity, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.A.

This plan was developed to guide the City of Columbus in its administration and management of Title VI-related activities.

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Cindy Setser, Transit Coordinator
City of Columbus
Columbus City Transit Department
850 Lindsey Street
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Phone at 812-376-2506
e-mail: csetser@columbus.in.gov*

Title VI Complaint Procedures

The complainant may file a signed; written complaint with the transit system. Procedures are found in Appendix 1. The complaint should include the following information:

- Your name, mailing address, and how to contact you (i.e., telephone number, email address, etc.).
- How, when, where and why you believe you were discriminated against. Include the location, names and contact information of any witnesses.
- Other information that you deem significant.

The complaint procedural process is included in Appendix 2. The Title VI Complaint Form (see Attachment II) may be used to submit the complaint information. The complaint may be filed in writing with ColumBUS at the following address:

*Title VI Coordinator
Cindy Setser, Transit Coordinator
City of Columbus
Columbus City Transit Department
850 Lindsey Street
Columbus In 47201
Phone at 812-376-2506
e-mail: csetser@columbus.in.gov*

NOTE: *ColumBUS* encourages all complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily. For complaints originally submitted by facsimile, an original, signed copy of the complaint must be mailed to the Title VI Coordinator as soon as possible, but no later than 180 days from the alleged date of discrimination.

Active lawsuits or complaints

All Section 5307 Transit Systems 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 Small Urban Transit System and/or Section 5311 Sub-Recipient.

Appendix 3 is listing by year of all information such as date that the transit-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. A summary of all civil rights compliance review activities conducted in the last 3 years is also included in Appendix 3.

Public Participation Plan:

Columbus transit utilizes a variety of methods and forums to solicit community participation. The following is a non-inclusive list:

Transit Advisory Committee Meetings: The Transit Advisory Committee is a standing committee consisting of representatives of public transit, not-for-profit social services agencies that provide transportation services and users of both. The Transit Advisory Committee serves as a clearing house for issues related to public transportation as well as to increase the level of coordination amongst the member agencies. MPO Staff is a member and attendee of the Transit Advisory Committee.

The Transit Advisory Committee is one of the primary avenues for the MPO to collect information related to transportation needs of the traditionally underserved.

Members and participant in the Transit Advisory Committee include:

- ColumBUS Transit
- The Senior Center of Bartholomew County
- Aging & Community Services
- United Way of Bartholomew County
- Columbus City Engineer
- Administrative Resources association
- Developmental Services, Inc.
- Bartholomew Consolidated School Corporation
- Human Rights Commission
- Indiana RTAP
- Foundation for Youth
- Columbus / Bartholomew Planning Department
- Columbus Area Metropolitan Planning Organization

MPO Citizen Committees: The MPO organizes citizen committees on an ad hoc basis to focus on specific planning issues. An example of this would be the 2006 Bicycle and Pedestrian Committee. This committee was charged with preparing the City of Columbus Bicycle and Pedestrian Plan. Members of committees include a mixture of elected officials, staff from various departments of the City of Columbus, members of interest groups, and interested citizens. Citizens interested in participating on future planning committees should contact MPO staff to let staff know what issues interest them. These meetings are also open to the public.

Board of Public Works (BOW): The BOW services as the city's public body for contract and policy changes. All meeting a public and thus information is disseminated to the public through this forum.

Local Newspaper The city uses the newspaper for many of it notices and advertising to notify of capital projects or any change in service changes. A notice of plan has been published in the paper of local circulation.

City Website: The city website contains a page dedicated to transit. The webpage is used to inform the community of transit services and any program or policy changes.

Note: Title VI Notice to the public (included as Attachment V) was posted to the website, at city hall, at the transit facility, and inside the transit vehicles.

Equity analysts to Determine Site or Location of Facilities

This does not apply to ColumBUS Transit as no such projects were conducted during the reporting period.

To promote inclusive public participation, the **ColumBUS** will use its resources available to employ the following strategies, as appropriate:

- ✓ Provide for early, frequent and continuous engagement by the public.

- ✓ Expand traditional outreach methods. Think outside the box: go to hair salons, barbershops, street fairs, faith-based institutions, libraries, etc.
- ✓ Select accessible and varied meeting locations and times
- ✓ Employ different meeting sizes and formats
- ✓ Provide childcare and food during meetings, if possible.
- ✓ Use social media in addition to other resources as a way to gain public involvement
- ✓ Use radio, television or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP populations may also include audio programming available on podcasts.

Limited English Proficiency programs/activities

LEP program activities plan is included in Appendix 4.

Committee/Board Matrix

Columbus Transit Advisory Council and Board of Public Works are the only transit-related, non-elected planning boards, advisory councils or committees, or similar bodies, the membership is selected by the Transit System, The following is documentation depicts the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees or councils.

Body	Caucasian	Latino	African American	Asian American	Native American
*Population	91%	6.4%	2.3%	5%	.5%
Board of Public Works	100%	0%	0%	0%	0%
Transit Advisory Committee	100%	0%	0%	0%	0%

**ACS data from: <http://quickfacts.census.gov/qfd/states/18/18005.html>*

The small rural nature of the community makes diversity of these boards difficult. However the Transit system does make a genuine effort to diversify their board and committees. Transit Advisory encourages TAC organizations to appoint representatives that are consistent with demographic make-up of the community.

Assurance:

A signed FTA Civil Rights Assurance that all of the records and other information required under this circular have been or will be compiled, as appropriate, and

maintained by the applicant, recipient, or subrecipient. In the case of State administered programs, this assurance should be provided by the primary and subrecipient [see Attachment VI -Appendix A]. A signed standard DOT Title VI Assurance. This assurance will be maintained as part of the FTA "One-Time Submission" file. [see Attachment VI - Appendix B].

Appendix 1 – Title VI Complaint Procedure

The **ColumBUS's** Title VI Complaint Procedure is made available in the following locations: (*check all that apply*)

- ✓ Agency website, either as a reference in the Notice to Public or in its entirety
- ✓ Hard copy in the central office
- ✓ Available in appropriate languages for LEP populations, meeting the Safe Harbor Threshold.

Any person who believes she or he has been discriminated against on the basis of race, color, religion, sex, sexual orientation, gender identity, or national origin by the **ColumBUS** may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form. The **ColumBUS** investigates complaints received no more than 180 days after the alleged incident. The **ColumBUS** will process complaints that are complete.

Once the complaint is received, the **ColumBUS** will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.

The **ColumBUS** has **60** days to investigate the complaint. If more information is needed to resolve the case, the city may contact the complainant.

The complainant has **7** 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 **30** business days, the city can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case. After the investigator reviews the complaint, she/he will issue one of two (2) letters to the complainant: a closure letter or a letter of finding (LOF).

- ✓ A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed.
- ✓ A letter of finding (LOF) summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur.

If the complainant wishes to appeal the decision, she/he has **10** days after the date of the letter or the LOF to do so.

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.

If information is needed in another language, then contact 812-376-2506.

Appendix 2 - Title VI Complaint Form

The **ColumBUS's** Title VI Complaint Procedure is made available in the following locations: *(check all that apply)*

- ✓ Agency website, either as a reference in the Notice to Public or in its entirety
- ✓ Hard copy in the central office
- ✓ Available in appropriate languages for LEP populations, meeting the Safe Harbor Threshold.

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 <input type="checkbox"/> Sex <input type="checkbox"/> Gender Identity <input type="checkbox"/> Sexual Orientation <input type="checkbox"/> Religion			
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?			

<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, check all that apply:	
<input type="checkbox"/> Federal Agency: _____	
<input type="checkbox"/> Federal Court _____	<input type="checkbox"/> State Agency _____
<input type="checkbox"/> State Court _____	<input type="checkbox"/> 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:	

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below:

Printed Name

Signature

Date

Please submit this form in person at the address below, or mail this form to:

*Title VI Coordinator
 Cindy Setser, Transit Coordinator
 City of Columbus
 Columbus City Transit Department
 850 Lindsey Street
 Columbus In 47201
 Phone at 812-376-2506
 e-mail: csetser@columbus.in.gov*

Appendix 3 – List of Transit Related Title VI Investigations, Complaints and Lawsuits

Check One:

There have been no Title VI investigations, complaint and/or lawsuits filed against us during the report period.

There have been investigations, complaints and/or lawsuits filed against us. *See list below. Attach additional information as needed.*

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, religion, sex, sexual orientation, gender identity, or national origin)	Status	Action(s) Taken
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				
Complaints				
1.				
2.				

Appendix 4 - Limited English Proficient (LEP)

Plan Components

As a recipient of federal US DOT funding, the **ColumBUS** is required to take reasonable steps to ensure meaningful access to our programs and activities by limited-English proficient (LEP) persons.

Limited English Proficient (LEP): Refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak or understand English. This includes those who have reported to the U.S. Census that they speak English less than very well, not well, or not at all.

Most individuals in Indiana read, write, speak and understand English. There are some individuals for whom English is not their primary language. If these individuals have a limited ability to read, write, speak, or understand English, they are considered limited English proficient, or "LEP."

The **ColumBUS's** Language Assistance Plan includes the following elements:

- The results of the *Four Factor Analysis*, including a description of the LEP population(s), served.
- A description of how language assistance services are provided by language
- A description of how LEP persons are informed of the availability of language assistance service
- A description of how the language assistance plan is monitored and updated
- A description of how employees are trained to provide language assistance to LEP persons
- Additional information deemed necessary

Methodology

To determine if an individual is entitled to language assistance and what specific services are appropriate, the **ColumBUS** has conducted a *Four Factor Analysis*¹ of the following areas: 1) Demography, 2) Frequency, 3) Importance and 4) Resources and Costs.

LEP Four Factor Analysis

- ✓ **Factor 1: Demography:** What is the number or proportion of LEP persons served and the languages spoken in the service area?

Currently, the U.S. Census does not provide data regarding Limited English Proficiency below the County Level. Therefore, for determining the LEP population, the City of Columbus utilized the following method(s) to determine the LEP population in City of Columbus.

The City of Columbus utilized the US Census and American Community Survey (ACS) Data taken from the US Census Bureau's pooled 2007-2011 American Community Surveys for Bartholomew County. Based on this data, there are 1,700 persons LEP persons out of 71,300. This 2.38 percent (%) of the population of the County and that does not meet the 1,000 or 5% LEP persons threshold for any languages identified.

TABLE 1: Languages spoken by LEP Individuals in Bartholomew County

County	Total Population	Total LEP Population	Language 1 (name)	Language 1 (LEP number)	Language 1 (LEP % of total pop)
Bartholomew County	71,300	2,800	Spanish	1,700	2.38%
¹ INDOT LEP guidance http://www.migrationpolicy.org/sites/default/files/datahub/LEPstate-countyData.xlsx					

- ✓ **Factor 2: Frequency:** How often does your staff come into contact with LEP persons?

The frequency for LEP persons to come into contact with program Call-a-bus are the following areas:

- *Demand response service - daily*
- *Purchase of passes, tokens or tickets through transit - daily*
- *Participation in public meetings – Monthly or Quarterly*
- *Customer service interactions - Daily*
- *Ridership surveys – Every other year*

- ✓ **Factor 3: Importance:** How does the program, service or activity affect people's lives?

The provision of public transportation is a vital service, especially for people without access to personal vehicles. Transit system activities will impact every person in the community. Development of a coordinated effort to meet the specific transportation needs of seniors and people with disabilities will often also meet the needs of LEP persons. A person who is LEP may have a disability that prevents the person from using fixed route service, thus making the person eligible for ADA complementary paratransit. The transit system assesses their programs, activities and services to ensure they are providing meaningful access to LEP persons. Facilitated meetings with LEP persons are one method to inform the recipient on what the local LEP population considers to be an essential service, as well as the most effective means to provide language assistance.

- ✓ **Factor 4: Resources and Costs:** What funding and other resources are available for LEP outreach?

Currently, the City of Columbus utilizes Aida Ramirez Human Rights Commission Director to provide interpretation services as needed as well as other technical assistance to Columbus residents who need assistance with state and/or federal claims. Also can contract Su Casa Neighborhood Assistance Center, a United Way Agency in Bartholomew County that provides oral in-person and by-phone interpretation services. Su Casa provides program information, route maps, and transit brochures to inform them on transit. Su Casa typically does not charge for services or charges nominal fees to city as they are supported by volunteers and donors and provide programs, services and education to increase the self-sufficiency of members of the Latino Population and advocates cross cultural interaction within the community.

In addition internet sites can be utilized to translate some written materials and local volunteers have been identified to provide other oral translation services at public meetings and during conversations with LEP residents during the implementation of the proposed project. Furthermore, many of the common forms used in the implementation of a FTA funded programs are available in multiple languages on the FTA, FHWA and DOL websites. Additionally, translation activities are an eligible 5307 administrative expense. Therefore, limited LEP measures are reasonable given the resources available to the City of Columbus.

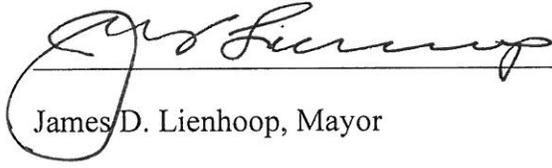
Certification: Based on the above Four-Factor Analysis, the City of Columbus is not required to develop a Language Assistance Plan (LAP). However, the City of Columbus will make all reasonable attempts to accommodate language access needs of residents requesting oral translation during citizen participation activities. The city agrees to adhere to the Safe Harbor Provision as defined in appendix 5.

Appendix 5 – Safe Harbor Provision

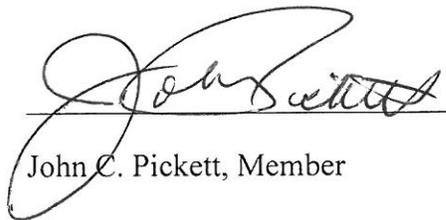
The U.S. DOT has adopted the Department of Justice's (DOJ's) Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for recipients regarding translation of written materials for LEP populations. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient's written translation obligations. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

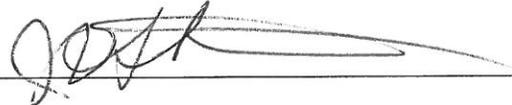
These safe harbor provisions apply to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. A recipient may determine, based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures. For example, a recipient may determine that a large number of persons in that language group have low literacy skills in their native language and therefore require oral interpretation. In such cases, background documentation regarding the determination shall be provided to FTA in the Title VI Program.

Signed and accepted by the City of Columbus Board of Public Works & Safety this 23 day of June, 2018.


James D. Lienhoop, Mayor

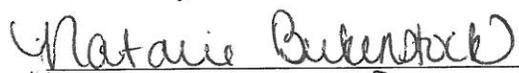

Mary K. Ferdon, Member


John C. Pickett, Member


James D. Strietelmeier, Member


Brenda Sullivan, Member

Attested by:


Natalie Berkenstock, Deputy
Luann Welmer, Clerk-Treasurer