

## Title VI Plan

### I. **Purpose of Plan**

Title VI of the Civil rights Act of 1964, as amended, applies to U.S. Department of Transportation Federal Transit Administration (FTA) sub-recipients. The purpose of Title VI is to ensure that no person in the United States shall, on the grounds of race, color, creed 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 from the FTA. Later statutes extended the scope of Title VI to include prohibitions against discrimination on the basis of age, sex, and disability. The program described herein describes Jersey County's efforts to comply with the Title VI regulations issued by the U.S. Department of Justice and the U.S. Department of Transportation. The objectives of the Jersey County's Title VI program are to:

- Ensure that the level and quality of transportation service is provided equitably and without regard to race, color, national origin, income, age, sex or disability;
- Avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects of programs and activities on minority populations and low-income populations;
- Ensure the full and fair participation of all affected populations in transportation decision making;
- Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations;
- Ensure the full and fair participation of all affected populations in transportation decision making;
- Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations; and
- Ensure that persons with limited English proficiency have meaningful access to programs and activities that re administered by recipients and sub-recipients.

### II. **The Jersey County Title VI Program**

Jersey County has established the following program to comply with the Department of Transportation (DOT) Title VI regulations.

#### **Annual Submissions to the Illinois Department of Transportation (IDOT) and the Federal Transit Administration (FTA)**

Jersey County ensures compliance with the requirements of the Illinois Department of Transportation (IDOT) Title VI Program and FTA requirements. Jersey County will submit an annual assurance to verify the Title VI compliance as part of the standard assurances it submits to FTA or IDOT with grant applications. Jersey County shall also collect Title VI Assurances from sub-recipients prior to passing through FTA funds. Currently Jersey County has Illinois Valley Economic Development Corporation as a sub-recipient. Exhibit I on the following page is Jersey County's Title VI assurance.

## Exhibit I: Jersey County Title VI Assurance:



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### Title VI Assurance of Federal Transit Administration

Jersey County hereby agrees that, as a condition to receiving any Federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil rights Act of 1964, and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of the Title VI of the Civil Rights Act of 1964 and other pertinent directives, to the end and that in accordance with the Act, Regulation, other pertinent directives, 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 for which Jersey County received Federal financial assistance from the Department of Transportation, including the Federal Transit Administration and, Hereby gives assurance that it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7 (a) of the Regulations. More specifically and without limited the above assurances, Jersey County gives the assurances as listed in the “Verification of Level and Quality of Service,” with respect to the Federal Transit Administration Grant Program. This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the Federal Transit Administration.



## **Triennial Submissions to DOT/IDOT**

Jersey County will report the information contained in this section to DOT and IDOT on a triennial basis with the first submission parceled as part of the plan. The following report addresses each of the eight primary Title VI considerations and the associated forms, policies and activities of Title VI program.

### **1. Title VI Complaint Procedures**

In order to comply with 40 CFR Section 21.9 (b) Jersey County has developed procedures for investigating and tracking Title VI complaints. The procedures for filing a complaint will be made available to members of the general public. The following measures will be taken in dealing with Title VI Complaints:

- 1) A formal complaint must be filed within 180 days of the alleged occurrence. Complaints shall be in writing and signed by the individual or his/her representative, and will include the Complainant's name, address, and telephone number; name of alleged discrimination official, basis of complaint (race, color, national origin, sex, disability, age), and the date of alleged discrimination must accompany all complaints. Exhibit II provides Jersey County's Title VI complaint form.
- 2) In the case where a Complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to Jersey County's Title VI Coordinator. Under these circumstances, the complainant will be interviewed, and the Coordinator will assist the Complainant in converting the verbal allegation into writing.
- 3) Jersey County will investigate complaints filed against contractors, consultants, or other sub-recipients. Complaints filed directly against Jersey County shall be forwarded to IDOT Title VI Coordinator for investigation.
- 4) When a complete complaint is received, the Title VI Coordinator will provide written acknowledgement to the Complainant within five (5) by registered mail. At the same time, the complaint will be forwarded to the State of Illinois for investigation.
- 5) If a complaint is deemed incomplete, additional information will be requested from the Complainant. The Complainant will be provided 60 business days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.
- 6) Within 15 business days from receipt of a complete complaint, Jersey County will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five (5) days of this decision, the Complainant and Respondent will receive notification of the disposition by registered mail.
  - a. If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.

- b. If the decision is to be investigated, the notification shall inform the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
- 7) When Jersey County does not have sufficient jurisdiction, the complaint will be referred to IDOT for further investigation.
- 8) If the complaint has investigative merit, an investigator will be assigned. A complete investigation will be conducted, and an investigative report will be submitted within 45 days from the receipt of the complaint. The report will include a narrative description of the incident, summaries of all persons interviewed, and finding with recommendations.
- 9) A letter of finding will be issued to the Complainant and Respondent. Where appropriate, these letters will include conciliatory measures. A copy of the investigative report shall be forwarded to IDOT within 60 days from recipient of the complaint. If the investigation is delayed for any reason, the investigator will notify the appropriate authorities, and an extension will be requested.
- 10) If the Complainant is dissatisfied with Jersey County resolution of the complaint, he/she has the right to file the complaint with the IDOT Title VI Coordinator directly.

## 2. Title VI Investigations, Complaint, and Lawsuit Record Keeping Procedures

In order to comply with 49 CFR Section 21.9 (b) Jersey County has prepared and maintains a list of active investigation, lawsuits, or complaints naming Jersey County that allege discrimination on the basis of race, color, or national origin. The list includes:

- The date the investigation, lawsuit, or complaint was filed;
- A summary of allegation;
- The status of the investigation; and
- Actions taken in response to the investigation, lawsuit, or complaint.

Tri-County Rural Transit had adopted Title VI record keeping procedures for complaints, lawsuits, and investigations. Exhibit II depicts this format. There are currently no active investigations, lawsuits, or complaints that allege discrimination by Tri-County Rural Transit on the basis of race, color, or national origin.

**Exhibit III Title VI Complaint Record Keeping**

File Date	Summary of Allegation	Actions Taken in Response	Status of Investigation

**3. Meaningful Access to LEP Persons**

Title VI and its implementing regulations require that FTA sub-recipients take reasonable steps to ensure meaningful access to the benefits, services, information, and other important portions of their program and activities that have Limited English Proficient (LEP) individuals. Circular 4702.1A states that LEP persons are *“persons for whom English is not their primary language and who have a limited ability to speak, understand, read, or write English. It includes people who reported to the U.S. Census that they do not speak English well, or dot not speak English at all.”*

Tri-County Rural Transit has assessed the four main factors involved in developing a Language Implementation Plan as described in the Federal Transit Administration guidance entitled “Implementing the Department of Transportation’s Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Provider.” These steps are as follows:

- (1) Identifying the number or proportion of LEP persons eligible to be served or likely to be encountered by a program activity, or service o the recipient or grantee. Based on the 2010 U.S. Census, Tri- County Rural Transit undertook an analysis of the languages spoken in its 3 counties and estimated the number of residents with Limited English Proficiency by language group. A summary of this data is provided below in Exhibit IV. As can be seen, the primary language spoken at home within the Tri-county Rural Transit service area is English (98%) followed by Spanish (0.93%) Approximately 2.14% of the residents speak a language other than English at home. Based on the LEP definition, a total of 786 of the 39,546 individuals in the Tri-County Rural Transit service areas, or 1.9% of the total population were identifies as having Limited English Proficiency.
- (2) Determining the frequency with which LEP individuals come in contact with the program. Tri-County Rural Transit has not received a ride request from any individual who had difficulty communicating in English. Tri-County Rural Transit, however, is aware of individuals and agencies within the community that are able to provide translation

services on an as needed basis and is committed to using these resources on a case by case basis as the need arises.

- (3) Defining the nature and importance of the program, activity, or service provided by the recipient to people's lives. The system brochures clearly state that Tri-County Rural Transit service is open to all without discrimination based on race, creed, color, national origin, gender, sexual orientation, or disability. Tri-County Rural Transit recognizes and is committed to the importance of access to transportation for all community residents.
- (4) Describing the resources available to the recipient and costs. Brochures and other rider literature provide this information.

Since the USDOT LEP Guidance identifies 1000 individuals or 5% of the population eligible to be served falling within a specific LEP language group (speaks English less than very well) as a threshold above which vital documents should be provided in translation. Since the Tri-county Rural Transit service area does not meet this threshold, a LEP Implementation Plan has not been established. However, Tri-county Rural Transit has determined that the most cost effective means of delivering competent and accurate language services is to address the need on a case by case basis. As such, Tri-County Rural Transit will have available summaries of all vital documents translated upon request to suit the needs of each individual.

## Exhibit IV: Tri-County Rural Transit Title VI Protection Notice to the Public



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Tri-County Rural Transit hereby gives public notice of its policy to uphold and assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and all related statutes. Title VI and related statutes prohibiting discrimination in Federally-assisted programs require that no person in the United States of America shall on the grounds of race, color, or national origin, sex, age, or disability to be excluded from the participation in, be denied the benefits of, or be otherwise subjected to, discrimination under any program or activity receiving Federal financial assistance.

Any person who believes they have been aggrieved by an unlawful discretionary practice regarding Tri-County Rural Transit programs has the right to file a formal complaint. Any such complaint must be in writing and submitted to the Tri-County Rural Transit Title VI Coordinator within one hundred eighty (180) days following the date of the alleged occurrence. For more information regarding civil rights complaints, please contact:

Copies of this notice are published annually in newspapers throughout the Tri-County Rural Transit service area. It is also posted at the Tri-County Rural Transit website at [www.ilvalley-edc.org](http://www.ilvalley-edc.org) and at the Tri-County Rural Transit facility.



#### 4. **Additional Information Requests:**

Tri-County Rural Transit fully understands that FTA or IDOT may request additional information to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI. Tri-County Rural Transit will cooperate with FTA and IDOT, and all requested information would be provided in a timely manner.

#### 5. **Submission of Title VI Program:**

To ensure compliance with 49 CFR Section 21.9 (b), this report will serve as documentation of Tri-County Rural Transit's Title VI compliance. Tri-County Rural

Transit will prepare and submit updates to this Title VI program to the FTA and IDOT as needed.

**6. Conducting Analysis of Construction Projects:**

Tri-County Rural Transit will integrate an environmental justice analysis into the National Environmental Policy Act (NEPA) document of construction projects. In the event that a construction project requires NEPA documentation, Tri-county Rural Transit will complete IDOT's standard environmental assessment (EA) and will submit the EA as needed.

**7. Promoting Inclusive Public Participation**

In compliance with the DOT Order on Environmental Justice, Tri-County Rural Transit conducts public outreach and involvement activities with LEP, minority and low-income populations. Tri-County Rural Transit undertakes public outreach activities including:

- Provide notice and affording members of the public, including minority and low-income populations, the opportunity to comment non proposed service and fare changes.
- Provide members of the public the opportunity to participate in the decision making process for projects subject to the National Environmental Policy Act (NEPA).
- Provide members of the public, including minority and low-income populations, the opportunity to participate I nor to comment on the agency's strategic plan or capital improvement program.
- Offers the public, including low-income and minority populations, routine opportunities to provide feedback or comment on the level and quality of service.
- **Documentation/process for non-elected committees and councils:**  
Currently, Tri-County Rural Transit does not appoint or otherwise select members of committees or councils.

**Service Monitoring**

The Tri-County Rural Transit Transportation Manager will monitor service level and service quality to ensure that no person or group of person shall be discriminated against with regard to the route, scheduling, or quality of transportation service furnished by the Tri-County Rural Transit system, on the basis of race, color national origin, age, sex or disability. Frequency of service, age and quality of vehicles assigned, quality of facilities, and location of routes shall not be determined on the basis of race, color, national origin, age, sex, or disability.



### **Tri-County Rural Transit Environmental Justice and Title VI Summary**

Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color, or national origin. IDOT and Tri-County Rural Transit advance Title VI and environmental justice by involving the public in transportation decision. Effective public involvement programs enable transportation professionals to develop systems, service, and solutions that meet the needs of the public, including minority and low-income communities. There are three fundamental environmental justice principals. The Three principals are:

1. To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
2. To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
3. To prevent the denial of, reduction in, or significantly delay in the receipt of benefits by minority and low-income populations.



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## Tri-County Rural Transit Title VI Complaint Form

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Accessible Format Requirements?

Large Print \_\_\_\_\_ Audio File \_\_\_\_\_ TDD \_\_\_\_\_ Other \_\_\_\_\_

*The Federal Transit Administration (FTA) Office of Civil Rights is responsible for civil rights compliance and monitoring, which includes ensuring that providers of public transportation properly abide by Title VI of the Civil Rights Act of 1964, Executive Order 12898. "Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations," and the Department of Transportation Guidance to Recipients on Special Language Services to Limited English Proficient (LEP) Beneficiaries.*

*In Tri-County Rural Transit's complaint investigation process, we analyze the complainant's allegations for possible Title VI and related deficiencies by the transit provider. If deficiencies are identified, they are presented to the transit provider and assistance is offered to correct the inadequacies within a predetermined timeframe. The State of Illinois may also refer the matter to the Department of Justice for enforcement.*

### Section II

**Are you filing this complaint on your own behalf? Yes \_\_\_ No \_\_\_ (If you answered 'yes' to this questions, go to section III)**

**If the answer was 'no' please supply the name 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 \_\_\_\_\_**



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Section III

Have you previously filed a Title VI complaint with Tri-County Rural Transit or FTA?

Yes \_\_\_ No \_\_\_

(Note: This information is needed for administration purposes: we will assign the same complaint number to the new complaint.)

Have you ever filed with any of the following agencies?

Transit Provider \_\_\_\_\_ IDOT \_\_\_\_\_ Department of Justice \_\_\_\_\_ Equal Opportunity Commission \_\_\_\_\_ Other \_\_\_\_\_

Have you ever filed a lawsuit regarding this complaint? Have you ever filed a lawsuit regarding this complaint? Yes \_\_\_\_\_ No \_\_\_\_\_

(Note: the above information is helpful for administrative tracking purposes. However, if litigation is pending regarding the same issues, we will defer to the decision of the court.)

Section IV

On spate sheets, please describe you complaint. You should include specific details such as names, dates, times, vehicle number, witnesses, and any other information that would assist us in our investigation of you allegations. Please also provide any other documentation that is relevant to this complaint.

Section V

May we release a copy of your complaint to the Federal Transit Administration (FTA) or Illinois Department of Transportation (IDOT)? Yes \_\_\_ No \_\_\_

May we release your identity to FTA or IDOT? May we release your identity to FTA or IDOT? Yes \_\_\_ No \_\_\_

(Note: We cannot accept your complaint without a signature)

Signature: \_\_\_\_\_ Date \_\_\_\_\_

File Date	Summary of Allegation	Actions Taken in Response	Status of Investigation

04/01/2016 to 05/01/2017 no complaints filed.