

National RTAP Peer Call: Title VI - September 16

Panel/Facilitators:

- Sarah Brodt-Lenz, Transit Coordinator, Greater Minnesota Public Transit
- Kenny Rodriguez, Regional Transportation Commission of Southern Nevada
- National RTAP - Jerry Emanuel, Liz Taylor, and Neil Rodriguez

Resources:

FTA Title VI Webpage

- <http://www.fta.dot.gov/civilrights/12328.html>
- Links to Regulations, Guidance and More

Census Fact-Finder for Four-Factor Analysis

- <http://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>

FTA Regional Offices

- http://www.fta.dot.gov/about/12317_1119.html
- Contact your regional with questions

National RTAP Title VI 101 Webinar

- <http://nationalrtap.org/Webinars#TitleVI>
- Presented by Jonathan Ocana of FTA's Office of Civil Rights on July 29
- The webinar recording is available to view and the PowerPoint slides (with detailed information from FTA in the slide notes) and a Q&A Doc (with many helpful answers from FTA) are both available for download.

State Resources/Templates:

- PennDOT "Title VI How to Guide" for FTA sub-recipients in PA:
<http://www.dot.state.pa.us/public/Bureaus/PublicTransportation/GeneralInformation/TitleVIHowtoGuide.pdf>
- MnDOT's Language Assistance Plan Template and Title VI Presentation for Transit Managers: both were attached to the Peer Call follow-up email to attendees, or contact info@nationalrtap.org for a copy.

Discussion Questions:

- What issues has your agency had implementing core Title VI program components?
 - Public participation
 - Language assistance, including translation and conducting Four-Factor Analysis
- What was the greatest challenge in creating your Title VI plan? Do you have any best practices to share? Did you use any templates, or other helpful guides?
- What does your agency's Title VI plan look like?
 - How do you handle translating materials for LEP speakers in your community?
 - What is your process for handling complaints?

Attendee Questions and Comments:

Shari Atwood:

We are nearing the safe harbor threshold. Are vital documents required to be available in printed version or is having documents translated via Google Translate online sufficient? Only 2% of the ridership actually utilize the English printed brochure. They rely on online tables and NextBus information.

Gregg Matsushima:

A critical opinion we encountered, is that pointing out the Federal Register and Circulars is something our sub-recipients often do on their own, but they seek quicker and more concise interpretation and actual "how to" execute it. We sometimes cite "best practices", but this is sometime a grey area.

Title VI Plan Template: Our non-urbanized Transportation agencies in Hawaii develop and submit their own Title VI Plans to the State DOT for its review and approval. Although the basic Title VI requirements are apparent within each plan, the organization and depth of content varies. Therefore, the idea of designing a "universal Title VI Plan template" that is consistent to form and use over time is being suggested. With this thought, would FTA support the idea of designing a universal Title VI Plan template for all recipients and sub-recipients to use?

Use of EJ SCREEN Data: The US EPA has a census/demographic mapping tool called "EJ SCREEN" which is available for anyone to access without any charge on its website. EPA makes it clear that the tool is for EPA use and purpose, and "assessment level" purposes. Would EJ SCREEN data and level of assessment suffice in meeting the transportation agencies Title VI Plan's EJ analysis for 1) Public Participation Plan, 2) LEP outreach and 3) Safe Harbor Provision?

Kari Ruse:

In Nebraska template plans were created for subrecipients. They were altered to reflect the demographics in each service area. The templates were developed for us by the University of Nebraska.

Anthony Stever:

PA DOT used consultant assistance to develop a "How to Guide" for our subrecipients:
http://www.dot.state.pa.us/public/Bureaus/PublicTransportation/GeneralInformation/Title_VI_How_to_Guide.pdf

Panel Comments and Experience:

Sarah Brodt-Lenz:

- Had some difficulty getting the MnDOT Title VI plan approved, but now all set. She likes to remind transit providers that the public outreach component and the four-factor analysis can all be used to help with marketing and increasing ridership for the system.

- Their plan was rejected because they had to limit their Title VI plan to just Title VI-covered populations, not gender, etc.
- MN has state level template for the language-assistance plan (see Resources above) and they send out the census data for the language component to their sub-recipients who do not have staff to do that work.
- Often the agencies provided translated materials in more languages and to more populations than was required, as it also is good for outreach/marketing purposes.
- There are a lot of new Americans in MN. There is often a Spanish-speaker on staff to assist with translation.
- MN provides templates for the required Title VI Public Notice and they give the template provided in the circular to their sub-recipients.
- Racial breakdown of boards/committees - people are not very forthcoming of the racial makeup of their boards/committees. She said that if the board is mostly white, transit operators should not be ashamed, but consider that it may be an indication that they need to revisit their public outreach plan, if it is not reflecting the diversity of their community.
- Title VI complaints can get to MnDOT via various departments, which can be confusing, but they have only gotten about one complaint in the past year. They do not have a formal process at the DOT for complaints (but probably should).
- Generic complaints - Sarah gets calls and often just by calling the person back and listening, the complaint/issue usually just goes away; people just want to be heard. One resolution for an issue was that someone wanted to be included in decision-making as a person with a disability, and the resolution was that the person was then put on the transit committee for accessibility in that community.
- A Title VI officer at MnDOT handles all Title VI complaints (Sarah not involved).
- Public outreach/marketing - don't bury the transit information on your website (often an issue with county transit systems). And anything that is posted (any websites, etc.) has a Title VI notification.
- MnDOT uses ACS 5 year estimates for the Four-Factor Analysis - they put the information together into an Excel file and send that to their subrecipients. Some are cities and they have to dig down into the city level, but otherwise it's the county level. They also have a tool called MnMaps (<http://mndot.maps.arcgis.com/home/index.html>) for amateur GIS/map-making work, etc.
- The most valuable resource for finding out about your riders and your community is the actual bus drivers.
- Sarah has a PPT that she delivers to transit managers, and it's up to them to train their drivers. (See Resources Section above.) Easter Seals Project Action is also a great resource for ADA training materials and MnDOT has used them as a consultant.

Kenny Rodriguez:

- Plan was rejected mainly on technicalities about who was covered in the Title VI plan and other language tweaks. They worked with an individual at the FTA to correct the issues. (They also had some issues with Reasonable Accommodation that had to be corrected for ADA.)

- Complaint process:
 - They have all of their complaint forms and procedures online. But if people contact them over the phone (to the customer service agents), they read them the Title VI policy over the phone and show them the complaint form and give them a comment number and have them include their comment number on their form. We like to document the comment number so they can start investigating right away, but also want them to submit a formal complaint form, which also indicates that the person is serious about submitting the complaint.
 - They often need to follow up with the complainant and clarify the route, time/date, driver, and other details about the incident, then they can't investigate or resolve the issue fully.
- Their marketing collateral all has a Title VI notification, as do their websites. Also on the vehicles and in the facilities. Recently added the Title II information on buses and facilities, too. They send out quarterly newsletter to paratransit clients, but otherwise don't send out flyers to the community.
- They have an ADA training manual that includes Title VI issues, which is passed out to all drivers.