
Title VI Plan and Procedures
Title VI of the Civil Rights Act of 1964

Mountain Empire Older Citizens, Inc.



Adopted date
(October 30, 2018)

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Transit Providers that operate 50 or more fixed route vehicles in peak service and are located in an Urbanized Area (UZA) of 200,000 or more people must submit:

- Demographic and service profile maps and charts
- Demographic ridership and travel patterns, collected by surveys
- A description of the public engagement process for setting the “major service change policy,” disparate impact policy, and disproportionate burden policy
- Results of service and/or fare equity analyses conducted since the last Title VI Program submission, including evidence that the board or other governing entity or official(s) approved the results of the analysis

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 **Mountain Empire Older Citizens, Inc.** incorporates nondiscrimination policies and practices in providing services to the public. **Mountain Empire Older Citizens, Inc.** 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

Mountain Empire Older Citizens, Inc. is the Area Agency on Aging for the counties of Wise, Scott, Lee, and the City of Norton which began operation in 1974. Transportation services started in 1974 as part of its Congregate Nutrition Program for the elderly. In 1985 MEOC began work with the Department of Rail and Public Transportation to open its transportation services to the public creating a regional public transportation system. With the assistance of DRPT MEOC became the regional contract provider for human service transportation and a transit service to the public. The system continues to evolve as the need for general public transportation increases. Mountain Empire Transit is a demand response system with no fixed routes. Mountain Empire Transit has devoted the past four decades to developing community based services and transportation to support families as they care for their aging loved ones. Federally funded transportation allows us to achieve our goal.

III. POLICY STATEMENT AND AUTHORITIES

Title VI Policy Statement

Mountain Empire Older Citizens, Inc. 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 **Mountain Empire Older Citizens, Inc.** 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.

Mitchell Elliott

Oct 30, 2018

Signature of Authorizing Official

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, **Mountain Empire Older Citizens, Inc.** 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, **Mountain Empire Older Citizens, Inc.** confirms to DRPT the agency's commitment to nondiscrimination and compliance with federal and state requirements.

V. PLAN APPROVAL DOCUMENT

I hereby acknowledge the receipt of the Mountain Empire Older Citizens, Inc. Title VI Implementation Plan. I have reviewed and approve the Plan. I am committed to ensuring that no person is excluded from participation in, or denied the benefits of Mountain Empire Older Citizens, Inc. 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.

Mitchell Elliott

Oct. 30, 2018

Signature of Authorizing Official

DATE

NAME, TITLE Mitchell Elliott TRANSIT Director

Mountain Empire Older Citizens, Inc.

NOTE: ****Provide here** a copy of meeting minutes, resolution, or other appropriate documentation showing that the board of directors or appropriate governing entity of official(s) responsible for policy decisions has reviewed and approved the Title VI Program.**

VI. ORGANIZATION AND TITLE VI PROGRAM RESPONSIBILITIES

The **Mountain Empire Older Citizens, Inc. Transportation Director** is responsible for ensuring implementation of the agency's Title VI program. Title VI program elements are interrelated and responsibilities may overlap. 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, Mountain Empire Older Citizens, Inc. 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, **Mountain Empire Older Citizens, Inc.** 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. Mountain Empire Older Citizens, Inc. will also maintain and provide to DRPT on 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. Mountain Empire Older Citizens, Inc. 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 Transit Director.

8. Title VI clauses in contracts

In all federal procurements requiring a written contract or Purchase Order (PO), **Mountain Empire Older Citizens, Inc.** contract/PO will include appropriate non-discrimination clauses. The Title VI Manager will work with the Transit Director and CEO 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, Mountain Empire Older Citizens, Inc. 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.

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).

Mountain Empire Older Citizens, Inc. 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 **Mountain Empire Older Citizens, Inc.** or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, our contact information is:

Mitchell Elliott
Transportation Director
Mountain Empire Older citizens, Inc.
P.O. Box 888
Big Stone Gap, VA 24219
276-523-7433
melliott@meoc.org

NOTE: As part of Title VI requirements, sub-recipients are also required to maintain a list of locations where their Title VI Notices have been posted or displayed. This list is to be included as part of APPENDIX A - Title VI Notice to the Public; List of Locations.

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.

Sample of Narrative

Any individual may exercise his or her right to file a complaint with **Mountain Empire Older Citizens, Inc.** 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.

Mountain Empire Older Citizens, Inc. 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:

Mountain Empire Older Citizens, Inc. 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 the Federal Transit Administration (FTA) Circular 4702.1B. For additional information on Mountain Empire Older Citizens, Inc. nondiscrimination policies and procedures, or to file a complaint, please visit the website at www.meoc.org or contact Mitchell Elliott Transit Director P.O. Box 888 Big Stone Gap, VA 24219).

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 *Mountain Empire Older Citizens, Inc. ride guide* brochure.

A copy of [Name of Agency's] Title VI Complaint Form is attached as APPENDIX B.

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

Signature Date

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

SAMPLE – TITLE VI COMPLAINT FORM

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 **Mountain Empire Older Citizens, Inc.** 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 Mountain Empire Older Citizens, Inc. Title VI Manager at P.O. Box 888, Big Stone Gap, VA 24219 or www.meoc.org
 - e. Complaints received by any other employee of Mountain Empire Older Citizens, Inc. 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 Transit Operations 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 **Mountain Empire Older Citizens, Inc.** 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, **Mountain Empire Older Citizens, Inc.** 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 **Mountain Empire Older Citizens, Inc.** 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.

SAMPLE 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.				
Lawsuits				
1.				
Complaints				
1.				

SEE APPENDIX C- Investigations, Lawsuits and Complaints Document

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 Mountain Empire Older Citizens, Inc. 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.

Mountain Empire Older Citizens, Inc. 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.

Mountain Empire Older Citizens, Inc. 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.

A SAMPLE OF EFFECTIVE PUBLIC OUTREACH PRACTICES INCLUDES:

- a. Determining and identifying what meetings and program activities lend themselves to client public participation.**
- b. Scheduling meetings at times and locations that are convenient and accessible for minority and LEP communities.**
- c. Employing different meeting sizes and formats.**

- d. Coordinating 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.**
- e. Considering radio, television, or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP populations could also include audio programming available on podcasts.**
- f. Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.**

SEE APPENDIX D-Summary of Outreach Efforts

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

SAMPLE PLAN FOR SERVING PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)

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 13116, 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 *Mountain Empire Older Citizens, Inc.* is based on FTA guidelines.

As required, **Mountain Empire Older Citizens, Inc.** developed a written LEP Plan (below). Using 2010 and American Community Survey (ACS) Census data, **Mountain Empire Older Citizens, Inc.** 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.

Assessment of Needs and Resources

The need and resources for LEP language assistance were determined through a four-factor analysis as recommended by FTA guidance.

Factor 1: Assessment of the Number and Proportion of LEP Persons Likely to be Served or Encountered in the Eligible Service Population

The agency has reviewed census data on the number of individuals in its service area that have limited English Proficiency, as well as the languages they speak.

U.S. Census Data – American Community Survey (2011-2015)

Data from the U.S. Census Bureau’s American Community Survey (ACS) were obtained through www.census.gov by Mountain Empire Older Citizen’s service area. The agency’s service area includes a total of 638 (0.73%) persons with Limited English Proficiency (those persons who indicated that they spoke English “less than very well” in the 2011-2015 ACS Census).

Information from the 2011-2015 ACS also provides more detail on the specific languages that are spoken by those who report that they speak English less than very well. Languages spoken at home by those with LEP are presented below. These data indicate the extent to which translations into other language are needed to meet the needs of LEP persons.

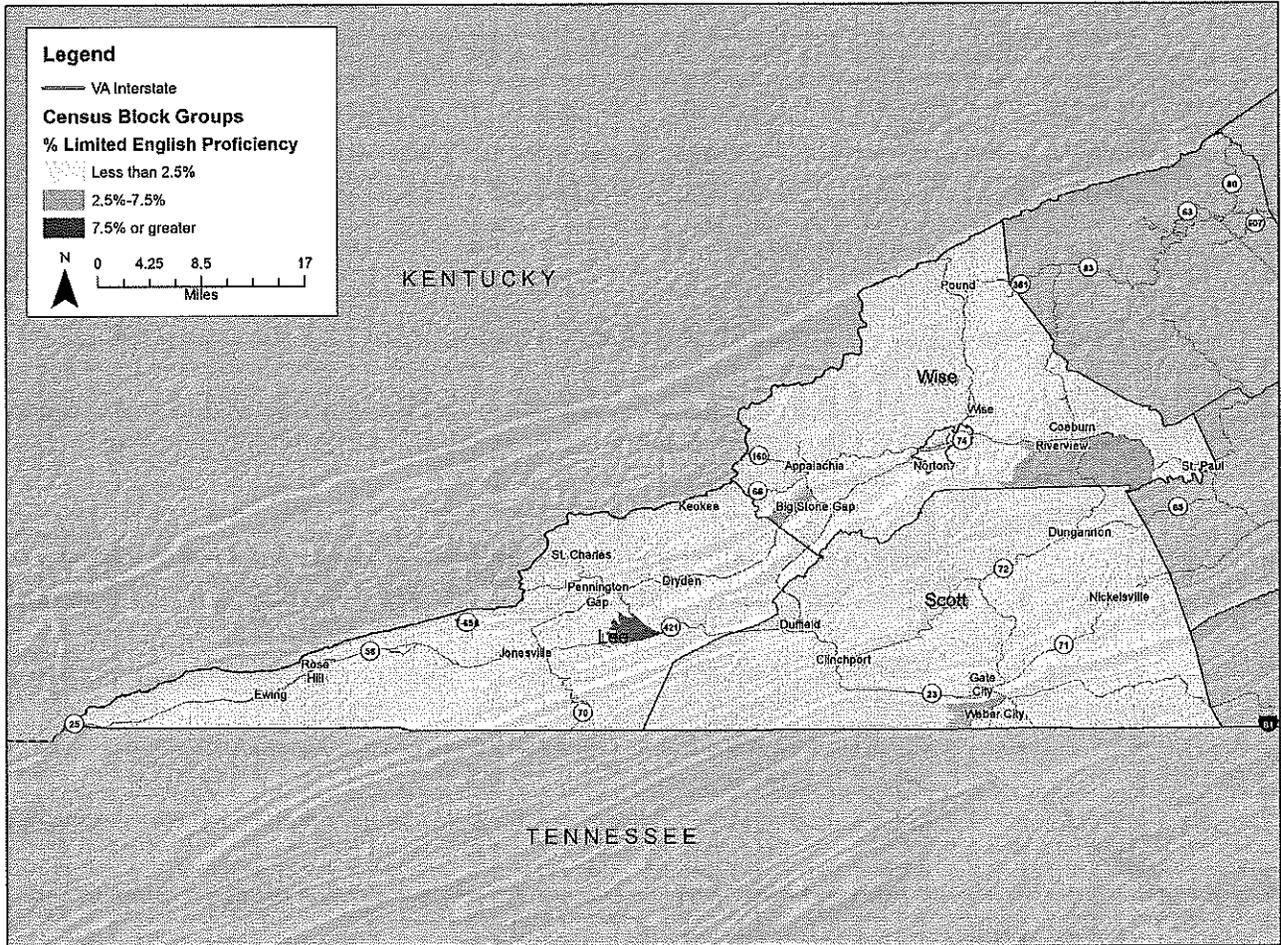
Table 1 – LEP by Language Spoken at Home

Language	MEOC Service Area		
	Number of LEP Population	Percent of Service Area Population Speaking Language	Percent of LEP Population Speaking Language
Spanish or Spanish Creole	435	0.50%	68.18%
French	58	0.07%	9.09%
German	28	0.03%	4.39%
Persian	19	0.02%	2.98%
Laotian	14	0.02%	2.19%
Arabic	13	0.01%	2.04%
Chinese	12	0.01%	1.88%
Other and unspecified languages	12	0.01%	1.88%
African languages	10	0.01%	1.57%
Russian	8	0.01%	1.25%
Urdu	7	0.01%	1.10%
Serbo-Croatian	6	0.01%	0.94%
Other Pacific Island languages	5	0.01%	0.78%
Japanese	4	0.00%	0.63%
Thai	4	0.00%	0.63%
Vietnamese	3	0.00%	0.47%
Total LEP Population	638	0.73%	
Total Service Area Population	87,020		

Spanish or Spanish Creole (435) is the most widely spoken language among LEP individuals in the Service Area. No language group surpasses the Safe Harbor Provision.

Figure 1 shows the percentage of LEP individuals in each Census Block Group. There are higher percentages of LEP persons in central Lee County.

Figure 1 - % LEP by Census Block Group



Factor 2: Assessment of Frequency with Which LEP Individuals Come Into Contact with the Transit Services or System

Mountain Empire Older Citizens, Inc. reviewed the relevant benefits, services, and information provided by the agency and determined the extent to which LEP persons have come into contact with these functions through the following channels:

- Contact with transit vehicle operators;
- Contact with transit station managers;
- Calls to **Mountain Empire Older Citizens, Inc.** customer service telephone line;
- Visits to the agency’s headquarters;
- Access to the agency’s website;

- Attendance at community meetings or public hearings hosted by **Mountain Empire Older Citizens, Inc.**
- Contact with the agency's ADA complementary paratransit system (including applying for eligibility, making reservations, and communicating with drivers).

We will continue to identify emerging populations as updated Census and American Community Survey data become available for our service area. In addition, when LEP persons contact our agency, we attempt to identify their language and keep records on contacts to accurately assess the frequency of contact. To assist in language identification, we use a language identification flashcard based on that which was developed by the U.S. Census. (<http://www.lep.gov/ISpeakCards2004.pdf>)]

Information from Community Organizations that Serve LEP Persons (Optional?)

To supplement the Census, education, and labor department data, **Mountain Empire Older Citizens, Inc.** conducted community outreach to the following organizations that work with LEP populations.

- Wise County and Scott County response no need contacted by phone.
- Cumberland Coal Company largest employer response no-need contacted by phone
- Wise County Sheriffs Dept. response no-need contacted by phone Also contacted Scott and Lee Counties same response
- Heritage Church of God response no -need contacted 3 other large area churches same response
- Independence House Unlimited Human service agency response no-need

[Note: All of those agencies were contacted by phone agreed to participate in survey groups and agency sponsored meetings.]

Factor 3: Assessment of the Nature and Importance of the Transit Services to the LEP Population

Mountain Empire Older Citizens, Inc. provides the following programs, activities and services:

Attachment included

Based on past experience serving and communicating with LEP persons and interviews with community agencies, *[as well as questionnaires or direct consultations with LEP persons (if applicable, e.g. through focus groups or individual interviews facilitated/interpreted by a community agency)]*, we learned that the following

services/routes/programs are currently of particular importance LEP persons in the community.

The following are the most critical services provided by **Mountain Empire Older Citizens, Inc.** for all customers, including LEP persons.

- Safety and security awareness instructions
- Emergency evacuation procedures
- Public transit services, including reduced fare application process
- ADA paratransit services
- Other paratransit services
- Services targeted at low income persons

Factor 4: Assessment of the Resources Available to the Agency and Costs

Costs

The following language assistance measures currently being provided by **Mountain Empire Older Citizens, Inc.**

- Because of the low number of LEP individuals in the service area, no requests for services have been denied due to language barriers. MEOC will constantly be aware of the potential and will re-evaluate at least each three year period.

Based on the analysis of demographic data and contact with community organizations and LEP persons, Mountain Empire Older Citizens, Inc. has determined that the following additional services are ideally needed to provide meaningful access:

Mountain Empire Older Citizens, Inc. will make incremental changes to the type of written and oral language assistance provided as well as to their staff training and community outreach programs. The cost of proposed changes and the available resources will affect the changes that can be made and therefore Mountain Empire Older Citizens, Inc. will attempt to identify the most cost-effective approaches.

Resources

The available budget that could be currently be devoted to additional language assistance expenses is **\$100.00** This amount is likely to *stable* over time.

Mountain Empire Older Citizens, Inc. has not requested additional grant funding for language assistance at this time.

In addition, in-kind assistance may be available through *our local colleges: University of Virginia's College at Wise and Mountain Empire Community College.*

Feasible and Appropriate Language Assistance Measures

Based on the available resources, the following language assistance measures are feasible and appropriate for our agency at this time: We have never had a call for language assistance but we do have a standby plan with local college to help if needed. Also we have a web connection to help.

LEP Implementation Plan

Through the four-factor analysis, **Mountain Empire Older Citizens, Inc.** has determined that the following types of language assistance are most needed and feasible:

No services needed at this time we will constantly monitor them.

Agency staff who come into contact with LEP persons can access language services by *having a telephone menu allowing the customer to pre-select their language.* All staff will be provided with a list of available language assistance services and additional information and referral resources (such as community organizations which can assist LEP persons). This list will be updated at least annually.

Responding to LEP Callers

Staff who answer calls from the public respond to LEP customers as follows: *[describe, indicate language translation line if used, availability of bilingual staff. Include trip scheduling procedures for LEP persons].*

Responding to Written Communications from LEP Persons

The following procedures are followed when responding to written communications from LEP persons: *Language services provided by web or local college.*

Responding to LEP Individuals in Person

The following procedures are followed when an LEP person visits our customer service and administrative office: *Language services provided by web or local college.*

The following procedures are followed by operators when an LEP person has a question on board a **Mountain Empire Older Citizens, Inc.** vehicle: *They would be referred to and helped with telephone assistance.*

Staff Training

As noted previously, all **Mountain Empire Older Citizens, Inc.** staff are provided with a list of available language assistance services and additional information and referral resources, updated annually.

All new hires receive training on assisting LEP persons as part of their sensitivity and customer service training. This includes:

- A summary of the transit agency's responsibilities under the DOT LEP Guidance;
- A summary of the agency's language assistance plan;
- A summary of the number and proportion of LEP persons in the agency's service area, the frequency of contact between the LEP population and the agency's programs and activities, and the importance of the programs and activities to the population;
- A description of the type of language assistance that the agency is currently providing and instructions on how agency staff can access these products and services; and
- A description of the agency's cultural sensitivity policies and practices.

Also, all staff who routinely come into contact with customers, as well as their supervisors and all management staff, receive annual refresher training on policies and procedures related to assisting LEP persons.

Providing Notice to LEP Persons

LEP persons are notified of the availability of language assistance through the following approaches: *[List items such as:*

- *following our Title VI policy statement included on our vital documents.*
- *on our website, with links to translations of vital documents in other languages.*
- *through signs posted on our vehicles and in our customer service and administrative offices.*
- *through ongoing outreach efforts to community organizations, schools, and religious organizations.*
- *use of an automated telephone menu system in the most common languages encountered.*
- *including the transit system's language translation line on all materials.*
- *staffing a table with bilingual staff at community service events of interest to LEP groups.*
- *sending translated news releases and public service announcements about the availability of translated information to newspapers and broadcast media that target local LEP communities.]*

LEP persons will also be included in all community outreach efforts related to service and fare changes.

Monitoring/Updating the plan

This plan will be updated on a periodic basis (at least every three years), based on feedback, updated demographic data, and resource availability.

As part of ongoing outreach to community organizations, **Mountain Empire Older Citizens, Inc.** will solicit feedback on the effectiveness of language assistance provided and unmet needs. In addition, we will conduct periodic *surveys, focus groups, community meetings, internal meetings with staff who assist LEP persons, review of updated Census data, formal studies* of the adequacy and quality of the language assistance provided, and determine changes to LEP needs.

In preparing the triennial update of this plan, **Mountain Empire Older Citizens, Inc.** will conduct an internal assessment using the Language Assistance Monitoring Checklist provided in the FTA's "Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers." *[This checklist attached at the end of this sample plan.]*

Based on the feedback received from community members and agency employees, **Mountain Empire Older Citizens, Inc.** will make incremental changes to the type of written and oral language assistance provided as well as to their staff training and community outreach programs. The cost of proposed changes and the available resources will affect the enhancements that can be made, and therefore **Mountain Empire Older Citizens, Inc.** will attempt to identify the most cost-effective approaches.

As the community grows and new LEP groups emerge, **Mountain Empire Older Citizens, Inc.** will strive to address the needs for additional language assistance.

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."

Mountain Empire Older Citizens, Inc. has transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which we select.

The Board of Directors of Mountain Empire Older Citizens, Inc. will consist of 8 members that reside in planning district one. The County Board of Supervisors in Lee, Wise, Scott and the City of Norton shall appoint one member of their jurisdiction to serve on the board. The advisory council on aging shall appoint 4 members to the Board of Directors. The Advisory Council on Aging shall consist of persons 60 years or older, service providers, community groups and interested private individuals. In addition the

Recording Secretary and Nominating Committee with the approval of the Council, may appoint additional members at large to insure that minority and low income persons shall be represented in proportion to their number in the planning district.

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
Citizens Advisory Committee (CAC)								
% of CAC Committee								
Citizens Advisory Committee on Accessible Transportation (CACAT)								
% of CACAT Committee								

**Note – Other races reported: Lithuania, Ukrainian, and Polish*

SEE APPENDIX E- TABLE MINORITY REPRESENTATION ON COMMITTEES BY RACE

IX. REQUIREMENTS OF TRANSIT PROVIDERS

Requirements and Guidelines for Fixed Route Transit Providers

The requirements apply to all providers of fixed route public transportation (also referred to as transit providers) that receive Federal financial assistance, inclusive of States, local and regional entities, and public and private entities.

Transit providers that are sub-recipients will submit the information to their primary recipient (the entity from whom they directly receive transit funds) every three years on a schedule determined by the primary recipient. The requirements are scaled based on the size of the fixed route transit provider.

REQUIRED: Service Standards and Policies

- **Service Standards**
 - Vehicle load, Vehicle headway, On-time performance, Service availability
- **Service Policies**
 - Transit amenities, Vehicle assignment

Mountain Empire Older Citizens, Inc. is required to plan and deliver transportation services in an equitable manner. This means the distribution of service levels and quality is to be equitable between minority and low income populations and the overall population. **Mountain Empire Older Citizens, Inc.** has reviewed its services and policies to ensure that those services and benefits are provided in an equitable manner to all persons.

Service Standards

The agency has set standards and policies that address how services are distributed across the transit system service area to ensure that the distribution affords users equitable access to these services. As shown in the following maps, the agency's routes are all demand response. The agency's demand responsive services are available to all callers on a first-come first-served basis, without regard for race, color or national origin.

The following system-wide service standards are used to guard against service design or operations decisions from having disparate impacts.. All of **Mountain Empire Older Citizens, Inc.** services meet the agency's established standards; thus it is judged that services are provided equitably to all persons in the service area, regardless of race, color or national origin.

- **Vehicle load** -Vehicle load is expressed as the ratio of passengers to the total number of seats on a vehicle at its maximum load point. The standard for maximum vehicle

load is vehicle load, all of **Mountain Empire Older Citizens, Inc.** services meet this standards

- **On-time performance** -On-time performance is a measure of runs completed as scheduled. This criterion first must define what is considered to be “on time.” The standard for on-time performance is **95%**, all of **Mountain Empire Older Citizens, Inc.** services meet this standards
- **Service availability** - Service availability is a general measure of the distribution of routes within a transit provider’s service area or the span of service. The standard for service availability is **95%** all of **Mountain Empire Older Citizens, Inc.** services meet this standard.

Service and Operating Policies

The **Mountain Empire Older Citizens, Inc.** service and operating policies also ensure that operational practices do not result in discrimination on the basis of race, color, or national origin.

- **Distribution and Siting of Transit Amenities** -Transit amenities refer to items of comfort, convenience, and safety that are available to the general riding public. Mountain Empire Older Citizens, Inc. has a policy to ensure the equitable distribution of transit amenities across the system. This policy applies to seating (i.e., benches, seats), bus shelters and canopies, (c) provision of information, Intelligent Transportation Systems (ITS), waste receptacles (including trash and recycling). Passenger amenities are sited based on all routes are demand response.
- **Vehicle assignment** - Vehicle assignment refers to the process by which transit vehicles are placed into service and on routes throughout the system. **Mountain Empire Older Citizens, Inc.** assigns vehicles with the goal of providing equitable benefits to minority and low income populations. Vehicles are assigned with regard to service type (fixed-route, demand-response, or a hybrid type) and ridership demand patterns (routes with greater numbers of passengers need vehicles with larger capacities). For each type of assignment, newer vehicles are rotated to ensure that no single route or service always has the same vehicle. The **Transit Director** reviews vehicle assignments on a monthly basis to ensure that vehicles are indeed being rotated and that no single route or service always has the old or new vehicles.

Monitoring Title VI Complaints

As part of the complaint handling procedure, the Title VI Manager investigates possible inequities in service delivery for the route(s) or service(s) about which the complaint was filed. Depending on the nature of the complaint, the review examines span of service (days and hours), frequency, routing directness, interconnectivity with other routes and/or fare policy. If inequities are discovered during this review, options for reducing the disparity are explored, and service or fare changes are planned if needed.

In addition to the investigation following an individual complaint, the Title VI Manager periodically reviews all complaints received to determine if there may be a pattern. At a minimum, this review is conducted as part of preparing the Annual Report and Update for submission to DRPT.

Fare and Service Changes

Mountain Empire Older Citizens, Inc. follows its adopted written policy for the public comment process for major service reductions and fare increases. With each proposed service or fare change, **Mountain Empire Older Citizens, Inc.** considers the relative impacts on, and benefits to, minority and low income populations, including LEP populations. All planning efforts for changes to existing services or fares, as well as new services, have a goal of providing equitable service.

MOUNTAIN EMPIRE OLDER CITIZENS, INC. TRANSPORTATION SERVICES Title VI Plan

Agency Name: Mountain Empire Older Citizens, Inc.

I. Plan Statement

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).

Mountain Empire Older Citizens, Inc. 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, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.A.

This plan was developed to guide Mountain Empire Older Citizens, Inc. in its administration and management of Title VI-related activities.

Title VI Coordinator Contact

Mitch Elliott, Transit Director

Mountain Empire Older Citizens, Inc.

1501 3rd Avenue East

Big Stone Gap, Va. 24219

II. Title VI Information Dissemination

Title VI information posters shall be prominently and publicly displayed in the Administrative Offices of Mountain Empire Older Citizens, Inc. at 1501 3rd Avenue East, Big Stone Gap, Va. 24219. The name of the Title VI coordinator will be displayed on the poster. Additional information relating to nondiscrimination obligation can be obtained from Mountain Empire Older Citizens, Inc. Title VI Coordinator.

During New Employee Orientation and subsequent employee trainings, information relative to the provisions of Title VI, and Mountain Empire Older Citizens, Inc.'s expectations to perform their duties accordingly will be reviewed and discussed. All employees shall be provided a copy of the Title VI Plan and are required to sign the Acknowledgement of Receipt (Appendix A & B).

Mountain Empire Older Citizens, Inc. will ensure that all vehicles will prominently post the existence of the Title VI Plan and will contain the non-discrimination statement of the Agency. A reference to the Title VI Plan will be printed in the local news paper as part of the application process on a yearly basis. The Title VI plan will be located on Mountain Empire Older Citizens, Inc. website for review.

III. Subcontracts and Vendors

All subcontractors and vendors who receive payments from Mountain Empire Older Citizens, Inc. where funding originates from any federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended. Written contracts shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

IV. Record Keeping:

The Title VI Coordinator will maintain permanent records, which include, but are not limited to, signed acknowledgements of receipt from the employees indicating the receipt of the Mountain Empire Older Citizens, Inc.'s Title VI Plan, copies of Title VI complaints or lawsuits and related documentation, and records of correspondence to and from complainants, and Title VI investigations.

V. Title VI Complaint Procedures

Filing a Complaint:

Any person can file a signed, written complaint up to one hundred and eighty (180) days from the date of the alleged discrimination. The complaint should include the following information (APPENDIX C):

- Complainant's name, mailing address, and viable contact information
- How, when, where and why the complainant believes that they were discriminated against. Include the location, names and contact information of any witnesses.
- Other information that is deemed significant

The Title VI Complaint Form (Attached) may be used to submit the complaint information. The complaint may be filed in writing with Mountain Empire Older Citizens, Inc. at the following address:

Mountain Empire Older Citizens, Inc.

1501 3rd Avenue East

Big Stone Gap, Va. 24219

Mountain Empire Older Citizens, Inc. 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.

Complaint process:

All complaints alleging discrimination based on race, color or national origin in a service or benefit provided by Mountain Empire Older Citizens, Inc. will be directly addressed by the Mountain Empire Older Citizens, Inc. Mountain Empire Older Citizens, Inc. shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, Mountain Empire Older Citizens, Inc. shall make every effort to address all complaints in an expeditious and thorough manner.

A letter of acknowledging receipt of complaint will be mailed within seven days (Appendix D). Please note that in responding to any requests for additional information, a complainant's failure to provide

the requested information may result in the administrative closure of the complaint. Notification of Complaint: Mountain Empire Older Citizens, Inc. will send a final written response letter (Appendix E & F) to the complainant. This written response may be drafted subject to review by Mountain Empire

Older Citizens, Inc.'s attorney. In the letter notifying complainant that the complaint is not substantiated, the complainant is also advised of his or her right to 1) appeal within seven calendar days of receipt of the final written decision from Mountain Empire Older Citizens, Inc., and/or 2) file a complaint externally with the U.S. Department of Transportation, and/or the FTA. Every effort will be made to respond to Title VI complaints within 60 working days of receipt of such complaints, if not sooner.

In addition to the complaint process described above, a complainant may file a Title VI complaint with the following offices:

Federal Transit Administration Office of Civil Rights

Attention: Title VI Program Coordinator

East Building, 5th Floor – TCR

1200 New Jersey Ave., SE

Washington, DC 20590

VI. Limited English Proficiency (LEP) Plan

Mountain Empire Older Citizens, Inc, performed a four-factor analysis to determine the need for a Limited English Proficiency (LEP) Plan. Based on current demographics and demand for language assistance, it has been determined that a formal plan is not necessary.

VII. Community Outreach

As an agency receiving federal financial assistance, we have made the following community outreach efforts:

- Mountain Empire Older Citizens, Inc. will ensure that all vehicles will prominently post the existence of the Title VI Plan and will contain the non-discrimination statement of the Agency. A reference to the Title VI Plan will be printed in the local news paper as part of the application process on a yearly basis. The Title VI plan will be located on Mountain Empire Older Citizens, Inc. website for review. Any questions or concerns may be forwarded to the Title VI Coordinator through the vehicle operator or an appointment may be made in person to discuss questions or concerns with the Title VI Coordinator.
- Transportation issues are discussed and reviewed at the Board level. All Mountain Empire Older Citizens, Inc. Board meetings are open to the public.
- Customers' complaints are forwarded to the director for review and investigation.

Appendix A

Employee Annual Education Form

Title VI Policy

No person shall, on the grounds 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.

All employees of Mountain Empire Older Citizens, Inc. are expected to consider, respect, and observe this policy in their daily work and duties. If a citizen approaches you with a question or complaint, direct him or her to the Title VI Coordinator and Director of the Mountain Empire Older Citizens, Inc..

Appendix B

Acknowledgement of Receipt of Title VI Plan

I hereby acknowledge the receipt of Mountain Empire Older Citizens, Inc. Title VI Plan. I have read the plan and am 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, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.A.

Your signature

Print your name

Date:

Appendix C

TITLE VI COMPLAINT FORM

Title VI of the 1964 Civil Rights Act requires 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." If you feel you have been discriminated against in transit services, please provide the following information in order to assist us in processing your complaint and sent it to:

Provide address here

Please print clearly:

Name: _____

Address: _____

City, State, Zip Code: _____

Telephone Number: _____ (home) _____ (cell) _____ (message)

Person discriminated against: _____

Address of person discriminated against: _____

City, State, Zip Code: _____

Please indicate why you believe the discrimination occurred:

_____ race or color

_____ national origin

_____ income

_____ other

What was the date of the alleged discrimination? _____

Where did the alleged discrimination take place? _____

Please describe the circumstances as you saw it: _____

Please list any and all witnesses' names and phone numbers:

What type of corrective action would you like to see taken?

Please attach any documents you have which support the allegation. Then date and sign this form and send to the Title VI Coordinator at:

Mitch Elliott, Transit Director

Title VI Coordinator

Mountain Empire Older Citizens, Inc.

1501 3rd Avenue East

Big Stone Gap, Va. 24219

276-523-4202

meliott@meoc.org

Your signature

Print your name

Date:

APPENDIX D

Letter Acknowledging Receipt of Complaint

Today's Date

Ms. Jo Doe

1501 3rd Avenue East

Big Stone Gap, Va. 24219

Dear Ms. Doe:

This letter is to acknowledge receipt of your complaint against Mountain Empire Older Citizens, Inc. alleging _____.

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by telephoning 276-523-7433, or write to me at this address.

Sincerely,

Mitch Elliott, Transit Director

Title VI Coordinator

APPENDIX E

Letter Notifying Complainant that the Complaint Is Substantiated

Today's Date

Ms. Jo Doe

1501 3rd Avenue East

Big Stone Gap, Va. 24219

Dear Ms. Doe:

The matter referenced in your letter of _____ (date) against Mountain Empire Older Citizens, Inc. alleging Title VI violation has been investigated.

(An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program. (If a hearing is requested, the following sentence may be appropriate.) You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

Mitch Elliott, Transit Director

Title VI Coordinator

APPENDIX F

Letter Notifying Complainant that the Complaint Is Not Substantiated

Today's Date

Ms. Jo Doe

1234 Main St.

Gate City, Va. 24251

Dear Ms. Doe:

The matter referenced in your complaint of _____ (date) against the Mountain Empire Older Citizens, Inc., alleging _____ has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964 had in fact been violated. As you know, Title VI prohibits discrimination based on race, color, or national origin in any program receiving federal financial assistance.

Mountain Empire Older Citizens, Inc. has analyzed the materials and facts pertaining to your case for evidence of the city's failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated.

I therefore advise you that your complaint has not been substantiated, and that I am closing this matter in our files.

You have the right to 1) appeal within seven calendar days of receipt of this final written decision from the Mountain Empire Older Citizens, Inc., and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration at

Federal Transit Administration Office of Civil Rights Attention: Title VI Program Coordinator East Building, 5th Floor - TCR 1200 New Jersey Ave., SE Washington, DC 20590

Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to call me.

Sincerely,

Mitch Elliott, Transit Director
Title VI Coordinator

APPENDIX G

Samples of Narrative to be included in Posters to be Displayed in Revenue Vehicles and Facilities:

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).

Mountain Empire Older Citizens, Inc. 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, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.A. If you feel you are being denied participation in or being denied benefits of the transit services provided by The Mountain Empire Older Citizens, Inc., or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, our contact information is:

Mitch Elliott, Transit Director

Title VI Coordinator

Mountain Empire Older Citizens, Inc.

1501 3rd Avenue East

Big Stone Gap, Va. 24219

276-523-4202

melliott@meoc.org

APPENDIX H

Internet Notice:

Title VI Notice to the Public

Mountain Empire Older Citizens, Inc. gives public notice of its policy to assure full compliance with Title VI of the Civil Rights Act of 1964 and all related statutes. Title VI requires that no person in the United States of America shall, on the grounds of race, color, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which MEOC receives Federal financial assistance.

Please contact MEOC to request a copy of the Title VI program.

Any person who believes that he or she has, individually, or as a member of any specific class of persons, been excluded from the participation in, been denied the benefits of, or been otherwise subjected to discrimination under any program or activity for which MEOC provides assistance, and believes the discrimination is based upon race, color, national origin, gender, age, economic status or limited English proficiency has the right to file a formal complaint.

A complaint must be submitted within 180 days of the alleged discriminatory act. Complaints may also be filed with the US Federal Transit Administration. You may file the complaint thru email via the link below, by phone or in writing.

For complainants who may be unable to file a written complaint, verbal information will be accepted by MEOC at 276-523-7433.

To submit a formal complaint or to request additional information on Title VI obligations contact MEOC as noted below.

Transit Director
MEOC
P O Box 888
Big Stone Gap, VA 24219
276-523-7433

www.meoc.org

