



Title VI Handbook

Office of Civil Rights

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INTRODUCTION

This handbook is designed for any recipient of FTA funds in Oregon to understand the requirements of Title VI of the Civil Rights Act of 1964. One of these requirements is to maintain an updated and complete **Title VI Program Plan**. Maintaining an updated plan establishes nondiscrimination policies and procedures in transportation programs and supports more inclusive mobility services in our communities.

Any entity receiving federal dollars, either directly from the Federal Transit Administration (FTA) or through the Oregon Department of Transportation (ODOT), must not discriminate based on factors which include, but are not limited to, race, ethnicity, national origin, age, disability status or gender.

This handbook specifically addresses federal nondiscrimination requirements and guidelines for recipients of federal transit funds as detailed in [FTA C 4207.1B](#). The federal requirements are the minimum and agencies can include additional nondiscrimination policies or equity and inclusion best practices. Therefore, this handbook can be used as a template to organize and/or update a Title VI Program Plan.

BACKGROUND

ODOT's Office of Equity and Civil Rights (OECR) ensures compliance in programs and activities that are funded in part or in full by the Federal Transit Administration (FTA) or the Federal Rail Administration (FRA). OECR staff provide support, review, and technical assistance to any transit provider or other agency in Oregon that receives these funds.

The ODOT Public Transportation Division (PTD) supports the state's goals for citizens to have transportation choices to live independently and participate in the economy. As a Primary Designated Recipient of FTA funding, PTD administers and distributes FTA funds to subrecipients throughout Oregon. Responsibilities include monitoring subrecipients'

TITLE VI:

"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."

compliance with Title VI, collecting Title VI program documents, and providing Title VI reports directly to FTA. These responsibilities are delegated to the ODOT Intermodal Civil Rights Program within the Office of Equity and Civil Rights.

Some subrecipients may receive funding directly from FTA or passed through from other Direct Recipients. These subrecipients may also be required to submit Title VI reports and program documents to the entity that provided them with FTA funds. The exact requirements should be determined on a case-by-case basis.

HOW TO USE THIS HANDBOOK

The handbook is intended to be a plain language guide based upon and rules that are established by the FTA and other federal authorities, organized as a basic template for the creation and update of a transit agency's Title VI Program; however, some more specific elements may require review of FTA Circular 4702.1B and technical assistance from ODOT.

The handbook is organized in sections that clearly identify the requirements that a reviewer is looking for in a complete, updated Title VI Program Plan:

- **New Title VI Plan:** If your agency is developing an FTA-compliant Title VI Plan for the first time, this handbook lists the requirements and includes examples and templates that will guide you to include all the necessary elements.
- **Three-year updates:** If your agency is updating an existing FTA compliant Title VI Plan, this handbook is organized so you can skip to the sections that are necessary for you to update. Before submittal and review, however, the full plan should be reviewed for accuracy of names, addresses, and other copy editing.

CONTACT

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503-986-4524

Contact your Regional Transit Coordinator or the Intermodal Civil Rights Programs Manager for assistance with formatting or the creation of any of these sections.

- **Ongoing review:** These components may need to be reviewed or updated on a more frequent basis:
 - » Public Participation Plan
 - » Language Assistance Plan
 - » Minority Representation of Non-Elected Boards
 - » Title VI complaint procedure

GENERAL REQUIREMENTS

The requirement to prepare and maintain a current Title VI Program plan is intended to:

- Ensure **access to essential public transportation services** is provided to everyone in our communities.
- Promote **full and fair public participation** in transportation decision-making so that these decisions more accurately reflect the needs of the riders and community.
- Ensure meaningful access to transit-related programs and activities **for persons with limited English proficiency**.

UPDATE SCHEDULE

Every recipient of FTA funding is required to submit an updated Title VI Program every three years. Subrecipient's due dates are staggered for submittal in order to provide for timely processing. Information on discrimination complaints or major service changes should be reported when they occur.

Update Schedule:

1. Review and update Title VI Program, LEP documents, and public participation plan within the requested timelines.
2. Ensure that Title VI Notice to the Public, Title VI Complaint Procedure, and Title VI Complaint Form are posted and available as described in the ODOT Intermodal Title VI Handbook and FTA Title VI Guidance. This information should also be provided in other languages per USDOT LEP Guidance.
3. Verify that Title VI Nondiscrimination statement is posted as stated in the plan. The statement should also be posted in other languages if necessary per USDOT LEP Guidance.
4. Update demographic information for the LEP Four Factor Analysis.
5. Submit digital draft of the updated Title VI Plan to ODOT OECR for review and comment.
6. Update Minority Representation Table for non-elected advisory boards. Include a description of the efforts made to encourage participation of minorities on these boards.
7. After receiving comment from OECR and resolving any incomplete sections of the draft, submit to governing body for formal approval. After approval of governing body is complete, transmit a copy of evidence of this approval to OECR.
8. Keep updated Title VI Plan, ODOT letter of completion, and any other relevant documents on file.

SPECIFIC REQUIREMENTS

The following checklist lays out the universally required sections in a Title VI Program Plan as found in FTA Circular 4702.1B. Each subrecipient has the ability to design their program plan to fit the scope of the agency and services they provide; however, all items on this checklist should be addressed in a compliant plan.

This checklist can also be printed out and used as a worksheet during the update process.

TITLE VI PROGRAM PLAN REQUIREMENTS CHECKLIST

✓	Task	Description	Assignee	Page	Misc. Notes
	1. Title VI Notice to the Public	The Title VI Notice and list of posted locations.	All subrecipients	6	
	2. Title VI Complaint Procedure	Instructions for the public on how to file a Title VI discrimination complaint.	All subrecipients	6	
	3. Title VI Complaint Form	Template for the public to use to file a complaint.	All subrecipients	7	
	4. Transit-Related Title VI Investigations, Complaints, and Lawsuits List	A list or log of all Title VI investigations, complaints, and lawsuits pertaining to their transit-related activities.	All subrecipients	7	
	5. Public Participation Plan	A plan outlines procedures to engage the public and a summary of outreach activities made since the last Title VI Plan submission.	All subrecipients	8	
	6. Language Assistance Plan	A plan to provide language assistance to persons with LEP based on USDOT guidance.	All subrecipients	9	
	7. Minority Representation of Boards or Committees	Table that depicts membership of committees and councils demographics, and a description of the process the agency uses to encourage participation of minorities.	All subrecipients	10	
	8. Title VI (Facility Location) Equity Analysis	Studies the potential impact of land acquisition and site construction on displacement of protected classes.	<i>For recipients constructing a facility.</i>	10	
	9. Fixed Route Service Standards	Describes frequency of service, age, and quality of vehicles, quality of stations, or location of routes.	<i>For all fixed route transit providers.</i>	11	
	10. Fixed Route Service Policies	Describes the distribution of transit amenities or vehicle assignments.	<i>For all fixed route transit providers.</i>	11	

TITLE VI PROGRAM DETAILS AND EXAMPLES

1. **Title VI Notice to The Public:** The subrecipient must inform riders and the public of their rights under Title VI regulations by posting a Title VI Notice (Appendix Pg. 13). The Title VI notice must include:
 - A statement that the agency operates programs without regard to race, color or national origin.
 - Information on how to request additional information about the agency's Title VI obligations, such as how to file a complaint or how to request language assistance.
 - For more information, please visit the [USDOT LEP guidance](#).

At a minimum, the notice must be posted in the following locations:

- On the agency's website.
- In public-facing areas of agency offices.

Best practices also include posting notices in other areas, such as:

- Inside vehicles (buses, vans, rail, cars).
- In and around transit shelters and stations.
- In rider guides.
- In bus schedules.

NOTE: If you have LEP requirements, the Title VI notice must be posted in those other languages as well.

2. **Title VI Complaint Procedure:** The subrecipient must have a clear and consistent procedure for responding to customer complaints on Title VI issues (Appendix Pg. 13). The procedure must be made available and accessible to the public. The procedure should include:
 - How to file the complaint (including timelines and access to a complaint form).
 - How the agency will respond to the complaint (including timelines).
 - How to appeal the agency response.

If a complaint is investigated, describe how the complainant will be informed of the outcome:

- Note that the rider may file a complaint directly with ODOT or FTA, including relevant contact information.
 - An internal system or log for tracking Title VI complaints (issue, dates, findings, etc.).
 - How language access can be requested.
3. **Title VI Complaint Form:** The subrecipient must provide an example of the Title VI Customer Complaint form (Appendix Pg. 15) and describe where it located. Subrecipients may use a more general Discrimination Complaint Form, but that form must include Title VI protected classes. The complaint form must include fields for:
- The complainant's name and contact information.
 - Identification of the Title VI protected classes (race, color, national origin) involved in the complaint. The complaint form may include additional protected classes (disability, age, gender), but should cite the relevant law or policies.
 - Dates of the alleged discrimination.
 - Description of the alleged discriminatory act or behavior.

At a minimum, the Title VI Complaint Form must be posted on the agency website and made available in hard copy in the central office. The form must also be made available in appropriate languages for LEP.

4. **Transit-Related Title VI Investigations, Complaints and Lawsuits List:** The subrecipient must cite all Title VI discrimination complaints received since the last Title VI Plan update (Appendix Pg. 16). The agency's Title VI Plan should include an example of the complaint log, but not include details of specific complaints.

The complaint log on file shall include dates, a summary of allegations, status, actions taken by subrecipient in response, and the final outcome (if resolved). The log must be maintained and can be requested by ODOT or FTA for review if needed.

5. **Public Participation Plan:** The subrecipient must include a written Public Participation Plan that describes the strategies, procedures, and desired outcomes underpinning their public participation activities.

The public deserves multimodal options to move about the region as they please, which is why engagement with the public during the planning and delivery of projects is of such high importance. A written plan will provide a consistent framework for the agency and the public to participate in proposed transportation decisions together.

Federal requirements allow a great deal of flexibility in determining when and how often specific public participation activities should take place. The public participation plan is based on the agency's demographics, service provided, and resources available. Documentation of public participation procedures and activities is required to be maintained on an annual basis.

Additional approaches to consider when implementing public engagement activities:

- Where do people gather in their communities?
Consider going to transit centers, street fairs, faith-based institutions, libraries, etc.
- What limits people from attending meetings?
Consider varied meeting times and locations.
- What incentives motivate more people to engage with a project?
Consider child care and food during meetings.
- What digital resources can you employ to advertise upcoming projects and meetings?
Consider social media or email newsletters.
- What community groups and nonprofits operate in your jurisdiction?
Consider how you could collaborate with groups to expand outreach.

For examples of language or more detail on writing or updating the Public Participation Plan please contact ODOT Office of Civil Rights or your Regional Transit Coordinator.

PUBLIC PARTICIPATION PLAN

There are 3 core components for a public participation plan that work hand in hand:



- **Proactive Strategies:** Principles that guide engagement with the public in a meaningful way to elicit feedback and are also practical for your agency.
- **Procedures:** Processes for early, frequent and continuous engagement with the public.
- **Desired Outcomes:** Promote inclusive participation of historically underserved communities, including low-income, minority, LEP individuals, and people with disabilities.

6. **Language Assistance Plan:** The subrecipient must include a Language Assistance Plan that uses demographic data and describes how language assistance services are provided as part of the Title VI Program.

Public transportation is an essential service that enables people to get to school, work, and recreation. As a fundamental part of equal access, the FTA requires agencies to take reasonable steps to ensure meaningful access for individuals who are Limited-English Proficient (LEP). LEP refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English.

The Language Assistance Plan identifies translation and interpretation services that your agency should provide. To determine the most common languages requested and what documents are most important to translate, US DOT developed an assessment tool called the Four Factor Analysis. The most common source of data used in the Four Factor Analysis comes from the US Census; however, many other sources of data can be used to support decisions in your LAP. For more information, please visit the [USDOT LEP guidance](#).

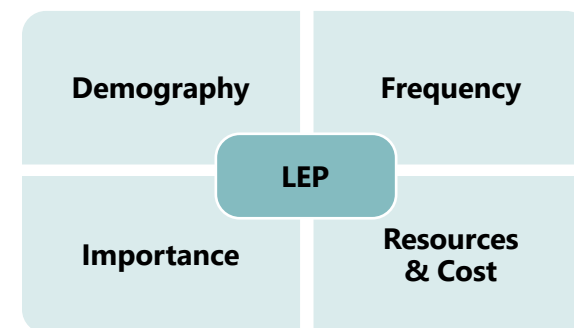
At a minimum, the Language Assistance Plan shall include:

- The results of the Four Factor Analysis, including a description of the LEP populations served.
- A description of how language assistance services are provided, by language.
- A description of how the public is informed of the availability of language assistance services.

When an agency is updating their Title VI Program, the Language Assistance Plan almost always needs to be updated. In particular, the LAP will likely need to update the demographic data in the Four Factor Analysis and provide an update to how language assistance services are provided.

*For guidance on how to access the most current demographic data please contact ODOT Office of Civil Rights or your Regional Transit Coordinator. (Or link to LAP Demographic Data Guide?)

THE LEP FOUR FACTOR ANALYSIS



- **Demography:** What is the number or proportion of LEP persons and the languages spoken?
- **Frequency:** How often do LEP persons use your services or programs?
- **Importance:** How do your programs, services or activities affect people's lives?
- **Resources and Costs:** What funding and other resources are available for outreach, services, and training?

7. **Minority Representation Table:** The subrecipient must provide a table depicting the demographic membership of any transit-related, non-elected boards, advisory councils, or oversight committees.

The table shall include a breakdown of race, and regardless of representation, it is important to describe efforts made to recruit participation of underrepresented community members on these committees. A sample form to collect this data can be found in the Appendix (Appendix Pg. 18).

8. **Title VI (Facility Location) Equity Analysis:** If a subrecipient is planning to construct certain types of facilities, they may be required to conduct a Title VI Equity Analysis.

A subrecipient planning to acquire land to construct certain types of facilities with FTA funding must ensure that their decisions are made in a nondiscriminatory manner. In the analysis, the subrecipient must consider potential impacts on people that may, as a result of the construction, be displaced from their homes or businesses.

As part of facility location equity analysis, transit providers must engage with people and businesses that could be potentially impacted by the new facilities. The analysis must be completed prior to selection of the preferred site and the Title VI Program must document any equity analysis that occurred.

Key points:

- *“Facilities”* in this context does not include transit stations or bus shelters, but instead refers to storage facilities, maintenance facilities, and operation centers.
- Even if facility construction is financed with non-FTA funds, if the subrecipient organization receives any FTA dollars, it must comply with this requirement.
- When evaluating locations, the subrecipient must investigate other facilities that have been built in the area with similar impact to determine if there are any cumulative adverse impacts.
- If the selected location of the constructed facility results in “disparate treatment” the subrecipient must show both substantial legitimate justification for locating the facility there and evidence that there are no alternative locations.

9. **Fixed Route Service Standards:** If a subrecipient provides fixed route service, they must determine the frequency of service, age and quality of vehicles assigned to routes, quality of stations serving different routes, or the location of routes in a non-discriminatory manner (Appendix Pg. 17). The subrecipient must not make service decisions on the basis of race, color, or national origin.

Fixed route: Public transportation service provided on a repetitive, fixed-schedule basis along a specific route, with vehicles stopping to pick up passengers.

Effective practices to fulfill the Service Standards requirements include:

- Vehicle load for each mode
 - Vehicle headway for each mode
 - On time performance for each mode
 - Service availability for each mode
10. **Fixed Route Service Policies:** A subrecipient providing fixed route service must determine the distribution of transit amenities or the vehicle assignments for each mode in a non-discriminatory manner. The subrecipient must develop policies to ensure service is not distributed on the basis of race, color, or national origin (Appendix Pg. 18).

Effective practices to fulfill the Service Policies requirements include developing written policies covering each of the following service indicators:

- **Transit amenities for each mode:** Items of comfort, convenience and safety which are available to the general riding public such as seating, shelters, canopies, signs, maps, schedules, escalators, elevators, and waste receptacles. Although there may be different policies for different modes of transportation, amenities policies address how these amenities are distributed within a transit system in a way that ensures all riders have equal access to the amenities.
- **Vehicle assignments for each mode:** The process for placing transit vehicles into service in depots and on routes throughout the transit provider's system. Policies may be based on vehicle type and service type.

RESOURCES, GLOSSARY & APPENDICES

RESOURCES

Please see the web addresses below for more information on federal requirements.

- [FTA Circular 4702.1B](#) (Last updated December 3, 2021): Title VI Requirements and Guidelines for Federal Transit Administration recipients.
- [FAST Act, Public Law 114-94](#) (December 4, 2015): Federal law that provides long-term funding certainty for surface transportation infrastructure planning and investment.
- [Limited English Proficiency \(LEP\), Presidential Executive Order 13166](#) (August, 11, 2000): Executive order signed to improve access to services for persons with Limited English Proficiency. This EO requires Federal agencies to examine the services they provide, identify any need for services to those with LEP, and develop and implement a system to provide those services so LEP persons can have meaningful access to them.
- [ODOT Office of Equity and Civil Rights, Intermodal Civil Rights:](#) A state program that ensures that public transportation and passenger rail programs comply with civil rights laws and executive orders that prevent discrimination in programs that receive federal money.
- [FTA Title VI Guidance:](#) FTA site that includes links to the Title VI Circular, LEP guidance, Environmental Justice, and Other Resources.
- [DOT LEP Guidance:](#) Tips and techniques to measure the efficacy of LEP programs within an agency's jurisdiction.
- [PTD's State Management Plan](#) (July 2015): State report for public transportation programs.
- [U.S. Census Data](#) (October 2021): Link to Census datasets for each jurisdiction within the United States. For example, search 'language' and your zip code to learn about the languages spoken in that zip code. Furthermore, search 'limited English speaking status', the click 'Geo' on the toolbar to select your geographic area to determine the proportion of LEP populations in your area.
- [ODOT Office of Civil Rights Complaint Form:](#) Link to the ODOT format of a Discrimination Complaint Form.

Below are grant programs offered by the FTA as a reference for providers:

- **FTA Bus and Bus Facilities** (Section 5339): FTA grant program which provides funding through a competitive allocation process to states and transit agencies to replace, rehabilitate and purchase buses and related equipment and to construct bus-related facilities. The competitive allocation provides funding for major improvements to bus transit systems that would not be achievable through formula allocation. Grants received under the old §5309 Bus and Bus Facilities program should be reported under §5309; this category should be used only for new grants made under MAP-21 and the FAST Act.
- **FTA Capital Program** (Section 5309): FTA's primary grant program for funding major transit capital investments, including heavy rail, commuter rail, light rail, streetcars, and bus rapid transit.
- **FTA Enhanced Mobility of Seniors and Individuals with Disabilities Formula Program** (Section 5310): FTA formula funding to states for the purpose of assisting private nonprofit groups in meeting transportation needs of the elderly and persons with disabilities.
- **FTA Formula Grants for Rural Areas** (Section 5311): FTA grant program which provides capital, planning, and operating assistance to states to support public transportation in rural areas with populations less than 50,000.
- **FTA Grant Program:** Financial assistance from FTA programs.
- **FTA Growing States and High Density States Formula** (Section 5340): New Growing States and High Density States Formula Factors: Section 5340 of the Federal Transit Act that establishes new factors to distribute funds to the urbanized area formula and rural formula programs. One-half of the funds that are made available under the Growing States factors are apportioned by a formula based on state population forecasts for 15 years beyond the most recent census; amounts apportioned for each state are then distributed between urbanized areas and rural areas based on the ratio of urban/rural population within each state. The High Density States factors distribute the other half of the funds to states with population densities in excess of 370 persons per square mile. These funds are apportioned only to urbanized areas within those states.
- **FTA Metropolitan Planning** (Section 5303): FTA grant program which provides funding and procedural requirements for multimodal transportation planning in metropolitan areas.
- **FTA Public Transportation on Indian Reservations Program; Tribal Transit Program:** Section 5311(j) of the FAST Act, Public Law 114-94 (December 4, 2015), authorizes the Public Transportation on Indian Reservations Program (Tribal Transit Program (TTP)) for Fiscal Years (FY) 2016-2020. The TTP continues to be a set-aside from the Formula Grants for Rural Areas program but now consists of a \$30 million formula program and a \$5 million competitive grant program subject to the availability of appropriations.

- **FTA Public Transportation Innovation** (Section 5312): Provides funding to develop innovative products and services assisting transit agencies in better meeting the needs of their customers.
- **FTA Recipient Identification Number** (TrAMS ID): The four-digit number assigned to a transit agency for the FTA Transit Award Management System (TrAMS). This is not the same as NTD ID.
- **FTA Small Transit Intensive Cities (STIC) Formula:** A provision in the FTA Urbanized Area Formula program (Section 5307) to distribute funds to urbanized areas under 200,000 population. Under the formula for STIC, funds are apportioned to urbanized areas (UZA) with a population less than 200,000 that meet or exceed the average level of service for all UZAs with populations between 200,000 and 1,000,000. The UZAs must operate at a level of service equal to or above the industry average level of service for all UZAs with a population of at least 200,000 but not more than 999,999, in one or more of six performance categories:
 1. Passenger miles traveled per vehicle revenue mile,
 2. Passenger miles traveled per vehicle revenue hour
 3. Vehicle revenue miles per capita,
 4. Vehicle revenue hours per capita,
 5. Passenger miles traveled per capita, and
 6. Passengers per capita.
- **FTA State of Good Repair Program** (Section 5337): FTA grant program which provides capital assistance for maintenance, replacement, and rehabilitation projects of existing high-intensity fixed guideway and high-intensity motorbus systems to maintain a state of good repair. Additionally, SGR grants are eligible for developing and implementing Transit Asset Management plans.
- **FTA Transit in Parks** (Section 5320): Financial assistance from Section 5320 of the Federal Transit Act. This is a program to support public transportation projects in parks and public lands. Funds may be used for planning and capital projects in or in the vicinity of any federally owned or managed park, refuge, or recreational area that is open to the general public.
- **FTA Urbanized Area Formula Program** (Section 5307): The Urbanized Area Formula Funding program (49 U.S.C. 5307) makes federal resources available to urbanized areas and to governors for transit capital and operating assistance in urbanized areas and for transportation-related planning.

GLOSSARY

This glossary contains technical terms that appear throughout the Intermodal Transit Provider Handbook. Many of these terms have multiple definitions; therefore, terms are defined as they are used in the context of this handbook. Furthermore, the various grants offered through the FTA are listed for reference.

TRIBAL MEMBER – A person who is enrolled in a federally recognized tribe. Tribes establish membership criteria based on shared customs, traditions, language, and tribal dependency lineage or a relationship to a tribal member who descended from someone who holds lineage.

APPLICANT – A person or entity that submits an application, request, or plan required to be approved by the FTA Administrator or by a primary recipient, as a condition of eligibility for financial assistance from FTA.

APPLICATION – A request or plan for financial assistance from the FTA.

COLOR – Skin color or complexion.

COMPLAINT – An official appeal to a government agency by anyone who believes they have been the object of unequal treatment or discrimination on the grounds of race, color, or national origin.

COMPLAINANT – A person who has filed a Title VI complaint.

COMPLIANCE – According to Title VI requirements, an agency will be deemed in compliance by submitting an updated Title VI Program Plan every three years, as well as a yearly submission of a Public Participation Plan, Language Assistance Plan, and the Minority Representation of Elected Boards.

DESIGNATED RECIPIENT – An entity designated by the chief executive officer of state, responsible local officials, or publicly owned operators of public transportation to receive and apportion grant funds made available by Congress and the FTA.

DIRECT RECIPIENT – An entity that receives funding directly from the FTA.

GLOSSARY OBJECTIVE

Create a list of important terms to assist the reader in gaining a stronger understanding of the components of a Title VI plan.

SOURCES OF REFERENCE

Minnesota 2021 Annual Transit Report (2021 Annual Transit Report (state.mn.us));
Title VI Requirements and Guidelines for Federal Transit Administration Recipients ([FTA Circular 4702.1B: Title 6 Requirements and Guidelines for Federal Transit Administration Recipients](#) (dot.gov))

DISCRIMINATION – An intentional or unintentional action through which a person, solely because of race, color, national origin, religion, or gender, has been subjected to unequal treatment under a program or activity receiving federal financial assistance.

FEDERAL TRANSIT ADMINISTRATION (FTA) – An operating administration within the US Department of Transportation that administers federal programs and provides financial assistance to public transit.

FIXED ROUTE – Public transportation service provided on a repetitive, fixed-schedule basis along a specific route, with vehicles stopping to pick up passengers.

LIMITED ENGLISH PROFICIENCY (LEP) – Persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English.

LEP SAFE HARBOR – The Safe Harbor Provision outlines the circumstances that can provide agencies a safe harbor regarding the translation of written materials for LEP populations. It stipulates that a grantee is in compliance if each eligible LEP language group has written translation of vital documents.

LOCAL PUBLIC AGENCY (LPA) – A county, municipal corporation, state or local authority, board, commission, agency, department or political subdivision created under the authority of the state.

METROPOLITAN PLANNING ORGANIZATION (MPO) – 23 CFR § 450.310 requires an MPO to be designated for each urbanized area with a population greater than 50,000 to carry out the federally required metropolitan transportation planning process. MPO designation shall be made by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the urban area population. New MPOs are formed after the decennial Census if population changes result in new urbanized areas in Oregon. The State may also request that the U.S. Census Bureau conduct a Special Census outside of a normal census year if it is believed an urban area has exceeded the 50,000 population threshold and a new MPO is desired.

MINORITY PERSONS – Includes the following:

- American Indian and Alaska Native
- Asian (includes those who have origins in the Far East, Southeast Asia, or the Indian Subcontinent)
- Black or African American
- Hispanic or Latino
- Native Hawaiian or Other Pacific Islander

MODE – A system for carrying transit passengers described by specific right-of-way (ROW), technology, and operational features.

NATIONAL ORIGIN – A person's or their ancestor's place of birth. May also refer to the physical, cultural, or linguistic characteristics associated with ethnicity or ancestry.

NONCOMPLIANCE – An FTA determination that the recipient is not in compliance with the DOT Title VI regulations and has engaged in activities that have had the purpose or effect of denying persons the benefits of, excluding from participation in, or subjecting persons to discrimination in the recipient's program or activity on the basis of race, color, or national origin.

ODOT RAIL AND PUBLIC TRANSIT DIVISION (RPTD)

– Primary designated recipient of FTA funds for the State of Oregon. Receives, administers, and allocates FTA funds to subrecipients. Responsibilities include:

- Monitoring subrecipient's compliance with Title VI
- Collecting Title VI program documents
- Providing Title VI reports directly to the FTA

ODOT OFFICE OF EQUITY AND CIVIL RIGHTS (OECR)

– Division within ODOT responsible for all Title VI, ADA, Environmental Justice, and Equity work for all transportation projects and programs across the state.

PRIMARY RECIPIENT – means any FTA recipient that extends federal financial assistance to a subrecipient.

PUBLIC TRANSPORTATION SERVICE – the operation of a vehicle that provides general or special service to the public on a regular and continuing basis consistent with 49 U.S.C. Chapter 53.

RACE (as defined by the U.S. Census) – A social classification of people which includes, at a minimum, White, Black or African American, American Indian, Alaska Native, Native Hawaiian, or other Pacific Islander. (Based on the demographics for your area, other races may be included).

RECIPIENT – Any public or private entity that receives Federal financial assistance from the FTA, whether directly from the FTA or indirectly through a primary recipient.

SERVICE AREA – A measure of access to transit service in terms of population served and area coverage (square miles).

STATEWIDE TRANSPORTATION

IMPROVEMENT PROGRAM (STIP) – A statewide prioritized listing/program of transportation projects covering a period of four years that is consistent with the long-range statewide transportation plan, metropolitan transportation plans, and TIPs, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.

SUBRECIPIENT – An agency receiving grant funds through ODOT or another Designated Recipient.

TITLE VI (of the Civil Rights Act of 1964) – A provision of the Civil Rights Act that explicitly states 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."

TITLE VI PROGRAM PLAN – A document developed by an FTA recipient to demonstrate how the recipient is complying with Title VI requirements.

TRANSIT PROVIDER – A public agency that provides public transportation services.

TRANSPORTATION IMPROVEMENT

PROGRAM (TIP) – A prioritized listing/program of transportation projects covering a period of four years that is developed and formally adopted by an MPO as part of the metropolitan transportation planning process, consistent with the metropolitan transportation plan, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.

APPENDIX 1. TITLE VI NOTICE TO THE PUBLIC

All samples in this section are provided for guidance only.



NOTE: The final sentence of the posted notice should be included in any language(s) spoken by LEP populations meeting the Safe Harbor threshold.

APPENDIX 2: TITLE VI COMPLAINT PROCEDURE

The following section can be used as a template to describe the procedure for filing a Title VI complaint in your jurisdiction. You may insert the name of your agency/city/county where bolded and underlined:

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by the **[Insert name of your agency/city/county]** may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form. **[Insert name of agency/city/county]** investigates complaints received no more than 180 days after the alleged incident. **[Insert name of agency/city/county]** will process complaints that are complete.

Once the complaint is received, **[Insert name of agency/city/county]** will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing them whether the complaint will be investigated by our office.

[Insert name of agency/city/county] will confirm receipt of the complaint within 10 working days. **[Insert name of agency/city/county]** should respond within 60 days to describe the results of the investigation or to inform the complainant if an extension is necessary. If more information is needed to resolve the case, **[Insert name of agency/city/county]** may contact the complainant. If the investigator is not contacted by the complainant or does not receive the additional information needed, **[Insert name of agency/city/county]** can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, they will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, they have 10 working days after the date of the closure letter or the LOF to do so.

A person may also file a complaint directly with Oregon Department of Transportation (ODOT) or the Federal Transit Administration (FTA):

- **ODOT Office of Equity and Civil Rights**

Attn: Title VI/ADA Complaints
800 Airport Rd SE
Salem, OR 97301
(855) 540-6655

If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services.

Website: <https://www.oregon.gov/odot/business/ocr/pages/non-discrimination.aspx#:~:text=ODOT%20also%20has%20a%20discrimination,Officer%20or%20ADA%20Program%20Manager>

Online Form: https://www.oregon.gov/odot/Business/OCR/Pages/DIS_CMPLNT_FRM.aspx

- **FTA Office of Civil Rights**

1200 New Jersey Avenue SE
Washington, DC 20590
(888) 446-4511

If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services.

Website: <https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/civil-rightsada>

APPENDIX 3: TITLE VI COMPLAINT FORM

TITLE VI COMPLAINT FORM

Section I			
Name:			
Address:			
Telephone (Home):		Telephone (Work):	
E-Mail Address:			
Accessible Format Requirements?	Large Print	Audio Tape	
	TTY	Other	
Section II			
Are you filing this complaint on your own behalf?		Yes	No
*If you answered "yes" to this question, go to Section III			
If not, please supply the name and relationship of the person for whom you are complaining:			
Please explain why you have filed for a third party:			
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.		Yes	No
Section III			
I believe the discrimination I experienced was based on [Check all that apply]			
[] Race [] Color [] National Origin			
Date of Alleged Discrimination (Month/Day/Year): _____			
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all person(s) who were involved, including the name and contact information of the person(s) who discriminated against you (if known). List name(s) and contact information of any witnesses. If more space is needed, please use the back of this form:			
Section IV			
Have you previously filed a Title VI complaint with this agency?		Yes	No
Section V			
Have you filed this complaint with any other federal, state, or local agency or with any federal or state court?		Yes	No
*If yes, check all that apply and enter the name of the agency or court:			
[] Federal Agency: _____		[] State Agency: _____	
[] Federal Court: _____		[] State Court: _____	
[] Local Agency: _____			

Please provide information about a contact person at the agency or court where the complaint was filed.
Name:
Title:
Agency:
Address:
Telephone:
Section VI
Name of agency complaint is against:
Contact person:
Title:
Telephone:

Please attach any written materials or other information you think is relevant to your complaint.

Signature and date required below:

Signature

Date

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

[Insert name of agency/city/county]

Title VI Coordinator

[Street Address]

[City, State, Zip Code]

APPENDIX 4: LIST OF TRANSIT-RELATED TITLE VI INVESTIGATIONS, COMPLAINTS & LAWSUITS

	Date <i>MM/DD/YY</i>	Summary <i>Include complaint basis: race, color or national origin.</i>	Status	Action(s) Taken
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				
Complaints				
1.				
2.				

APPENDIX 5: MINORITY REPRESENTATION TABLE

Body	Caucasian	Latino	African American	Asian American	Native American
Population	46%	28%	14%	8%	4%
Access Committee	60%	23%	10%	7%	0%
Citizens Advisory Council	40%	25%	20%	10%	5%
Bicycle Pedestrian Committee	45%	30%	15%	5%	5%

APPENDIX 6: TITLE VI MINORITY REPRESENTATION DATA COLLECTION FORM

Name of the board, commission, council, etc.

Date: _____

Dear Member,

As the City of USA is a recipient of federal funds we are required under Title VI of the Civil Rights statute to ascertain the racial/ethnic make-up of any non-elected boards, commissions, councils, etc.

Data from this section is used for statistical and reporting purposes. The information may be subject to disclosure under federal or state law or rule.

Anti-Discrimination Notice

It is unlawful for the City of USA to fail or refuse to provide services, access to services or activities, or otherwise discriminate against an individual because of an individual's race, color, religion, sex, national origin, disability or veteran status.

As a council under the jurisdiction of the City of USA, we invite council members to voluntarily self-identify their race/ethnicity in order for us to comply with FTA Title VI regulations. This information will be used according to the provisions of applicable federal and state laws, executive orders and regulations, including those requiring the information to be summarized and reported to the federal government for civil rights enforcement purposes.

Race/Ethnicity

If you choose to voluntarily self-identify, please mark the one box describing the race/ethnicity category with which you primarily identify:

___ **Asian or Pacific Islander:** All persons having origins in any of the peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands and Samoa.

___ **Black (not of Hispanic origin):** All persons having origins in any of the Black racial groups of Africa.

___ **Hispanic:** All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

___ **American Indian or Alaskan Native:** All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

___ **White (not of Hispanic origin):** All persons having origins in any of the original peoples of Europe, North Africa or the Middle East.

APPENDIX 7: FIXED ROUTE SERVICE STANDARDS & POLICIES

Service Standards Sample

1. Vehicle Load Standards

- Expressed in writing:

The average of all loads during the peak operating period should not exceed vehicles' achievable capacities, which are 30 passengers for a 15' mini-bus, 51 passengers for low-floor 40-foot buses, 60 passengers for standard 40-foot buses, and 133 passengers on a light rail car.

- Expressed in tabular format:

Vehicle Type	Average Passenger Capacities			
	Seated	Standing	Total	Max Load Factor
15' Mini-Bus	28	2	30	1.1
40' Low Floor Bus	39	12	51	1.3
40' Standard Bus	43	17	160	1.4
Light Rail Vehicle	64	69	133	2.1

2. Vehicle Headway Standards

- Expressed in writing:

Service operates on regional trunk lines every 15 minutes or better from early morning to late in the evening, seven days a week. On weekdays, 15 minute or better service should begin no later than 6:00 a.m. and continue until 10:30 p.m. On weekends, 15 minute or better service should begin by 8:00 a.m. and continue until 10:30 p.m.

Scheduling involves the consideration of a number of factors including: ridership productivity, transit/pedestrian friendly streets, density of transit-dependent

population and activities, relationship to the Regional Transportation Plan, relationship to major transportation developments, land use connectivity, and transportation demand management.

- Expressed in tabular format:

Policy Headways and Periods of Operation				
Weekday	Peak	Base	Evening	Night
Regional Trunk	10	15	15	30
Urban Radial	15	15	30	60
Cross-town	15	15	30	-
Secondary Radial	30	30	60	-
Feeder	30	30	60	-
Peak Express	-	-	-	-
Employer Feeder	-	-	-	-
*Peak Hours: 7-9 am and 4-6 pm; Base 9am - 4pm; Evening: 6-9:30 pm; Night: 9:30pm-Midnight;				
"- "means no service is provided during that time period.				

(Repeat for Saturday and Sunday)

APPENDIX 8: ON-TIME PERFORMANCE STANDARDS

Expressed in writing:

- Ninety-five (95) percent of the City of USA's transit vehicles will complete their established runs no more than 5 minutes early or late in comparison to the established schedule/published timetables.
- A vehicle is considered on time if it departs a scheduled time point no more than 1 minute early and no more than 5 minutes late. The City of USA's on-time performance objective is 90% or greater. The City of USA continuously monitors on-time performance and system results are published and posted as part of monthly performance reports covering all aspects of operations.

APPENDIX 9: SERVICE AVAILABILITY STANDARDS

Expressed in writing:

- The City of USA will distribute transit service so that 90% of all residents in the service area are within a ¼-mile walk of bus service or within a ½-mile walk of rail service.
- Local bus stops will be not more than 3 blocks apart. Express bus stops will be one-half to three-quarters of a mile apart.

APPENDIX 10: SERVICE POLICY SAMPLE

Vehicle Assignment Policy

Vehicles will be assigned to the South, North, and East depots such that the average age of the fleet serving each depot does not exceed “x” years. Low-floor buses are deployed on frequent service and other high-ridership lines, so these buses carry a higher share of ridership than their numerical proportion of the overall bus fleet. Low-floor buses are also equipped with air conditioning and automated stop announcement systems.

Bus assignments take into account the operating characteristics of buses of various lengths, which are matched to the operating characteristics of the route. Local routes with lower ridership may be assigned 30-foot buses rather than the 40-foot buses. Some routes requiring tight turns on narrow streets are operated with 30-foot rather than 40-foot buses.

Transit Amenities Policy

Installation of transit amenities along bus routes are based on the number of passenger boardings at the stops along those routes.