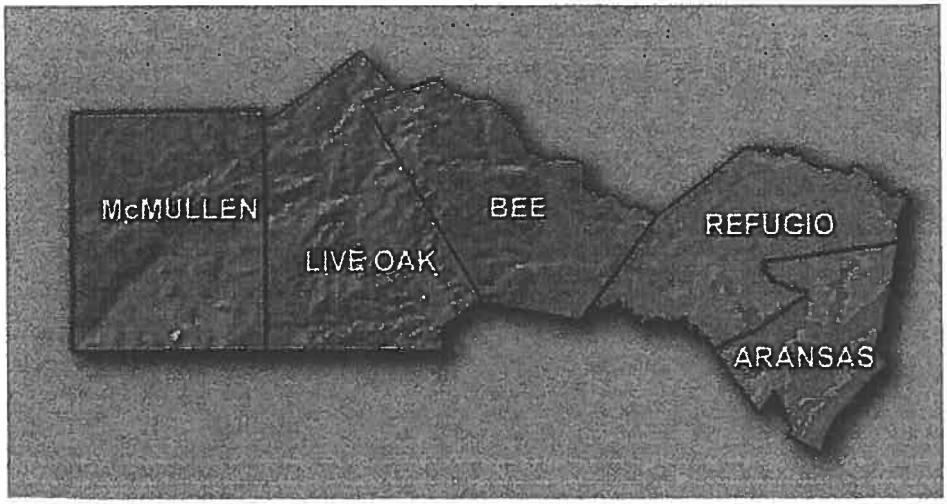
BEE Transit

Title VI Compliance Plan

Serving Aransas, Bee, Live Oak, McMullen and Refugio County Residents



Bee Community Action Agency

(BCAA)

Bee Community Action Agency (BCAA)

Rural Transit District

Title VI Compliance Plan

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Bee Community Action Agency Rural Transit District TITLE VI Compliance Plan

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 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.

The BCAA RTD is committed to ensuring that no person is excluded from participation in, or denied the benefits of 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.

Introduction

The BCAA RTD is a rural transit district that operates within a five-county service area that includes Aransas, Bee, Live Oak, McMullen and Refugio on a demand-response system. Services that are provided to the general public, with special emphasis on services to the elderly, individuals with disabilities and low-income population are origin-to-destination; door-to-door for those needing assistance, and curb-to-curb for clients that do not require special assistance. Fares are charged for non-subsidized trips and a 24-hour advance notice is required in order to schedule a trip. In order to facilitate transit services within the entire multi-county service area, BCAA RTD coordinates with other agencies in the delivery of public transportation services, as follows:

- In Aransas County, transit services are currently provided directly by the BCAA RTD. Negotiations are underway to partner with Aransas County to facilitate services within the county.
- For Live Oak and Refugio Counties, a purchase of service agreement is for the provision of transit services to elderly and individuals with disabilities residents.
- Coastal Plains Mental Health and Mental Retardation (MH/MR) Center purchases fares for use by Coastal Plains MH/MR clients.
- SERCO purchases transit services from BCAA RTD for transportation assistance to Workforce Solutions clients in rural areas of Aransas, Bee, Live Oak, McMullen and Refugio counties.

Trips outside the service area may also be provided. For example, some commonly requested locales include Corpus Christi, Pleasanton, Portland, Rockport, San Antonio and Victoria.

The Rural Transportation Director oversees the transit system and reports directly to the BCAA Executive Director.

Bee Community Action Agency
Title VI Policy Statement

Bee Community Action Agency assures 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 Rest ıration Act of 1987 (P.L. 100.259), be excluded from, or participation in, be denied benefits of, or otherwise be subjected to, discrimination under any program or activity. Bee Comrnunity Action Agency further assures every effort will be made to ensure nondiscrimination in all of its Boards, councils, committees, programs, and activities, regardless of the funding source.

Bee Community Action Agency will include Title VI language in all written agreements and bid notices and will monitor compliance.

Bee County Judge — Date: 24 SEPT 2013

Bee Community Action Agency Executive Director — Date: 9/24/13

Approved by:

BCAA Rural Transit Governing Board of Directors on: August 26, 2013

BCAA Administering Board of Directors: September 23, 2013

Bee County Commissioners Court: September 9, 2013

Title VI Coordinator Contact Information

Name: Norma Cardenas, BCAA Support Specialist
Address: P.O. Box 1540, Beeville, TX 78103
Phone/Email: (361)358-5530/norma.cardenas@bizstx.rr.com

Title VI Information Dissemination

- **How Information Will Be Provided To the Public:**

The BCAA RTD operates programs without regard to race, color and national origin and public notices clarify that our Title VI program provides procedures for the public to follow to request additional information on our nondiscrimination obligations.

BCAA RTD will utilize Bee County's website (under the Bee Community Action Agency link) at, http://www.co.bee.tx.us/default.aspx?Bee_County/BCAA to publish the program's approved Title VI Plan.

The BCAA RTD will include Title VI language in the "Bee Transit" informational brochures distributed to the public during community events, distributed to various agencies, to regular and potential passengers, and any other opportunities as they arise.

- **How Title VI Information Will Be Provided To BCAA Employees:**

During New Employee Orientation, new employees shall be informed of the provisions of Title VI, and BCAA's expectations that employees will perform their duties accordingly. All employees shall be provided a copy of the approved Title VI Plan and are required to sign the Acknowledgement of Receipt (see Attachment A).

Ongoing reminders of anti-discriminatory behavior and actions will be conducted periodically at the supervisory level during regular called staff meetings. Employees will receive Title VI information annually in payroll envelopes that will remind employees of Title VI requirements, and of their duties related to Title VI in carrying out their daily work activities.

Recordkeeping

The Title VI Coordinator will maintain permanent records, which will include, but are not limited to, signed Acknowledgements of receipt from employees indicating the receipt of BCAA'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.

Title VI Complaint Procedures

Bee Community Action Agency Rural Transit District is committed to assuring that no person shall, on the grounds of race, color, national origin or sex as provided by Title VI of the Civil Rights Act of 1964, and the Civil Restoration Act of 1987 (P.L. 100.259), be excluded from, or participation in, be denied benefits of, or otherwise be subjected to, discrimination under any program or activity.

Filing a Complaint

Any person who believes she/he has been discriminated against on the basis of race, color, or national origin by the BCAA Rural Transit District (hereinafter referred to as "BCAA RTD") may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form. The BCAA RTD investigates complaints received no more than 180 days after the alleged incident. The BCAA RTD will process complaints that are complete. Complaints may be sent to Norma Cardenas, BCAA Title VI Coordinator, P.O. Box 1540, Beeville, TX 78104.

Contents of Complaint

The complaint must include a narrative description of the allegation(s) in sufficient detail to enable the Title VI Coordinator to understand what occurred, when it occurred, and the basis of the alleged discrimination complaint (e.g. race, color, national origin, etc.) All contact information for the complainant including name, address and telephone number; as well as all contact information for all witnesses or individuals with relevant knowledge must be included. The complaint must be signed and dated by the complainant(s) or his/her/their representative.

Review of Complaint

The Title VI Coordinator will review the complaint to determine whether the complaint is within the Title VI Coordinator's jurisdiction based on the following criteria:

- Whether Complainant is a member of a protected group;
- Whether Complainant has alleged discriminatory treatment based on race, color or national origin; or
- Whether Complainant alleges adverse treatment based on a discriminatory or harassing act.

If the Title VI Coordinator determines that his/her office has jurisdiction, an investigation will be initiated and the complainant will receive an acknowledgement within 10 days of receipt of complaint.

If jurisdiction is not found to exist in the office of the Title VI Coordinator, but does exist in another department, the complaint will be forwarded to the appropriate department for resolution. The Title VI Coordinator will be notified of the steps taken to resolve the complaint.

Investigation Process

The Title VI Coordinator will take the following steps, at a minimum, to investigate the alleged discriminatory act. The specific investigating steps include:

- Contacting the Program Director where the alleged discrimination took place to determine if an investigation has been initiated and the results of the investigation;
- Identifying and reviewing all relevant documents, practices and procedures to determine appropriate resolution, and
- Identifying and interviewing persons with knowledge of the alleged discrimination, such as the Complainant; witnesses; others identified by the Complainant; people who may have been subject to similar activity; and/or anyone else with relevant information.

If more information is needed to resolve the case, the BCAA RTD may contact the Complainant. The Complainant has 10 business days from the date of the letter to send requested information to the BCAA Title VI Coordinator. If the Coordinator is not contacted by the Complainant or does not receive the additional information within 10 business days, the BCAA RTD can administratively close the case. A case can be administratively closed also if the Complainant no longer wishes to pursue their case.

Completion of Investigation/Outcome

Upon completion of the investigation, the Title VI Coordinator will prepare a final investigative report for the BCAA Executive Director with the investigative findings. The Title VI Coordinator has 60 business days to investigate the complaint.

As a result of the investigation, the Title VI Coordinator will issue one of two letters to the Complainant: a Closure Letter (unsubstantiated) **or** a Letter of Finding (LOF) (substantiated). 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 members, or other action will occur. If the complainant wishes to appeal the decision, she/he has 10 business days after the date of the letter or the LOF to do so.

Appeals Process

If the Complainant is not satisfied with the findings or resolution of the complaint and wishes to appeal the decision, the Complainant may appeal directly to the BCAA Executive Director, P.O. Box 1540, Beeville, Texas 78104 or the Federal Transit Administration.

Appeal to the BCAA Executive Director must be in writing, filed within 30 business days of the mailing of findings to the Complainant, and must include the name, address, telephone number of the Complainant and must state the basis why the Complainant believes the resolution of the complaint was not correct. The BCAA Executive Director will set a mutually agreed upon time and place for a review and consideration of the appeal with the Complainant. The BCAA Executive Director will issue a written determination of the appeal within 15 business days of the date of the review meeting.

Appeal to the Federal Transit Administration may be submitted to Federal Transit Administration, Office of Civil Rights, Attention: Title VI Coordinator, East Building, 5th Floor, TCR, 1200 New Jersey Avenue SE, Washington, D.C. 20590.

Implementation of Remedial Actions

If at any time a policy violation is found to exist, the appropriate remedial steps will be taken immediately and documented accordingly.

Recordkeeping/Reporting Requirements

The Title VI Coordinator is responsible for all recordkeeping and reporting requirements under this policy and procedure.

Bee Community Action Agency (BCAA) Title VI Complaint Form

Section I:	
Name:	
Address:	
Telephone (Home):	Telephone (Work):
Email Address:	
Accessible Format Requirements?	Large Print [ ] Audio Tape [ ] TDD [ ] Other [ ]
Section II:	
Are you filing this complaint on your own behalf? Yes* [ ] No [ ] (* If "yes", go to Section III below) 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 persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.	
Section IV	
Have you previously filed a Title VI complaint with this agency? [ ] Yes [ ] No	
Section V	
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? [ ] Yes [ ] No	
If yes, check all that apply: [ ] Federal Agency: _____ [ ] Local Agency: _____ [ ] Federal Agency: _____ [ ] Federal Court: _____ [ ] State Agency: _____ [ ] State Court: _____	
Please provide information about a contact person at the Agency/Court where the complaint was filed:	
Name:	Title:
Agency:	Address:
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):

_____ _____

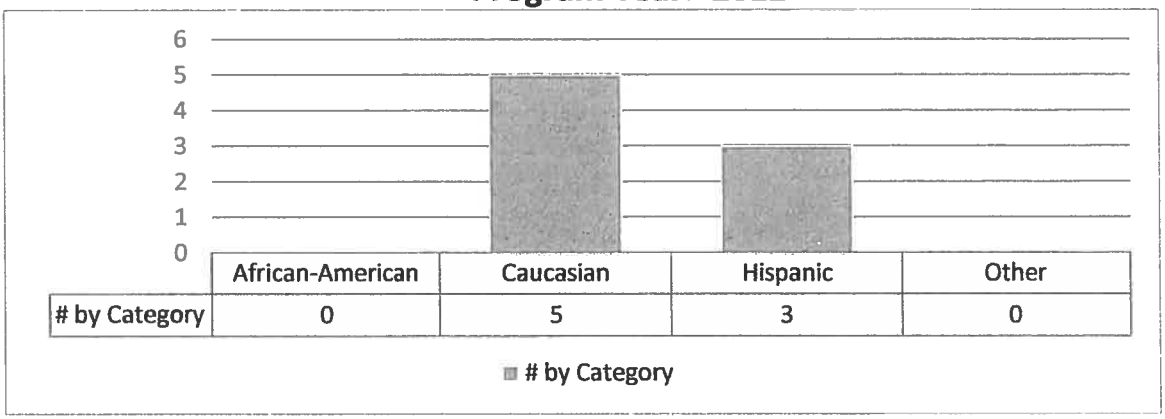
Signature Date

Please submit this form in person at the address below, or mail this form to:
Bee Community Action Agency (BCAA), Title VI Coordinator, P.O. Box 1540, Beeville, TX 78103

List of Transit-Related Title VI Investigations, Complaints and Lawsuits
Program Year: 2012

	Date	Summary (include basis of complaint: race, color or national origin)	Status	Action Taken
Investigations	N/A	N/A	N/A	N/A
Lawsuits	N/A	N/A	N/A	N/A
Complaints	N/A	N/A	N/A	N/A

Minority Representation of BCAA RTD Governing Board of Directors
Program Year: 2012



Selection of Board Members

BCAA RTD's Rural Transit District is managed and administered by a Governing Board of Directors, which at present, consists of eight (8) voting members. Each county is within the agency's rural transit district service is entitled to representation on the Board of Directors, and one slot is for a City of Beeville representative. Members are appointed by the governing bodies of the counties represented. In the event of a vacancy, the local governmental entity represented by the vacant position shall select a replacement to service the remainder of the unexpired term. BCAA RTD shall encourage and make known the importance to all Board members of encouraging the participation of minority group(s) representation on the RTD's Governing Board of Directors.

Limited English Proficiency (LEP) Plan

This LEP Plan has been prepared to address the Bee Community Action Agency's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English proficiency language skills. The plan has been prepared in accordance with Title

VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq, and its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

Plan Summary

BCAA has developed this LEP Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency (LEP) who wish to access services provided. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

In order to prepare this plan, the BCAA used the four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served by BCAA.
2. The frequency with which LEP persons come in contact with BCAA services.
3. The nature and importance of services provided by BCAA to the LEP population.
4. The interpretation services available to BCAA and overall cost to provide LEP assistance.

A summary of the results of the four-factor analysis follows:

Meaningful Access: Four Factor Analysis

1. The number or proportion of LEP persons in the service area who may be served or are likely to require BCAA services.

   BCAA staff reviewed the 2010 U.S. Census QuickFacts and determined that an estimated 24,407 persons in BCAA's service area for the Rural Transit District (Aransas, Bee, Live Oak, McMullen, and Refugio), or 32.7% of the population speak a language other than English. (This estimate is based on 2005-2009 projections for age 5+.) The U.S. Census estimates from the American Fact Finder 2006-2010, American Community Survey Tables (for population five years and over) show that 2,819 persons have limited English proficiency; that is, they speak English "not well" or "not at all". In BCAA's service area, of those persons with limited English proficiency, 2,662 (3.76%) speak Spanish, 37 speak Indo-European (0.06%), and 120 (0.17%) speak Asian or other Pacific Islander Languages.

2. The frequency with which LEP persons come in contact with BCAA services.

   BCAA staff review the frequency with which its local governance (Bee County Commissioners' Court, Head Start Policy Council, Rural Transit District Governing Board, Administering Board, office (or center) staff, and drivers have, or could have, contact with LEP persons. This includes documenting phone inquiries or office visits. To date, the BCAA has had few requests for interpreters and no request for translated program documents. In essence, BCAA has had very little contact with LEP persons.

3. The nature and importance of services provided by the Bee Community Action Agency to the LEP population.

   There is no large geographic concentration of any type of LEP individuals in the service area for BCAA. The overwhelming majority of the population, 70.4%, speaks only English. As a result, there are little social, service, professional and leadership organizations within the BCAA service area that focuses on outreach to LEP individuals. BCAA's local governance, office/center staff, and drivers are most likely to encounter LEP individuals through bus/van rides, office visits, phone conversations, and attendance at Court/Board/Council meetings.

4. The resources available to BCAA, and overall cost to provide LEP assistance.

   BCAA reviewed its available resources that could be used for providing LEP assistance, which of its documents would be most valuable to be translated if the need should arise, and has contacted existing staff members that would be willing to provide voluntary Spanish translation if needed within a reasonable time period. Other language translation, if needed, would be provided through online resources available to staff located at the following websites:

   1. Babel Fish http://babelfish.yahoo.com/translate_text
   2. Google Translate http://translate.google.com/#

Language Assistance

A person, who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English, may be a Limited English Proficient person and may be entitled to language assistance with respect to BCAA services. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language.

BCAA staff may identify an LEP person who needs language assistance in the following ways:

- Post notice of LEP Plan and the availability of interpretation or translation services free of change in languages LEP persons would understand.
- All BCAA staff will be provided with "I Speak" cards to assist in identifying the language interpretation needed if the occasion arises.
- All BCAA staff will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year.
- When the BCAA sponsors an informational meeting or event, an advanced public notice of the event should be published including special needs related to offering a translator (LEP) or interpreter (sign language for hearing impaired individuals). Additionally, a staff person may greet participants as they arrive. By informally engaging participants in conversation it is possible to gauge each attendee's ability to speak and understand English. Although translation may not be able to be provided at the event it will help identify the need for future events.

Language Assistance Measures

Although there is a very low incidence percentage at BCAA of LEP individuals, that is, persons who speak English "not well" or "not at all", BCAA will strive to offer the following measures:

1. BCAA staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English.

2. The following resources will be available to accommodate LEP persons:

    - Volunteer interpreters for the Spanish language are available and will be provided within a reasonable time period.
    - Language interpretation will be accessed for all other languages through online translation resources, as needed.

Staff Training

The following training/information will be provided to all staff:

- Information on the Title VI Policy and LEP responsibilities.
- Description of language assistance services offered to the public.
- Use of "I Speak" cards.
- Documentation of language assistance requests.
- How to handle a potential Title VI/LEP complaint.

All contractors or subcontractors performing work for the Bee Community Action Agency will be required to follow the Title VI/LEP guidelines.

Translation of Documents

The BCAA weighed the cost and benefits of translating documents for potential LEP groups. Considering the expense of translating the documents, the likelihood of frequent changes in documents and other relevant factors, at this time it is an unnecessary burden to have all documents translated. However, several major documents have been translated and are available for the public at this time, as follows:

- Bee Transit Flyer (Transporte Público Rural);
- Fare Structure (Tarifa Estructura Politica Rural);
- Complaint Procedures (Cliente Quejas Y Preocupaciones); and
- Carry-On Package Limit Notice (Noticia Para Pasajeros).

Due to the very small local LEP population, the BCAA does not have a formal outreach procedure in place, as of 2013. Translation resources have been identified and are limited in this region. However, when and if the need arises for LEP outreach, BCAA will consider the following options:

- When staff prepares a document, or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

Monitoring and Updating the LEP Plan

BCAA will update the LEP Plan as required. At a minimum, the plan will be reviewed and updated when data from the U.S. Census changes, or when it is clear that higher concentrations of LEP individuals are present in the BCAA service area. Updates will include the following:

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area.
- Determination as to whether the need for translation services has changed.
- Determination whether local language assistance programs have been effective and sufficient to meet the need.
- Determine whether BCAA's financial resources are sufficient to fund language assistance resources needed.
- Determine whether BCAA fully complies with the goals of this LEP Plan.
- Determine whether complaints have been received concerning BCAA's failure to meet the needs of LEP individuals.
- Maintain a Title VI complaint log, including LEP to determine issues and basis of complaints.

Dissemination of BCAA's LEP Plan

- Post signs at conspicuous and accessible locations notifying LEP persons of the LEP Plan and how to access language services.

- State on agendas and public notices in the language that LEP persons would understand that documents may be made available in that language upon request, by contacting the Title VI Coordinator at 361-358-5530.

Public Outreach and Involvement Activities

There are four components to the Bee Community Action Agency's Public Participation Plan, as follows:

1. Public meetings and public hearing agendas, as needed, will be posted in advance in accordance with the Texas Open Meeting Act.

2. "Communications to the Public" agenda item is included on agendas as appropriate.

3. Meeting notices will be submitted to area local newspapers in advance of meeting date.

4. BCAA RTD is an active stakeholder in the Transportation Coordination Network of the Coastal Bend (TCN). The TCN is the lead agency for regional transportation coordination and planning in the 12 counties of the Coastal Bend, which includes Bee. TCN's main purpose is to provide coordination in order to channel resources in the most cost effective manner consistent with State and Federal requirements. To accomplish this goal, TCN created a forum to bring together all stakeholders in the area. Community organizations, state and local government agencies, transit providers and users of public transportation services are all considered stakeholders, and as such, have a voice in the planning process.

   TCN meetings are on a regular, bi-monthly basis, and meeting agendas are posted in publicly accessible areas. TCN's public participation process is "...intended to cultivate a culture of early and responsive outreach by welcoming the public's involvement and input. Involvement activities are conducted in a manner that offers equal opportunity in the decision-making process to residents of the 12-county region." Further details concerning TCN's public participation process are published in the TCN's Title VI Plan, adopted on February 20, 2013.

Notification of Public Participation Activities

All public meeting notices will be posted at the Bee County Courthouse and Beeville City Hall. The agenda will be published on the Bee County website (BCAA link), and emailed to the Joe Barnhardt Bee County library and the Bee County Chamber of Commerce.

BEE COMMUNITY ACTION AGENCY

1701 N. Frontage Road, P.O. Box 1540

Beeville, TX 78104 - 1540

PHONE (361) 358-5530

DEPARTMENT: _____

FAX TRANSMITTAL LETTER

FAX: (361) **358-6591 ADMINISTRATION** **358-6831 FINANCE** **358-8947 TRANSPORTATION**

TO: _____

FAX: _____

SUBJECT: _____

FROM: _____

COMMENTS: _____

_____

_____

_____

DATE: _____

NUMBER OF PAGES: _____ (includes cover)

ATTENTION: _____