

*Under the Civil Rights Act of 1964 and related statutes, North Platte Public Transit ensures that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, denied the benefits or services of, or be otherwise subjected to discrimination in all programs, services or activities administered by the agency.*

# Title VI

## Non-Discrimination Plan | 2015

### *North Platte Public Transit*



**Signed By** \_\_\_\_\_

*All entities who receive Federal Transit Administration (FTA) grant dollars either directly from the FTA or through the Nebraska Department of Roads (NDOR) are subject to Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the U.S. Department of Transportation's implementing regulations. This manual provides technical assistance on Title VI compliance requirements*

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## **I. Introduction and Overview**

### ***Plan Statement***

North Platte Public Transit (NPPT) operates a public transit program serving the residents of North Platte, Nebraska. As a condition of receiving Federal financial assistance to operate these services, the agency ensures that its programs, policies, and activities comply with Title VI of the Civil Rights Act. The following program details how NPPT meets the Title VI requirements set forth in FTA Circular 4702.1B.

NPPT is the recipient of the following FTA funds:

- Federal Section 5311 Non-Urbanized Area Formula Grant Program
- State of Nebraska Program 305 Operating Assistance

NPPT receives Federal funding through the Nebraska Department of Roads Transit Section. NDOR administers NPPT's FTA transit service funding and provides all Title VI program oversight for NPPT.

### ***Policy***

Section 601 under Title VI of the Civil Rights Act of 1964 states the following:

*"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."*

NPPT is committed to ensuring that no person, on the basis of race, color, or national origin, shall be excluded from participation in or subjected to discrimination under its programs or services, or be denied the benefits of the level and quality of transit services provided by the agency's employees, affiliates, and contractors.

### ***Authorizing Legislation***

Most Federal transit laws are codified at title 49 U.S.C. Chapter 53. Authorizing legislation is substantive legislation enacted by Congress that establishes or continues the operation of a Federal program or agency. FTA's most recent authorizing legislation is entitled the *Moving Ahead for Progress in the 21st Century (MAP-21) Act*, Public Law 112-141, signed into law on July 6, 2012, and effective as of October 1, 2012.

### ***How to Contact FTA and NPPT***

FTA's regional and metropolitan offices are responsible for providing financial assistance to FTA grant recipients and for oversight of grant implementation for FTA programs. Certain specific programs are the responsibility of FTA headquarters. Inquiries should be directed to either the regional or metropolitan office responsible for the geographic area in which the recipient is located.

For more information regarding NPPT's Title VI Program, please contact the agency at:

**North Plate Public Transit**  
Attn: Title VI Transit Manager  
1520 North Jeffers  
North Platte, NE 69101  
(308)-535-8562  
[hydem@ci.north-platte.ne.us](mailto:hydem@ci.north-platte.ne.us)

FTA Headquarters can be contacted at:

**Federal Transit Administration**  
Office of Communications and Congressional Affairs  
1200 New Jersey Avenue SE  
East Building, 5<sup>th</sup> Floor-TCR  
Washington, D.C. 20590  
Phone: (202)-366-4033; Fax: (202)-366-3472

The Nebraska Department of Roads can be contacted at:

**Nebraska Department of Roads**  
Attn: Title VI Transit Manager  
1500 Hwy. 2  
Lincoln, NE 68502  
(402)-479-4694  
[kari.ruse@nebraska.gov](mailto:kari.ruse@nebraska.gov)

### ***FTA Circular 4702.1B***

NPPT's Title VI Plan has been developed to address FTA's Title VI requirements and oversight responsibilities. The plan follows the guidelines set forth in FTA Circular 4702.1B.



## **II. General Reporting Requirements**

Chapter III of FTA Circular 4702.1B addresses the general reporting requirements for recipients and subrecipients of FTA funding to ensure that their activities comply with US DOT Title VI regulations. These requirements are summarized below, accompanied by details on how NPPT's Title VI Transit Program fulfills each requirement.

### **1. Requirement to Provide Title VI Assurances**

*In accordance with 49 CFR Section 21.7(a), every application for FTA financial assistance must be accompanied by an assurance that the applicant will carry out the program in compliance with DOT Title VI regulations. This requirement shall be fulfilled when the applicant/recipient submits its annual certifications and assurances to FTA.*

NPPT annually submits its Certifications and Assurances to the Nebraska Department of Roads (NDOR). NDOR collects NPPT's Title VI Assurances prior to passing through FTA funds.

### **2. Requirement for First-Time Applicants: N/A**

*New applicants will submit a Title VI program that is compliant with FTA Circular 4702.1B, as well as an Assurance that the applicant will carry out the program in compliance with DOT Title VI regulations.*

NPPT is not a first-time applicant, and is therefore exempt from this requirement.

### **3. Requirement to Prepare and Submit a Title VI Program**

*FTA requires that all direct and primary recipients document their compliance with DOT's Title VI regulations by submitting a Title VI Program to their FTA Regional Civil Rights Officer once every three years, or as otherwise directed by FTA. For all recipients (including subrecipients), the Title VI Program must be approved by the recipient's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA. Subrecipients shall submit Title VI Programs to the primary recipient from whom they receive funding in order to assist the primary recipient in its compliance efforts.*

The North Platte City Council will approve this Title VI Program by resolution. Documentation of such approval will be submitted with the agency's Title VI Program. The effective date of the Program will be the date of the resolution.

NPPT will submit its Title VI Program to the Nebraska Department of Roads for review and approval.

#### **4. Requirement to Notify Beneficiaries of Protection under Title VI**

*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, recipients 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, etc. Recipients should also post Title VI notices at stations or stops, and/or on transit vehicles.*

A copy of NPPT's Title VI Notice to the Public is displayed below. The notice is posted in English and Spanish on the agency website at <http://www.ci.north-platte.ne.us/transportation/>. The notice is also displayed in the agency's service vehicles and at the agency's main office in North Platte, Nebraska.

# Title VI Notice to the Public

## North Platte Public Transit

North Platte Public Transit operates its programs and services without regard to race, color, or national origin in accordance with Title VI of the Civil Rights Act. Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI may file a complaint of discrimination by completing and submitting the agency's Title VI Discrimination Complaint Form. This form can be downloaded on the agency website at <http://www.ci.north-platte.ne.us/transportation/.org>; additionally, the form can be requested by contacting the agency at the address provided below.

To request more information on the agency's Title VI obligations, or to obtain a detailed description of the agency's Title VI discrimination complaint procedures, please visit the agency website or contact the agency using the information provided. Title VI Discrimination Complaint Forms and additional information can also be obtained through the Nebraska Department of Roads (NDOR) website at [www.transportation.nebraska.gov](http://www.transportation.nebraska.gov), or by contacting NDOR using the information provided below. A telephone interpreter can be provided by NDOR to assist persons of limited English proficiency.

**North Platte Public Transit**  
Attn: Title VI Transit Manager  
1520 North Jeffers  
North Platte, NE 69101  
(308)-535-8562  
[hydem@ci.north-platte.ne.us](mailto:hydem@ci.north-platte.ne.us)

**Nebraska Department of Roads**  
Attn: Title VI Transit Manager  
1500 Hwy 2  
Lincoln, NE 68502  
(402)-479-4694  
[kari.ruse@nebraska.gov](mailto:kari.ruse@nebraska.gov)

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

North Platte Public Transit opera sus programas y servicios sin tomar en cuenta raza, color, u origen nacional de conformidad con el Título VI del Acta de Derechos Civiles. Cualquier persona que cree que ha sido agraviada por cualquier práctica discriminatoria ilegal bajo el Título VI puede presentar una queja de discriminación por completar y enviar el Formulario de Queja de Discriminación de Título VI de la agencia. Este formulario se puede descargar en el sitio de web de la agencia en <http://www.ci.north-platte.ne.us/transportation/.org>; adicionalmente, se puede solicitar el formulario poniéndose en contacto con la agencia a la dirección proporcionada arriba.

Para solicitar mas información sobre las obligaciones de Título VI de la agencia, o para obtener una descripción detallada del procedimiento de Quejas de Discriminación del Título VI, favor de visitar la pagina de la agencia o contactar la agencia a la dirección proporcionada arriba. También se puede obtener los Formularios de Quejas de Discriminación del Título VI y información adicional en el sitio de web del Departamento de Carreteras de Nebraska (NDOR) en [www.transportation.nebraska.gov](http://www.transportation.nebraska.gov) o poniéndose en contacto con NDOR a la dirección proporcionada arriba. Un interprete telefónico puede ser proporcionada por NDOR para asistir personas de dominio de Inglés limitado.



## **5. Requirement to Develop Title VI Complaint Procedures and Complaint Form**

*All recipients shall develop procedures for investigating and tracking Title VI complaints filed against them, and shall make their procedures for filing a complaint available to members of the public. Recipients must also develop a Title VI complaint form, and the form and procedure for filing a complaint shall be available on the recipient's website:*

NPPT has adopted the Nebraska Department of Roads' procedures and forms for investigating and tracking Title VI complaints of discrimination, and these forms (pictured below) are available in English and Spanish on the NPPT website at <http://www.ci.north-platte.ne.us/transportation/>, or upon request. Instructions for obtaining these forms are provided on the agency's Title VI Notice to the Public.

A description of NPPT's Title VI Complaint Procedures follows the forms presented below.

# Title VI Complaint Procedures

## North Platte Public Transit

Any person who believes they have been discriminated against on the basis of race, color, or national origin by North Platte Public Transit may file a complaint by completing and submitting the agency's Title VI Complaint Form. Complaints must be submitted within 180 days following the alleged incident. Complaints received after 180 days will not be eligible for investigation.

All Title VI and related statute complaints are considered formal—there is no informal process. Complaints must be made in writing and signed by the complainant on the Complaint Form provided. If complaints are received by telephone, the information will be documented in writing and provided to the complainant for confirmation or revision and signature prior to processing. Complaints must include the complainant's name, address, and telephone number, and should specify all issues and circumstances of the alleged discrimination. Allegations must be based on issues involving race, color, or national origin. Complaints can be submitted to the agency at the following contact information:

**North Platte Public Transit**

Attn: Title VI Transit Manager  
1520 North Jeffers  
North Platte, NE 69101  
(308)-535-8562  
hydem@ci.north-platte.ne.us

Complaints may also be filed directly with the Nebraska Department of Roads at:

**Nebraska Department of Roads**

Attn: Transit Liaison Manager  
1500 Hwy. 2 Lincoln, NE 68502  
(402)-479-4694  
kari.ruse@nebraska.gov

Complaints can also be filed directly with the Federal Transit Administration at:

**Federal Transit Administration**

Attn: Title VI Program Coordinator  
East Building, 5th Floor-TCR  
1200 New Jersey Ave. SE  
Washington, D.C. 20590

Title VI complaints of discrimination received by North Platte Public Transit will be directed to the Nebraska Department of Roads (NDOR) Transit Section for review. NDOR will notify the Federal Transit Administration that a complaint has been received. The complainant will receive an acknowledgment letter informing her/him whether the complaint will be investigated. NDOR has 30 days to investigate the complaint. If more information is needed to resolve the case, the agency may contact the complainant to request additional information. The complainant has 15 days from the date of the letter to supply requested information to the investigator assigned to the case.

After the investigator reviews the complaint, she/he 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 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, she/he has 30 days following the closure letter or LOF to do so.

*Este documento describe el Título VI Procedimiento de North Platte Public Transit. Para obtener una copia de este documento en Español, favor de visitar el sitio de web de la agencia a <http://www.ci.north-platte.ne.us/transportation/>. Para asistencia adicional, favor de ponerse en contacto con la agencia o el Departamento de Carreteras de Nebraska al numero telefónico dado anteriormente. Un interprete telefónico puede ser proporcionada por NDOR para asistir personas de dominio de Inglés limitado.*





# Title VI Discrimination Complaint Form

## North Platte Public Transit

To file a Title VI complaint of discrimination, please complete this Complaint Form in full and submit it within 180 days following the alleged incident using the provided agency contact information. Complaints received after 180 days will not be eligible for investigation. Title VI complaints must involve issues pertaining to race, color, or national origin. Complaint Forms may be submitted by an individual or a representative of that individual.

Complaints must be made in writing and contain as much information as possible about the alleged discrimination. If complaints are received by telephone, the information will be documented in writing and provided to the complainant for confirmation or revision and signature prior to processing. The written complaint should include the complainant's name, address, and telephone number, as well as a detailed description of the issues and the name(s) and job title(s) of individuals perceived as parties in the complaint.

After completing this Complaint Form, please return it to the address below:

**North Platte Public Transit**

Attn: Title VI Transit Manager  
1520 North Jeffers  
North Platte, NE 69101  
Phone: (308)-535-8562  
Email: Hydem@ci.north-platte.ne.us

Complainants may also choose to return this form to the Nebraska Department of Roads at the following address:

**Nebraska Department of Roads**

Attn: Title VI Transit Manager  
1500 Hwy 2  
Lincoln, NE 68502  
(402)-479-4694  
kari.ruse@nebraska.gov

This form may also be submitted to the Federal Transit Administration at the following address:

**Federal Transit Administration**

Office of Civil Rights  
Attn: Title VI Program Coordinator  
East Building, 5th Floor-TCR  
1200 New Jersey Ave., SE  
Washington, D.C. 20590

*Para obtener una copia de este documento en Español, favor de visitar el sitio de web de la agencia a [www.vfwne.org](http://www.vfwne.org). Para asistencia adicional, favor de ponerse en contacto con el Departamento de Carreteras de Nebraska al numero telefónico dado anteriormente. Un interprete telefónico puede ser proporcionada por NDOR para asistir personas de dominio de Inglés limitado.*



|  |                   |
|--|-------------------|
| Complainant:   | Phone:            |
| Address:   | Email:            |
| Person Discriminated Against if Different from Above:  | Phone:            |
| Address:   | Email:            |
| What is the full legal name of the organization that discriminated against you?:   |                   |
| Type of Discrimination:<br><input type="checkbox"/> Race/Color <input type="checkbox"/> National Origin <input type="checkbox"/> Retaliation   | Date of Incident: |
| Date and place of alleged discriminatory actions. Please include earliest date of discrimination and most recent date of discrimination:   |                   |
| Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. Also, attach any written material pertaining to your complaint (attach additional pages if necessary): |                   |
| Names and contact information of persons (witnesses, others) whom we may contact for additional information to investigate your complaint:   |                   |

The complaint will not be accepted if it has not been signed. Please sign and date this complaint form below. You may attach any written materials or other supporting information that you believe is relevant to the complaint.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Attachments: ☐ Yes    ☐ No

Please submit this completed form using the contact information provided on page 1.

| <b>OFFICE USE ONLY</b> |       |
|------------------------|-------|
| Received By:           | Date: |

## ***NPPT Title VI Complaint Procedures***

Any person who believes they have been discriminated against on the basis of race, color, or national origin by NPPT may file a complaint by completing and submitting the agency's Title VI Complaint Form. These forms are available on the agency website, or upon request by contacting the agency using the information provided below. NPPT forwards all Title VI complaints of discrimination to the Nebraska Department of Roads Rail and Public Transit section for review. Only complaints received no more than 180 days following the alleged incident will be subject to investigation.

All Title VI and related statute complaints are considered formal—there is no informal process. Complaints must be made in writing and signed by the complainant on the form provided. Complaints received by telephone will be placed in writing and provided to the complainant for confirmation or revision and signing prior to processing. For assistance filing a complaint in a language other than English, complainants may contact the agency by phone, and an interpreter will be provided to assist the individual as necessary.

Complaints may be filed by the affected individual or a representative of that individual. Complaints must include the complainant's name, address, and telephone number, and should specify all incidences and circumstances of the alleged discrimination. Allegations must be based on issues involving race, color, or national origin.

Complaints may be filed with the agency using the following contact information:

**North Plate Public Transit**  
Attn: Title VI Transit Manager  
1520 North Jeffers  
North Platte, NE 69101  
(308)-535-8562  
[hydem@ci.north-platte.ne.us](mailto:hydem@ci.north-platte.ne.us)

Complainants who do not wish to file with the transit agency may contact the Nebraska Department of Roads to receive assistance filing a complaint. NDOR can also assist individuals in submitting a Title VI Complaint in a language other than English. NDOR can be contacted using the following information:

**Nebraska Department of Roads**  
Attn: Title VI Transit Manager  
1500 Hwy. 2  
Lincoln, NE 68502  
(402)-479-4694  
[kari.ruse@nebraska.gov](mailto:kari.ruse@nebraska.gov)

Complaints may also be filed with the Federal Transit Administration at the following address:

**Federal Transit Administration**  
Office of Civil Rights  
Attn: Title VI Program Coordinator  
East Building, 5<sup>th</sup> Floor-TCR  
1200 New Jersey Ave., SE  
Washington, D.C. 20590

As stated above, if a complaint is received by NPPT, the agency will submit the complaint to the Nebraska Department of Roads (NDOR) for review. Upon receipt of the complaint, the NDOR Transit Section will notify the Federal Transit Administration that a complaint has been filed. The NDOR Transit Manager or other investigator will contact the complainant to:

- Acknowledge the receipt of the complaint by the investigator.
- Confirm the complainant received adequate assistance to file the complaint
- Confirm that the complainant wishes to proceed with the complaint.
- Confirm the existence of allegations that require investigation and/or resolution.
- Gather additional facts and further clarify the complaint.

The complainant will be notified in writing that the complaint was received and will be reviewed by the NDOR Transit Section and FTA Region VII, with the involvement of NPPT. If the complaint is determined to have validity, it will be investigated. As part of the review, the investigator will, at minimum:

- Gather relevant documentation from the complainant that was not included in the complaint, such as forms, memos, letters, and photographs;
- Maintain a log of all activities associated with the complaint;
- Complete an investigative report containing information, findings, photos, and recommendations for corrective action, to be submitted to FTA.

A copy of the complaint, together with a copy of NDOR's investigative report, shall be forwarded to the FTA Region VII Office in Kansas City, MO within 60 days of the date at which the complaint was received by NDOR.

A decision by NDOR to dismiss a complaint can be made for the following reasons:

- The complaint was not filed within 180 days.
- The complaint is not covered by the Title VI statutes for which NDOR is responsible.
- The complaint does not allege any harm covered under the statutes for which NDOR is responsible.
- The complainant requests the withdrawal of the complaint.
- The complainant fails to respond to repeat, documented requests for additional information needed to process the complaint.
- The complainant cannot be located after documented reasonable attempts.

A log will be maintained which is to include the following information:

- The date the complaint/lawsuit was filed.
- A summary of the allegation(s).
- The status of the investigation.
- The actions taken by the recipient/subrecipient in response to the complaint/lawsuit and investigation.
- Documentation to be retained includes the complaint form and a summary of findings.

After the investigator reviews the complaint, she/he 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 the complaint will be closed. An LOF summarizes the allegations and 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, she/he has 30 days following the closure letter or LOF to do so.

For additional questions regarding NPPT's Title VI complaint procedures or Title VI Program, individuals may contact the transit agency at the contact information provided above. For more information on NDOR's Title VI complaints procedure or Civil Rights Program, individuals may contact NDOR at the address provided.

## **5. Requirement to Record and Report Title VI Complaints, Investigations, and Lawsuits**

*In order to comply with the reporting requirements of 49 CFR Section 21.9(b), FTA requires all recipients to 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 entities other than FTA; lawsuits; and complaints naming the recipient. This list shall include the date that the 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.*

At this time, NPPT has not received Title VI complaints of discrimination, and therefore there are no investigations or lawsuits to report

NPPT will maintain a list of all investigations, lawsuits, and/or complaints naming the agency, in accordance with the guidelines specified by FTA C 4702.1B. A copy of the form that will be used to track such complaints is displayed below. NPPT will maintain permanent records of all complaint-related documents. The agency will report all Title VI complaints of discrimination to the Nebraska Department of Roads and the Federal Transit Administration.



## Title VI Complaint and Lawsuit Tracking Form

### Title VI Complaints

| Complainant Name | Date of Incident | Date Filed | Summary of Complaint (include basis of complaint: race, color, or national origin) | Complaint resulted in investigation? (Y/N) | Status of complaint: active or closed? | Summary of Findings OR Reason Complaint was not Investigated (N/A if active) | Notes |
|------------------|------------------|------------|--|--|--|--|-------|
|                  |                  |            |  |  |  |  |       |
|                  |                  |            |  |  |  |  |       |
|                  |                  |            |  |  |  |  |       |

### Title VI Lawsuits

| Name of plaintiff | Date of Incident | Date Filed | Allegation(s) | Status: Active or Closed? | Result (N/A if active) | Notes: |
|-------------------|------------------|------------|---------------|---------------------------|------------------------|--------|
|                   |                  |            |               |                           |                        |        |
|                   |                  |            |               |                           |                        |        |
|                   |                  |            |               |                           |                        |        |
|                   |                  |            |               |                           |                        |        |
|                   |                  |            |               |                           |                        |        |

#### Submitted by:

North Platte Public Transit  
 1520 North Jeffers  
 North Platte, NE 69101  
 Phone: (308)-535-8562  
 Email: Hydem@ci.north-platte.ne.us

## **6. Plan to Promote Inclusive Public Participation**

NPPT's public involvement strategy is intended to promote awareness and provide ample opportunity for the public to participate in the agency's transportation decision-making process surrounding projects, fare and/or service changes, and applications for Federal operating assistance. This process allows for:

- Ensuring the timely dissemination of information to the public
- Considering the input and encouraging the participation of underserved groups in the agency's transportation decision-making processes.
- Facilitating adequate public review of major project revisions.
- Granting opportunity for the review of proposed and final plans.
- Encouraging and documenting public comment.
- Granting timely public notice and an adequate review period through this process.

For these purposes, the agency will announce and hold a public hearing in the event of a fare increase, major change in service, or in the event of a capital construction project. Additionally, the agency will provide adequate public notice in the event of a vehicle purchase or upon the submission of an application for State or Federal operating assistance funds with no major service changes or fare increases.

For the purpose of definition, a major change or reduction in service shall include a reduction in total system vehicle hours of 10% or more, the elimination of service in an area with a population of 2,000 or more, the elimination of service on one or more days of the week, or a change in the type of transit service in an area with a population of 2,000 or more. A fare increase shall include an increase in single ride fare for any transit service including other fare categories, or a decrease in the discount(s) offered for fare categories.

Public hearings will be advertised in a newspaper of general circulation in the geographic area the project will serve at least 14-21 calendar days in advance of the public hearing, and again no later than 5-12 calendar days in advance of the public hearing. Notice of hearings shall include a concise description of the proposed project, and will advertise the availability of Spanish-translated copies of the hearing notice and/or other publically-released meeting documents. Hearings will be held in accessible locations and at times convenient for public attendance.

An agency staff member will record and prepare formal minutes of the public hearing. These minutes will be available to the public in English and Spanish upon request, to be announced on the agency's public hearing notice. Spanish translations of other publically-released meeting documents (e.g., announcements, surveys, comment cards, etc.) will also be distributed to members of the public upon request.

Written or verbal comments from the public will be accepted during and for at least 10 days following the public hearing. These comments will be reviewed as part of the agency's decision-making process surrounding transportation projects.

## **Summary of Past Outreach Efforts**

NPPT routinely performs community outreach which impacts low-income and minority persons within its service area. For example, flyers and service information is regularly posted at a community school, where it is received by students from low income and Hispanic households. The agency recently sponsored a student Coloring Contest, which supplied 270 students from low-income families with information on NPPT's transit services. Additional public outreach is performed through word of mouth and printed advertisements distributed in the agency service area.

## **7. Providing Meaningful Access to LEP Persons**

*Recipients are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. While designed to be a flexible and fact-dependent standard, the starting point is an individualized assessment that balances the following four factors: (1) the number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee; (2) the frequency with which LEP individuals come into contact with the program; (3) the nature and importance of the program, activity, or service provided by the program to people's lives; and (4) the resources available to the grantee/recipient and costs. As indicated above, the intent of this guidance is to suggest a balance that ensures meaningful access by LEP persons to critical services while not imposing undue burdens on small business, small local governments, or small nonprofits.*

## **Four Factor Analysis Results Summary**

Based on the findings of the Four Factor Analysis presented below, interaction between NPPT personnel and persons of limited English proficiency is estimated to be infrequent. Subsequently, many forms of routine or programmatic language assistance are deemed to be cost-prohibitive by the agency at this time. However, taking reasonable steps to provide language assistance to LEP persons who may choose to access NPPT's programs and services is of high value and importance to the agency. The agency's language assistance measures are described in the Language Assistance Plan following this Four Factor Analysis. Particular emphasis is placed on serving Hispanic persons within the agency service area.

## **NPPT Four Factor Analysis**

### **Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient**

NPPT provides transportation service for the residents within the city limits of North Platte, Nebraska. To determine the number and proportion of LEP persons residing within the agency's service area, 2008-2012 American Community Survey Data representing languages spoken at home for persons over five years of age was analyzed for the city of North Platte. This analysis resulted in the following service area profile. In this analysis, "LEP" was defined as persons who speak English "less than very well" according to the American Community Survey. LEP can also be defined as a person who has a limited ability to speak, read, or write the English language.

## ***NPPT service area LEP profile***

- The total number of persons over five years of age in NPPT's service area is 22,817.
- Of the total population over five years of age, 21,761 persons, or, approximately 95% of the population, speak English only.
- No non-English language groups in the combined service area contained at least 1,000 LEP persons.
- No non-English language groups contained an LEP population representing 5% or more of the total service area population.
- The largest non-English language group within the NPPT service area is Spanish or Spanish Creole. This language group contains 781 persons, with 438 persons identified as LEP. The total proportion of Spanish-speaking LEP persons in North Platte is approximately 1.9%.
- Overall, the total proportion of LEP persons residing within the NPPT service area is low. A total of 275 persons were identified as speaking a language other than English or Spanish, with only 107 persons from these combined language groups identified as LEP.

Note: the agency infrequently provides one-way trips to metropolitan areas outside of its regular service area, such as the cities of Lincoln and Omaha. While it would be cost-prohibitive for the agency to tailor its language assistance measures to the demographic characteristics of these large metropolitan areas, NPPT will take reasonable steps to assist LEP persons who may be encountered as a result of these out-of-area trips.

## ***Service Area Profile Conclusions***

The total number and proportion of LEP persons residing within the NPPT service area is relatively low. Notably, the LEP composition of the agency's service area is significantly lower than the Safe Harbor Provision threshold of 1,000 LEP persons or 5% or more LEP persons. Based on these findings, many forms of routine or programmatic LEP language assistance are deemed to be cost-prohibitive at this time; however, as detailed in the Language Assistance Plan following this Four Factor Analysis, the agency is prepared to take reasonable steps to ensure equal access for LEP persons who may choose to access its programs and services, with particular emphasis on the Spanish-speaking LEP population.

### ***Factor 1a: How LEP persons interact with the recipient's agency***

NPPT frequently transports Spanish-speaking students to and from school, and occasionally transports Spanish-speaking adults. However, it is estimated that the majority of these riders have adequate English proficiency to prevent barriers to service due to language. The agency currently has a driver that is fluent in Spanish that interprets when needed.

***Factor 1b: The literacy skills of LEP persons in their native languages, in order to determine whether the translation of written documents will be an effective practice***

No data could be obtained regarding the native language literacy of LEP persons within the NPPT service area, nor does the agency maintain such data at this time. Such data will be utilized in the instance that it becomes available. However, due to the very low number and proportion of LEP persons residing within the agency's service area, the nature of interaction between LEP persons and the agency, and the language assistance resources made available by the agency to LEP persons (see the accompanying Language Assistance Plan), it is not estimated that barriers to service due to native language literacy would prevent LEP persons from accessing the agency's programs or services at this time.

***Factor 1c: Whether LEP persons are underserved by the recipient due to language barriers***

NPPT personnel estimate that the majority of its riders have a fair to high level of English proficiency; encounters with LEP persons are infrequent. It is not estimated that barriers to service due to language exist at the current time. However, the agency is prepared to take reasonable steps to provide language assistance as needed.

**Factor 2: The frequency with which LEP persons come into contact with the program**

NPPT personnel estimate that the majority of its riders have a fair to high level of English proficiency; encounters with LEP persons are infrequent.

**Factor 3: The Nature and Importance of the Program, Activity, or Service in People's Lives**

NPPT's transit service is utilized by students, the elderly, disabled, low income, and the general public within its service area. It is estimated that this service is highly important to the community.

**Factor 4: The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach**

NPPT has access to a variety of Title VI resources through the Nebraska Department of Roads, including Spanish document translation assistance (e.g., vital Title VI documents: Title VI Notice to the Public, Title VI Complaint form, etc.) for NPPT's use; and general Title VI assistance and oversight. Resources for additional forms of language assistance are currently limited; however, the agency will take reasonable steps to procure additional language assistance resources in the event that they are deemed necessary.

## ***NPPT Language Assistance Plan***

### ***Plan to Provide Document Translation***

NPPT currently has access to Spanish document translation services at no cost through the Nebraska Department of Roads. Using this resource, NPPT's Title VI Notice to the Public, Discrimination Complaint Form, and Complaint Procedures Form have been made available in Spanish on the agency website. In the event of a public hearing, publically-distributed meeting documents, including meeting minutes, will be also provided in Spanish upon request using this resource. NPPT will likewise take reasonable steps to provide Spanish translations of additional agency documents in the event they are requested by LEP



persons.

Additionally, the agency currently has a Spanish-speaking employee who is able to assist with translation or interpretation as necessary.

### ***Monitoring, Evaluating, and Updating the LEP Plan***

NPPT will update the current Language Assistance Plan as required. At minimum, the plan will be reviewed and updated every two years. Updates may include the following:

- The number of documented LEP person contacts encountered since the last update. Description of how the needs of LEP persons have been addressed.
- Determination of the current LEP population within the agency service area.
- Determination of whether the need for language assistance has changed.
- Determination of whether local language assistance has been effective and sufficient at meeting needs.
- Determination of whether the agency's available outreach resources are sufficient to supply necessary language assistance.
- Determination of whether complaints have been received concerning the agency's failure to meet the needs of LEP persons.

### ***Employee Training***

Employees at all levels within NPPT should be fully aware of and understand the importance of Title VI, as well as the current Language Assistance Plan, so they can reinforce its importance and ensure its agency-wide implementation. NPPT personnel are required to review the current Title VI Program document and sign a written statement that they have done so.

All agency personnel will be familiar with the agency's procedures for handling a potential Title VI complaint.

NPPT's Title VI Transit Manager has attended Title VI awareness training through the Nebraska Department of Roads and University of Nebraska-Omaha, and is responsible for ensuring that agency personnel have the knowledge and resources to operate under the requirements and guidelines of DOT's Title VI regulations.

Additional resources for employee training include a Title VI training workshop hosted by the Nebraska Department of Roads and University of Nebraska-Omaha, and ongoing Title VI assistance provided by the Nebraska Department of Roads and University of Nebraska-Omaha.

## **8. 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.” Recipients that have transit-related, nonelected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees:*

NPPT is overseen by the North Platte City Council. The agency does not currently have a transit-related, non-elected planning board or committee. In the event such a committee were established prior to the agency’s next Title VI program submission, the following table (pictured below) would be used to depict minority representation on said committee.

## MINORITY REPRESENTATION TABLE

| # of non-elected members | % Caucasian | % African American | % Latino | % Asian American | % Native American | Other Ethnicity | Notes |
|--------------------------|-------------|--------------------|----------|------------------|-------------------|-----------------|-------|
|                          |             |                    |          |                  |                   |                 |       |

## **9. Requirement to Provide Assistance to Subrecipients: N/A**

NPPT is not a primary recipient, and is therefore exempt from this requirement.

## **10. Monitoring of Subrecipients: N/A**

NPPT is not a primary recipient, and is therefore exempt from this requirement.

## **11. Equity Analysis to Determine Site or Location of Facilities**

*Title 49 CFR Section 21.9(b)(3) states, "In determining the site or location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this regulation applies, on the grounds of race, color, or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act or this part." Title 49 CFR part 21, Appendix C, Section (3)(iv) provides, "The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin." For the purposes of this requirement, "facilities" does not include bus shelters, as these are transit amenities and are covered in Chapter IV, nor does it include transit stations, power substations, etc., as those are evaluated during project development and the NEPA process. Facilities included in this provision include, but are not limited to, storage facilities, maintenance facilities, operations centers, etc.*

NPPT constructed a bus barn in 2014, but this project did not require the displacement of persons. If additional information is needed regarding this reporting requirement, please contact the agency using the information provided on page two of the current Title VI program.

In possible future circumstances of projects requiring land acquisition and the displacement of persons, NPPT will ensure that both environmental analysis and Title VI environmental justice requirements are incorporated into the scope of work for all facilities projects. The agency will complete a Title VI equity analysis during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color, or national origin. The agency will engage in outreach to persons potentially impacted by the siting of facilities. The Title VI equity analysis will compare the equity impacts of various siting alternatives, and the analysis will occur prior to the selection of the preferred site.

When evaluating the locations of facilities, NPPT will give attention to other facilities with similar impacts in the area to determine whether any cumulative adverse impacts might result. Analysis will be conducted at the Census tract or block group, where appropriate, to ensure that proper perspective is given to localized impacts.

If the agency determines that the location of a project will result in a disparate impact on the basis of race, color, or national origin, the agency will only locate the project in that location if there is a substantial legitimate justification for locating the project there, and when there are no alternative locations that would have a less disparate impact on the basis of race, color, or nation origin. The agency will show how both tests are met, and will consider and analyze alternatives to determine whether those alternatives would have less of a disparate impact on the basis of race, color, or national origin; the agency will then implement the least discriminatory alternative.

## **12. Requirement to Provide Additional Information upon Request**

FTA may request, at its discretion, information other than that required by [FTA Circular 4702.1B] from a recipient in order for FTA to investigate complaints of discrimination or to resolve concerns about possible noncompliance with DOT's Title VI regulations:

NPPT will fully cooperate with any FTA investigation of discrimination complaints to the extent required by Title VI regulations.

## **IV. Requirements and Guidelines for Fixed-Route Transit Providers**

*All fixed route transit providers shall set service standards and policies for each specific fixed route mode of service they provide. Fixed route modes of service include but are not limited to, local bus, express bus, commuter bus, bus rapid transit, light rail, subway, commuter rail, passenger ferry, etc. These standards and policies must address how service is distributed across the transit system, and must ensure that the manner of the distribution affords users access to these assets.*

### **A. Requirement to set system-wide service standards**

#### **1) Vehicle load for each mode**

Vehicle load during both peak and off-peak operating periods should not exceed the vehicle seating capacity of 12 passengers and two wheelchair passengers. Standing on the bus is not permitted.

#### **2) Vehicle headway for each mode**

The service route is operated by one (1) 12-passenger bus. This vehicle completes its scheduled route approximately every 45 minutes (i.e., vehicle headway during peak and off-peak hours of operation is 45 minutes); service frequency per stop during peak and off-peak hours of operation is one (1) bus per hour.

#### **3) On-time Performance for each Mode**

In at least 75% of all cases, NPPT's fixed route service vehicle will complete its established runs no more than five (5) minutes early or late in comparison to the established schedule/published timetables. During instances when no passengers are waiting at a scheduled stop, the driver is permitted to travel on to the next stop a maximum of five minutes ahead of the published timetables.

#### **4) Service Availability for each Mode**

NPPT has distributed its fixed-route transit service stops in a manner that provides access to critical services and facilities within the community. These include a senior living facility, local hospital, and shopping district. Further, the route was planned so as to serve both the north and south areas of the community.



## ***B. Requirement to set system-wide service policies***

### **1) Distribution of Transit Amenities for each Mode**

- i. Only one (1) vehicle operates on NPPT's fixed route; therefore, the distribution of vehicle-related amenities is not applicable.
- ii. Bus shelters are distributed at three (3) of (6) stop locations. This assignment was based upon use frequency and permission from the landowner responsible for the facility in question.
- iii. Seating at scheduled stops is currently located in three (3) of six (6) bus stop locations; this seating was prioritized for high-use locations, and is also dependent upon permission from the landowner responsible for the facility in question.
- iv. Printed signage/route information is distributed evenly, being located in every bus shelter on the NPPT route. Such information is also distributed to locations selected as high-priority in terms of community well-being and in-need populations, e.g., the local homeless shelter, hospital, and Department of Health and Human Service Office, etc.
- v. The agency does not operate electronic signage, elevators, or escalators.
- vi. Waste receptacles are located at each of NPPT's six bus shelters.

### **2) Vehicle Assignment for each Mode**

NPPT's fixed route is operated by one (1) service vehicle; therefore the agency maintains no policies regarding vehicle assignment for fixed route service.

## ***C. Requirement to collect and report demographic data: N/A***

NPPT operates fewer than 50 fixed route vehicles in peak service (the agency operates one (1) fixed-route vehicle), therefore this requirement is not applicable.

## ***D. Requirement to evaluate service and fare changes: N/A***

NPPT operates fewer than 50 fixed route vehicles in peak service (the agency operates one (1) fixed-route vehicle), therefore this requirement is not applicable.

## ***E. Requirements for States: N/A***

## ***F. Requirements for Metropolitan Planning Organizations: N/A***

## ***G. FTA Compliance Reviews: N/A***