



Title VI Policy

Table of Contents

Purpose of the Plan 3

 The Jackson County Mass Transit District Title VI Program..... 3

 Annual Submissions to Illinois Department of Transportation and the Federal Transit Administration 3

 Triennial Submissions to IDOT and FTA..... 5

 Title VI Complaint Procedures 5

 Title VI Investigations, Complaint, and Lawsuit Record Keeping Procedures 8

 Meaningful Access to LEP Persons..... 9

 Language Assistant Plan for LEP Individuals 11

 Beneficiary Notification Protection under Title VI 12

 Additional Information Requests 14

 Submission of Title VI Program 14

 Conducting Analysis of Construction Projects 14

 Promoting Inclusive Public Participation 14

 Service Equity Analysis 14

 Minority, Low-Income, and Limited English Proficiency Populations Concentrations 14

 Service Monitoring 14

 JCMTD Environmental Justice and Title VI Summary..... 15

Purpose of the Plan

Title VI of the Civil Rights Act of 1964, as amended, applies to the U.S. Department of Transportation Federal Transit Administration (FTA) sub-recipients. The purpose of Title VI is to ensure that no person in the United States shall, on the grounds of race, color, and 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 from the FTA. The program described herein describes Jackson County Mass Transit District's efforts to comply with Title VI regulations issued by the U.S. Department of Justice and the U.S. Department of Transportation. The objectives of the Jackson County Mass Transit District Title VI program are to:

- Ensure that the level and quality of transportation service is provided equitably and without regard to race, color, and national origin.
- Avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects of programs and activities on minority populations and low-income populations.
- Ensure the full and fair participation of all affected populations in transportation decision making.
- Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations; and
- Ensure that persons with limited English proficiency have meaningful access to programs and activities that are administered by recipients and sub-recipients.

The Jackson County Mass Transit District Title VI Program

Jackson County Mass Transit District (JCMTD) has established the following program to comply with the Illinois Department of Transportation (IDOT) and FTA, Title VI Regulations.

“All information about the process, materials necessary to apply for eligibility, complaint process, and notices and determinations concerning eligibility will be made available in accessible formats upon request.” Accessible formats in English, large print, audio and Braille also available in Spanish”

Annual Submissions to Illinois Department of Transportation and the Federal Transit Administration

JCMTD complies with the requirements of the Illinois Department of Transportation (IDOT) Title VI Program. JCMTD will submit an annual assurance to verify Title VI compliance as part of the standard certifications and assurances it submits to IDOT with grant applications. JCMTD will also submit a Title VI assurance online as a part of the online applications with FTA. JCMTD shall also collect Title VI Assurances from any sub-recipients prior to passing through FTA funds. Exhibit I on the following page is JCMTD's Title VI assurance.

Exhibit I: JCMTD Title VI Assurance

Title VI Assurance to the Federal Transit Administration

Jackson County Mass Transit District hereby agrees that, as a condition to receiving any Federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation--Effectuation of the Title VI of the Civil Rights Act of 1964 and other pertinent directives, to the end and that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under any program or activity for which JCMTD received Federal financial assistance from the Department of Transportation, including the Federal Transit Administration and, hereby gives assurance that it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) of the Regulations. More specifically and without limiting the above assurances, JCMTD gives the assurances as listed in the "Verification of Level and Quality of Service," with respect to the Federal Transit Administration Grant Program. This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the Federal Transit Administration.

Triennial Submissions to IDOT and FTA

JCMTD will report the information contained in this section to IDOT and FTA on a triennial basis with the first submission parceled as part of the plan. The following report addresses each of the eight primary Title VI considerations and the associated forms, policies, and activities of its Title VI program.

Title VI Complaint Procedures

In order to comply with 40 CFR Section 21.9 (b), JCMTD has developed procedures for investigating and tracking Title VI complaints. The procedures for filing a complaint will be made available to members of the general public. The following measures will be taken in dealing with Title VI complaints:

- 1) A formal complaint must be filed within 180 days of the alleged occurrence. Complaints shall be in writing and signed by the individual or his/her representative, and will include the Complainant's name, address, and telephone number; the name of the alleged discriminating official, basis of the complaint (race, color, and national origin) and the date of the alleged act(s). A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints. Exhibit II provides JCMTD's Title VI complaint form.
- 2) In the case where a Complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to JCMTD's Representative. Under these circumstances, the complainant will be interviewed, and the Representative will assist the Complainant in converting the verbal allegation into writing.
- 3) JCMTD will investigate complaints filed against contractors, consultants, or other sub-recipients. Complaints filed directly against JCMTD shall be forwarded to the IDOT Title VI Coordinator for investigation.
- 4) When a complete complaint is received, the Title VI Coordinator will provide written acknowledgement to the Complainant within five (5) days by registered and regular mail. At the same time, the complaint will be forwarded to the State of Illinois for investigation.
- 5) If a complaint is deemed incomplete, additional information will be requested from the Complainant within 15 business days from receipt of the original complaint. The Complainant will be provided 60 business days to submit the required information. Failure to do so may be considered good cause for a determination that the claim has no investigative merit.

Exhibit II: JCMTD Title VI Complaint Form

Jackson County Mass Transit District Title VI Complaint Form (page one)

Section I:

Name: _____

Address: _____

Telephone Number(s): HOME: _____ WORK: _____

E-Mail Address: _____

Do you have accessible format requirements? Check each that applies:

Large Print _____ Audio Tape _____ TDD _____ Other _____

The Federal Transit Administration (FTA) Office of Civil Rights is responsible for civil rights compliance and monitoring, which includes ensuring that providers of public transportation properly abide by Title VI of the Civil Rights Act of 1964, Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations," and the Department of Transportation's Guidance to Recipients on Special Language Services to Limited English Proficiency (LEP) Beneficiaries.

In JCMTD's complaint investigation process, we analyze the complainant's allegations for possible Title VI and related deficiencies by the transit provider. If deficiencies are identified, they are presented to the transit provider and assistance is offered to correct the inadequacies within a predetermined timeframe. The State of Illinois may also refer the matter to the U.S. Department of Justice for Enforcement.

Section II

Are you filing this complaint on your own behalf? Yes _____ No _____ (If you answered 'yes' to this questions go to Section III)

If the answer was 'no' please supply the name 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 _____

Jackson County Mass Transit District Title VI Complaint Form (page two)

Section III

Have you ever filed with any other organization? Yes _____ No _____ *(If you answered 'No' to this question go to Section IV)*

Check all that applies below.

IDOT: _____ Department of Justice: _____
Equal Employment Opportunity Commission: _____ Other: _____

If specify "other", please be specific by providing the name of organization(s) within the lines provided.

Please provide information about a contact person at the agency/court where the complaint was filed.

Name: _____

Title: _____

Agency: _____

Address: _____

Telephone: _____

If necessary, please provide on separate sheet(s) all contact information of each organization indicated above.

(Note: The above information helpful for administrative tracking purposes. However, if litigation is pending regarding the same issue(s), we will defer to the decision of the court)

Section IV

On separate sheets of paper, please describe your complaint. You should include specific details such as names, dates, times, route or bus number, witnesses, and any other information that would assist us in our investigation of your allegations. Please also provide any other documentation that is relevant to your complaint.

(Note: We cannot accept your complaint without a signature)

Signature: _____

Date: _____

- 6) Within 15 business days from receipt of a complete complaint, JCMTD will determine its jurisdiction in pursuing the matter and whether the complaint sufficient merit to warrant investigation. Within five (5) days of this decision, the Complainant and Respondent will receive notification of the disposition by registered and regular mail.
 - a. If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.
 - b. If the decision is to be investigated, the notification shall inform the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
- 7) When JCMTD does not have sufficient jurisdiction, the complaint will be referred to IDOT for further investigation.
- 8) If the complaint has investigative merit, an investigator will be assigned. A complete investigation will be conducted, and an investigative report will be submitted within 45 days from the receipt of the complaint. The report will include a narrative description of the incident, summaries of all persons interviewed, and a finding with recommendations.
- 9) A letter of finding will be issued to the Complainant and Respondent. Where appropriate, these letters will include conciliatory measures. A copy of the investigative report shall be forwarded to IDOT within 60 days from receipt of the complaint. If the investigation is delayed for any reason, the investigator will notify the appropriate authorities, and an extension will be requested.
- 10) If the Complainant is dissatisfied with JCMTD's resolution of the complaint, he/she has the right to file the complaint with the IDOT Title VI Coordinator directly.

Title VI Investigations, Complaint, and Lawsuit Record Keeping Procedures

In order to comply with 49 CFR Section 21.9 (b), JCMTD has prepared and maintains a list of active investigations, lawsuits, or complaints naming JCMTD that allege discrimination on the basis of race, color, or national origin. The list includes:

- The date the investigation, lawsuit, or complaint was filed;
- A summary of the allegation;
- The status of the investigation; and
- Actions taken in response to the investigation, lawsuit, or complaint.

JCMTD has adopted Title VI record keeping procedures for complaints, lawsuits, and investigations. Exhibit III depicts this format.

Exhibit III: Title VI Complaint Record Keeping

Table 1 Title VI Complaint Record Keeping

File Date	Summary of Allegation	Actions Taken in Response	Status of Investigation

Meaningful Access to LEP Persons

Title VI and its implementing regulations require that FTA sub-recipients take reasonable steps to ensure meaningful access to the benefits, services, information, and other important portions of their program and activities that have Limited English Proficient (LEP) individuals. Circular 4702.1B states that LEP person are *"persons for whom English is not their primary language and who have a limited ability to speak, understand, read, or write English. It includes people who reported to the U.S. Census that they do not speak English well, or do not speak English at all."*

JCMTD has assessed the four main factors involved in developing a Language Assistance Plan as described in the Federal Transit Administration guidance entitled "Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers." These steps are as follows:

- 1) Identify the number or proportion of LEP persons eligible to be served or likely to be encountered by the program or the recipient grantee. Based on the 2019 American Community Survey 5 Year Estimates (<https://data.census.gov/cedsci/>), JCMTD undertook an analysis of the languages spoken in Jackson County, Illinois and estimated the number of residents with Limited English Proficiency by language group. A summary of this data is provided below in Exhibit IV. JCMTD also restricted the language analysis to the urbanized area of Carbondale IL. The summary of that data in Exhibit V is also below.

Exhibit IV: English and Non-English Speaking Residents of Jackson County IL

Table 2 Jackson County English and Non-English Speaking Residents¹

English and Non-English Speaking Residents	Estimated Population	% of Total Population
Total Population (over 5 years)	54,848	
Speak Only English	49,971	91.11%
Speak Spanish	1,996	3.64%
Speak English "Very Well"	1,353	2.47%
Speak English less than "Very Well"	643	1.17%
Speak other Indo-European Languages:	1,461	2.66%
Speak English "Very Well"	960	1.75%
Speak English less than "Very Well"	501	0.91%
Speak Asian and Pacific Island Languages:	1,038	1.89%
Speak English "Very Well"	666	1.21%
Speak English less than "Very Well"	372	0.68%
Other Languages	382	0.70%
Speak English "Very Well"	303	0.55%
Speak English less than "Very Well"	79	0.14%

Exhibit V: English and Non-English Speaking Residents of Carbondale IL

Table 3: City of Carbondale English and Non-English Residents²

English and Non-English Speaking Residents	Estimated Population	% of Total Population
Total Population (over 5 years)	24,778	
Speak Only English	21,475	39.15%
Speak Spanish	1,295	2.36%
Speak English "Very Well"	899	1.64%
Speak English less than "Very Well"	396	0.72%
Speak other Indo-European Languages:	890	1.62%
Speak English "Very Well"	537	0.98%
Speak English less than "Very Well"	353	0.64%
Speak Asian and Pacific Island Languages:	787	1.43%
Speak English "Very Well"	440	0.80%
Speak English less than "Very Well"	347	0.63%
Other Languages	331	0.60%
Speak English "Very Well"	294	0.54%
Speak English less than "Very Well"	37	0.07%

¹ Data Source:

<https://data.census.gov/cedsci/table?q=Jackson%20County,%20Illinois%20Language&tid=ACSST5Y2019.S1601>

² Data Source: <https://data.census.gov/cedsci/table?g=1600000US1711163&tid=ACSST5Y2019.S1601>

Please note of the following. The communities included in the Other Indo-European Languages are French, French Creole, Italian, Portuguese, Portuguese Creole, German, Yiddish, Scandinavian, Greek, Russian, Polish, Serbo-Croatian, Armenian, Persian, Gujarati, Hindi, and Urdu. The communities within the Speak Asian and Pacific Island Languages are Chinese, Japanese, Korean, Mon-Khmer, Cambodian, Hmong, Thai, Laotian, Vietnamese, Tagalong, and Navajo. Within the other languages, the communities that exist are Navajo, Hungarian, Arabic, and Hebrew.

- 2) Determining the frequency with which LEP individuals come in contact with the program. JCMTD does receive ride requests from individuals who have a difficulty communicating in English but those happen on an infrequent basis. Most of those individuals have a speech impediment. In the case that an individual does speak in a foreign language, mainly Spanish, usually obtain an interpreter on their own and communicate their rides through them. There exist individuals for whom English is a second language that speak in a foreign language, usually Japanese or Chinese, who contact us directly; however, they do have a sufficient grasp of the English language to get the ride scheduled.
- 3) Defining the nature and importance of the program, activity, or service provided by the recipient to peoples' lives. JCMTD provides transportation for the general public. The organization does not discriminate by race, color, and national origin. The benefit of our transportation system to the LEP individuals or any individual in fact is to getting to and from a place that could not be obtained otherwise. Places include but not restricted to the following: medical appointments, shopping, or employment.
- 4) Describing the resources available to the recipient and costs involved. Brochures and ride schedules can be translated. Verbal interpretations of rides are also possible. The cost varies based on various factors. Organizations that are willing to translate or interpret can be found online. For example, LinguaVox is an online organization that is willing to provide services of being a translator or interpreter when needed. There are written translating software that are for free or cost a certain amount. Interpreter can also be hired into our organization. The cost involved is the amount of pay and outsourcing the individual.

Language Assistant Plan for LEP Individuals

JCMTD wants to provide a strong evidence of compliance to the FTA on written material so a viewing of the “Safe Harbor Provision” within FTA circular 4702.1B was necessary. The provision states that a LEP language group that speaks “English less than very well” is 1,000 individuals or 5% of the population, whichever is less, is the threshold of supplying the group with written material in their corresponding language. Since 5% of the population of Jackson County IL is 2,742 and Carbondale IL is 1,239. Then 1000 is going to be the threshold and after viewing exhibits IV and V; none of the LEP groups meets or exceeds the threshold so the provision is useless for JCMTD projects. In the dispatch area of JCMTD, the lack of experience of direct contact from LEP individuals has constitutes a lack of likelihood of receiving demand from them. Thus, JCMTD will presently not need to hire an interpreter for LEP individuals but to treat the encounter by LEP individuals as case-by-case bases. In the case, a phone call come in from a LEP individual then the person will be directed to an interpreter within the person’s household or in a conference call with an interpreter to get the ride scheduled if possible. Any written ride schedules will be translated into English and scheduled if possible. In the case, an LEP individual enters JCMTD facility then an interpreter will be called to assist the individual in attempting to schedule the ride. If an LEP

individual requests a brochure or any other transportation material within JCMTD, the information will be given to the individual by mail with two business days.

Beneficiary Notification Protection under Title VI

To comply with 49 CFR Section 21.9(d), sub-recipients shall provide information to the public regarding their Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by Title VI. JCMTD disseminates this information to the public through measures that include posting on the transit system website and social media sites and postings at county offices and areas frequented by JCMTD riders. The notice will be translated into languages other than English consistent with LEP Guidelines. Exhibit VI is JCMTD's Title VI Protection Notice to the Public.

Exhibit VI: JCMTD Title VI Protection Notice to the Public

Jackson County Mass Transit District hereby gives the public notice of its policy to uphold and assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and all related statutes. Title VI and related statutes prohibiting discrimination in Federally-assisted programs require that no person in the United States of America shall on the grounds of race, color, and national origin be excluded from the participation in, be denied the benefits of, or be otherwise subjected to, discrimination under any program or activity receiving Federal financial assistance.

Any person who believes they have been aggrieved by an unlawful discretionary practice regarding JCMTD's programs has the right to file a formal complaint. To obtain the formal complaint procedures, an official complaint form, and any other information call 618-549-0304 extension 306 or come to office at 602 E College St Carbondale IL 62901. Complaint forms must be completed, signed, and delivered to JCMTD office within sixty (60) days following the date of the alleged occurrence.

“All information about the process, materials necessary to apply for eligibility, complaint process, and notices and determinations concerning eligibility will be made available in accessible formats upon request.” Accessible formats in English, large print, audio and Braille also available in Spanish.

Additional Information Requests

JCMTD fully understands that FTA and IDOT may request additional information to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI. JCMTD will cooperate with the FTA and IDOT, and all requested information would be provided in a timely manner.

Submission of Title VI Program

To ensure compliance with 49 CFR Section 21.9 (b), this report will serve as documentation of JCMTD's Title VI compliance. JCMTD will prepare and submit updates to this Title VI program to the IDOT and FTA on a triennial basis.

Conducting Analysis of Construction Projects

JCMTD will integrate an environmental justice analysis into the National Environmental Policy Act (NEPA) document of construction projects. If a construction project requires NEPA documentation, JCMTD will complete IDOT's standard environmental assessment (EA) and will submit the EA as part of each triennial Title VI submission.

Promoting Inclusive Public Participation

In compliance with the DOT Order on Environmental Justice, JCMTD conducts public outreach and involvement activities with minority and low-income populations. JCMTD undertakes public outreach activities including:

- Provide notice and affording members of the public, including minority and low-income populations the opportunity to comment on proposed service and fare changes.
- Provide members of the public the opportunity to participate in the decision-making process for projects subject to the National Environmental Policy Act (NEPA).
- Provide members of the public, including minority and low-income populations the opportunity to participate in or to comment of the agency's strategic plan or capital improvement program.
- Offers the public, including low-income and minority populations' routine opportunities to provide feedback or comment on the level and quality of service.

Service Equity Analysis

Minority, Low-Income, and Limited English Proficiency Populations Concentrations

JCMTD provides transportation services via demand response. Rider access and travel times vary with each request. Management ensures a balance of resources available to meet specific demand. Demand factors related to concentrations of persons with disabilities and households without access to a vehicle are also considered.

Included on the following pages are demographic profile maps that illustrate minority, low income and LEP populations in relations to JCMTD's service area.

Service Monitoring

The JCMTD staff will monitor service level and service quality to ensure that no person or group of persons shall be discriminated against with regard to the route, scheduling, or quality of transportation service furnished by the JCMTD system on the basis of race, color, and national origin. Frequency of service, age and quality of

vehicles assigned, quality of facilities, and location of routes shall not be determined based on race, color, and national origin.

JCMTD Environmental Justice and Title VI Summary

Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color, or national origin. IDOT, FTA, and JCMTD advance Title VI and environmental justice by involving the public in transportation decisions. Effective public involvement programs enable transportation professionals to develop systems, services, and solutions that meet the needs of the public, including minority and low-income communities.

There are three fundamental environmental justice principles. The three principles are:

1. To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
2. To ensure the full and fair participation by all potentially affected communities in the transportation decision making process.
3. To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.