



Piedmont Authority for Regional Transportation Title VI Program Plan

*Related to Transportation Planning and Transportation
Improvements*

Submitted to: Federal Transit Administration Region IV
Office of Civil Rights
230 Peachtree Street, Suite 800 Atlanta, GA 30303

August 17, 2010

RECIPIENT INFORMATION

RECIPIENT: Piedmont Authority for Regional Transportation (Regional Transportation)

SUBMITTAL DATE: August 17, 2010

EXPIRATION YEAR: 2014

CONTACT INFORMATION: Brent McKinney, PE, PART Executive Director

7800 Airport Center Drive, Suite 102, Greensboro, NC 27409. brentm@partnc.org.

Phone: 336/662-0002

Fax: 336/662-9253

Scott W. Rhine, PART Programs Manager, Piedmont Authority for Regional Transportation

7800 Airport Center Drive, Suite 102, Greensboro, NC 27409

Phone: 336/662-0002

Fax: 336/662-0002

scottr@partnc.org

TABLE OF CONTENTS

	<u>Page</u>
I. PROVISION OF TITLE VI ASSURANCES	4
II. TITLE VI COMPLIANCE HISTORY	4
III. INCORPORATION OF THE PROGRAM	5
IV. GENERAL GUIDELINES/REQUIREMENTS	6
a. Annual Certification and Assurance	6
b. Complaint Procedures	6
c. Record Title VI Activities	6
d. Access for LEP Persons	6
e. Public Notification	6
f. Additional Information	7
g. Timely Submission	7
h. Environmental Analysis of Construction Projects	8
i. Public Participation	9
j. Monitoring and Evaluation	10
APPENDIX A – Title VI Complaint Procedures and Form	11
APPENDIX B – Limited English Proficiency (LEP) Plan	16

I. PROVISION OF TITLE VI ASSURANCES

The Piedmont Authority for Regional Transportation (PART) hereby certifies that, as a condition of receiving Federal financial assistance under the Urban Mass Transportation Act of 1964, as amended, it will ensure that:

- a. PART shall submit on an annual basis, its Title VI Assurance, as part of its annual Certification and Assurance submission to the FTA.
- b. No person, on the basis of race, color, or national origin, will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.
- c. PART will compile, maintain, and submit in a timely manner, Title VI information required by FTA Circular 4702.1A and in compliance with the Department of Transportation's Title VI Regulation, 49 CFR, Part 21.7.
- d. PART will make it known to the public that those persons or persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.

II. TITLE VI COMPLIANCE HISTORY

- a. There are no outstanding lawsuits or complaints naming PART which allege discrimination on the basis of race, color or national origin with respect to service or other transit benefits.
- b. During the course of the last three (3) years, there have not been any civil rights compliance review activities conducted with respect to PART and, to the best of our knowledge, there are not presently any ongoing civil rights compliance review activities being conducted with respect to PART.
- c. There are currently no pending construction projects which would negatively impact minority communities being performed by PART.

III. INCORPORATION OF THE PROGRAM

The Piedmont Authority for Regional Transportation (hereinafter referred to as "PART" or "Recipient") 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, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the "Act"), 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 Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the "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 benefits of, or be otherwise subjected to discrimination under any program or activity for which PART receives 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 general assurance, PART hereby gives the following specific assurances with respect to its Federal Transit Administration program:

a) That PART agrees that each “program” and each “facility”, as defined in subsections 21.23(e) and 21.23(b) of the Regulations will be (with regard to a “program”) conducted, or will be (with regard to a “facility”) operated, in compliance with all requirements imposed by, or pursuant to, the Regulations.

b) That PART shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all Federal Transit Administration programs and, in adapted form in all proposals or negotiated agreements:

The Piedmont Authority for Regional Transportation, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and 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 issued pursuant to such Act, hereby notifies all bidders/proposers that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to the invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

c) That PART shall insert the applicable clauses as per the most recent version of the FTA’s Best Practices Procurement Manual in every contract subject to this Act and the Regulations.

d) That PART shall include the appropriate clauses as per the most recent version of the FTA’s Best Practices Procurement Manual as a covenant running with the land, in any deed from the United States affecting a transfer of real property, structures, or improvements thereon, or interest herein.

e) That where PART receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.

f) That where PART receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.

g) That PART shall include the appropriate clauses as per the most recent version of the FTA’s Best Practices Procurement Manual as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by PART with other parties: (a) for the subsequent transfer of real property acquired or improved under Federal Transit Administration programs; and (b) for the construction or use of, or access to, space

on, over, or under real property acquired, or improved under Federal Administration programs.

h) That this assurance obligates PART for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of personal property or real property or interest therein or structures or improvements thereon, in which case the assurance obligates PART or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which PART retains ownership or possession of the property.

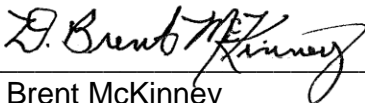
i) PART shall provide for such methods of administration for the programs as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.

j) PART agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

k) PART assures that the level and quality of transit service and related benefits are provided in a manner consistent with the Title VI of the Civil Rights Act of 1964.

THESE ASSURANCES are 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 Piedmont Authority for Regional Transportation by the United States Department of Transportation under the Federal Administration and is binding on it, other recipients, subgrantees, contractors, transferees, successors in interest and other participants in the Federal Transit Administration programs.

The person whose signature appears below, is authorized to sign these assurances on behalf of PART.



D. Brent McKinney
Executive Director

August 26, 2010

Date

IV. GENERAL GUIDELINES/REQUIREMENTS

a. Annual Certification and Assurance

As stated in Section I, PART shall submit annually, its Title VI assurance, as part of its annual Certification and Assurance submission to the FTA. The most recent submission for PART was executed and submitted to the FTA October 28, 2009.

b. Complaint Procedures

In compliance with 49 CFR Section 21.9(b), PART has developed procedures for investigating and tracking Title VI complaints filed against them. Such procedures shall be made available to the public upon request. PART's complaint procedures and complaint form are contained herein as **APPENDIX A**.

c. Record Title VI Activities

In compliance with 49 CFR Section 21.9(b), PART shall prepare and maintain a list of any active investigations conducted by entities other than the FTA, lawsuits, or complaints naming PART that allege discrimination on the basis of race, color, or nation origin. Such list shall include:

- 1) Date the investigation, lawsuit, or complaint was filed;
- 2) Summary of the allegation(s);
- 3) The status of the investigation, lawsuit, or complaint; and
- 4) Actions taken by PART in response to the investigation, lawsuit or complaint.

d. Access for LEP Persons

PART shall take steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP). PART will assist persons with limited English proficiency to participate in the transportation planning process. PART Staff will make every effort to provide translators and document translation, where feasible, upon request. PART's Limited English Proficiency (LEP) Plan is contained herein as **APPENDIX B**.

e. Public Notification

In compliance with 49 CFT Section 21.9(d), PART shall provide information to the public regarding its Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by Title VI by the following notice:

Title VI Civil Rights Notice to Public

The Piedmont Authority for Regional Transportation is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color or national origin, as provided by Title VI of the Civil Rights Act of 1964, as amended. It is PART's objective to:

- **Ensure that the level and quality of transportation service is provided without regard to race, color, or national origin;**
- **Promote 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;**
- **Ensure meaningful access to programs and activities by persons with limited English proficiency.**

PART is committed to a policy of non-discrimination in the conduct of its business; including, adherence to Title VI responsibilities and the delivery of equitable and accessible transportation services. Any person who believes that he or she has been subjected to discrimination under Title VI on the basis of race, color or national origin may file a Title VI complaint with PART.

Any such complaint must be in writing and submitted to the PART Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discrimination. A Title VI Civil Rights Complaint Form is available by calling (336) 662-0002 or from our website www.partnc.org. Complaints should be addressed to: PART Title VI Coordinator, 7800 Airport Center Dr., Suite 102, Greensboro, NC 27409.

The PART Notice of Rights under Title VI to the public, shown above, is available at the PART office and Regional Transfer facility. It is also posted on all PART vehicles and in select printed materials, including but not limited to the PART map/schedule.

f. Additional Information

PART acknowledges that, at the discretion of the FTA, information other than that which is required by FTA C 4702.1A, may be requested in writing of PART, to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI.

g. Timely Submission

PART acknowledges that its Title VI submissions and/or updates thereto, shall be supplied to its FTA Regional Office once every three (3) years. The submission shall include, but is not limited to: Portions of the Plan which have not changed since the last submission will not be resubmitted, however, PART shall include a statement to this effect in lieu of copies of the original documents in order to eliminate redundancy in resubmissions.

1. A summary of public outreach and involvement activities undertaken since the

- last submission and a description of steps taken to ensure that minority and low-income people had meaningful access to these activities;
2. PART's process for persons with Limited English Proficiency (LEP)
 3. Title VI complaint and Tracking procedures;
 4. A list of any Title VI investigations, complaints or lawsuits filed since the latest submission; and
 5. A copy of PART's public notice regarding Title VI compliance and public access and instructions to PART Title VI complaint procedures.

h. Environmental Analysis of Construction Projects

PART shall integrate an environmental justice analysis into its National Environmental Policy Act (NEPA) documentation of construction projects of which require NEPA. If a Categorical Exclusion (CE) is performed, PART shall complete the FTA's standard CE checklist which includes a section on community disruption and environmental justice. While preparing an Environmental Assessment (EA) or Environmental Impact Statement (EIS), PART shall integrate into its documents, the following:

- 1) A description of the low-income and minority population within the study area affected by the project, and a discussion of the method used to identify this population;
- 2) A discussion of all adverse effects that would affect the identified minority and low-income population;
- 3) A discussion of all positive effects that would affect the identified minority and low-income population;
- 4) A description of all mitigation and environmental enhancement actions incorporated into the project to address the adverse effects, including, but not limited to, any special features of the relocation program that go beyond the requirements of the Uniform Relocation Act and address adverse community effects such as separation or cohesion issues, and the replacement of the community resources destroyed by the project, if applicable;
- 5) A discussion of the remaining effects, if any, and why further mitigation is not proposed; and
- 6) For projects that traverse predominantly minority and low-income and predominantly non-minority and non-low-income areas, a comparison will be completed of mitigation and environmental enhancement actions between the two stated areas. If there is no basis for such a comparison, PART shall describe why this is so.

i. Public Participation

PART shall seek out and consider viewpoints of minority, low-income, and LEP populations in the course of conducting public outreach and involvement activities in regards to proposed transportation decisions. PART shall make every effort to include the following practices, consistent with Burlington, Greensboro, High Point, and Winston-Salem Urbanized area Metropolitan Planning Organization's adopted public participation plan; not withholding the public participation plan adopted by the PART Board of Trustees:

1. Coordination with individuals, institutions, or organizations and implementing community-based public involvement strategies to reach out to members in the affected minority and/or low income communities;
2. Provision of opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments;
3. Utilization of locations, facilities and meeting times that are convenient and accessible to low-income and minority communities;
4. Utilization of different meeting sizes or formats, or varying the type and number of news media used to announce public participation opportunities; and
5. Implementation of DOT's policy guidance regarding PART's responsibilities to LEP persons.

The person whose signature appears below is authorized to sign on behalf of PART.



August 26, 2010

D. Brent McKinney, Executive Director
Piedmont Authority for Regional Transportation

Date

j. Plan Monitoring and Evaluation

Evaluation of the success of any public involvement efforts must be result-oriented. It is never safe to assume that just because people don't come to an event that they are uninterested in the project. The goal is to educate and include the public at all levels of planning, not just to invite them. Evaluation, then, must be two-fold. The first part is to track what efforts are being made, and the results of those efforts, and the second part is to make regular assessments of the success of a technique within a given program, and to strategize for future successes.

Tracking Efforts and Success

In order to track our public participation efforts, it is necessary that the individuals involved record their efforts.

1. PART will keep a log of their outreach activities.
2. Copies should be kept of any print ads, and transcripts of any public service announcements.
3. Notes should be made after the meeting regarding the overall tone of the meeting and any ideas or observations made regarding the process.

Efforts of Monitoring and Evaluation of the LEP Plan

1. Provide day-to-day administration of PART's LEP Plan, ensuring compliance and correct implementation.
2. Seek feedback from LEP communities, including customers and community-based organizations, about the effectiveness of PART's LEP Plan.
 - Translate PART's Title VI complaint procedure and form in multiple languages.
 - Establish a PART procedure that requires all written translation requests be routed through and managed by the Title VI coordinator to ensure consistency.
 - Conduct an evaluation every 3 years of PART's LEP Plan to gauge its effectiveness and determine if updates are needed. PART staff will lead the evaluation with the help of staff familiar with Title VI language access requirements and the LEP Plan. The evaluation may include the following:
 - o Determine the number of LEP individuals in PART's service district.
 - o Assess whether existing language assistance services are meeting the needs of LEP persons.
 - o Assess whether staff members understand PART's LEP Plan, how to carry them out, and whether language assistance resources and arrangements for those resources are still current and accessible.
 - Create one-stop LEP information center for PART employees.

APPENDIX A

TITLE VI COMPLAINT PROCEDURES

Title VI Information, Limited English Proficient (LEP) information and Complaint Process (for printed materials, website, and other mediums upon request)

The Piedmont Authority for Regional Transportation (PART) grants all citizens equal access to all its transportation services. It is further the intent of PART that all citizens are aware of their rights to such access. This is designed to serve as an educational tool for citizens so that they may understand one of the civil rights laws that protect their benefits of PART's programs and services, specifically, as it relates to Title VI of the Civil Rights Act of 1964.

What is Title VI? Title VI is a section of the Civil Rights Act of 1964 requiring 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." Note that Title VI does not address gender discrimination. It only covers race, color and national origin. Other Civil Rights laws prohibit gender discrimination.

What is LEP? As part of Title VI requirements, PART has developed a Limited English Proficiency (LEP) Plan to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to PART services as required by Executive Order 13166 "Improving Access to Services for Persons With Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000). A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

PART's Complaint and Investigation Procedures These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, for alleged discrimination in any program or activity administered by PART.

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and PART may be utilized for resolution. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited under Title VI and related statutes may file a complaint.

The following measures will be taken to resolve 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; name of alleged discriminating official, basis of complaint (race, color, national origin, sex, disability, age), and the date of alleged act(s). A statement

detailing the facts and circumstances of the alleged discrimination must accompany all complaints.

PART strongly encourages the use of the attached **PART Title VI Complaint Form** when filing official complaints. The preferred method is to file your complaint in writing using the **PART Title VI Complaint Form**, and send it to:

Title VI Coordinator: Piedmont Authority for Regional Transportation, 7800 Airport Center Dr., Suite 102, Greensboro NC 27409

- 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 PART's Title VI Coordinator. Under these circumstances, the complainant will be interviewed, and PART's Title VI Coordinator will assist the Complainant in converting the verbal allegations to writing.
- 3) When a complaint is received, the Title VI Coordinator will provide written acknowledgment to the Complainant, within ten (10) days by registered mail.
- 4) If a complaint is deemed incomplete, additional information will be requested, and 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 of no investigative merit.
- 5) Within 15 business days from receipt of a complete complaint, PART will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five (5) days of this decision, the Title VI Coordinator or his/her authorized designee will notify the Complainant and Respondent, by registered mail, informing them of the disposition.
 - a) If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.
 - b) If the complaint is to be investigated, the notification shall state the grounds of PART's jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
- 6) When PART does not have sufficient jurisdiction, the Title VI Coordinator or his/her authorized designee will refer the complaint to the appropriate State or Federal agency holding such jurisdiction.
- 7) If the complaint has investigative merit, the Title VI Coordinator or his/her authorized designee will fully investigate the complaint. A complete investigation will be conducted, and an investigative report will be submitted within 60 days from receipt of the complaint. The report will include a narrative description of the incident, summaries of all persons interviewed, and a finding with recommendations and conciliatory measures where appropriate. If the

investigation is delayed for any reason, the Title VI Coordinator will notify the appropriate authorities, and an extension will be requested.

- 8) The Title VI Coordinator or his/her authorized designee will issue letters of finding to the Complainant and Respondent within 90 days from receipt of the complaint.
- 9) If the Complainant is dissatisfied with PART's resolution of the complaint, he/she has the right to file a complaint with the:

Federal Transit Administration Region 4 Attn: Regional Civil Rights Officer
Frank Billue 230 Peachtree Street, NW, Suite 800 Atlanta, GA 30303
Telephone 404-865-5628 Fax 404-865-5605

FTA Complaint procedures can also be found on the FTA web site at: www.fta.dot.gov. These procedures are also outlined in FTA Circular 4702.1A, Chapter IX.



Title VI Civil Rights

Complaint Form

Section I

Name: _____

Address: _____

Street

City

State

Zip

Telephone Numbers:

Home: _____ Work: _____ Other: _____

E-Mail Address: _____

Accessible Format Requirements?

Large Print: Yes _____ No _____ Audio Tape: Yes _____ No _____

TDD: Yes _____ No _____ 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 Proficient (LEP) Beneficiaries.

Section II:

Are you filing this complaint on your own behalf? Yes _____ No _____

(If you answered "yes" to this question, go to Section III)

If not, please supply the name and relationship of the person for whom you are complaining:

Name: _____ Relationship: _____

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

Have you previously filed a Title VI complaint with PART? Yes _____ No _____

If yes, what was your PART Complaint No? _____

(Note: This information is needed for administration purposes; we will assign the same complaint number to the new complaint.)

Have you filed this complaint with any of the following agencies? Yes _____ No _____

(If you answered yes, who did you file the complaint with?)

Federal Transit Administration: _____ U. S. Department of Transportation: _____

North Carolina Dept. of Transportation: _____ Department of Justice: _____

Equal Employment Opportunity Commission: _____

Have you filed a lawsuit regarding this complaint? Yes _____ No _____

If yes, please provide a copy of the complaint form. (Note: This above information is helpful for administrative tracking purposes. However, if litigation is pending regarding the same issues, we defer to the decision of the Court.

Section IV:

Complaint is against: _____

Contact Person: _____ Title: _____

Telephone Number: _____

Attached is a blank sheet of paper to describe your complaint. Please use additional sheets if necessary.

Section V:

Please sign here: _____ Date: _____

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

Please mail your completed form to:

**PART
Title VI Coordinator
7800 Airport Center Drive, Suite 102
Greensboro, NC 27409**

COMPLAINT DESCRIPTION

(You should include specific details such as names dates, times, route numbers, witnesses, and any other information that would assist us in our investigation of your allegations.)

APPENDIX B Limited English Proficiency (LEP) Plan

Introduction

The PART Express System, operated by the Piedmont Authority for Regional Transportation (PART), understands that transportation is critically important to the daily lives of our community members. The purpose of this limited English proficiency plan is to comply with PART's responsibilities to limited English proficient (LEP) persons consistent with Title VI of the Civil Rights Act of 1964 and its implementing regulations. Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., and its implementing regulations, provides that no person shall be subjected to discrimination on the basis of race, color or national origin under any program or activity that receives federal financial assistance.

In cooperation with the Cities of Greensboro, High Point, Winston-Salem, and the Counties of Alamance, Davidson, Davie, Forsyth, Guilford, Randolph, Rockingham, Stokes, Surry, and Yadkin PART Express provides services to connect locally operated public transit services. PART is not a direct recipient of Section 5307 funds to urbanized areas, but fully implements the provisions of federal and state guidance to meet the requirements to provide public transit services.

Purpose

The purpose of this policy plan is to ensure compliance with Title VI of the Civil Rights Act of 1964 and Section 2 of Executive Order 13166, with respect to "Improving Access to Services for Persons With Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000), directs each Federal agency that is subject to the requirements of Title VI to publish guidance for its respective recipients clarifying that obligation. Executive Order 13166 further directs that all such guidance documents be consistent with the compliance standards and framework detailed in the Department of Justice's (DOJ's) Policy Guidance entitled "Enforcement of Title VI of the Civil Rights Act of 1964--National Origin Discrimination Against Persons With Limited English Proficiency." (See 65 FR 50123, August 16, 2000 DOJ's General LEP Guidance). Different treatment based upon a person's inability to speak, read, write, or understand English may be a type of national origin discrimination.

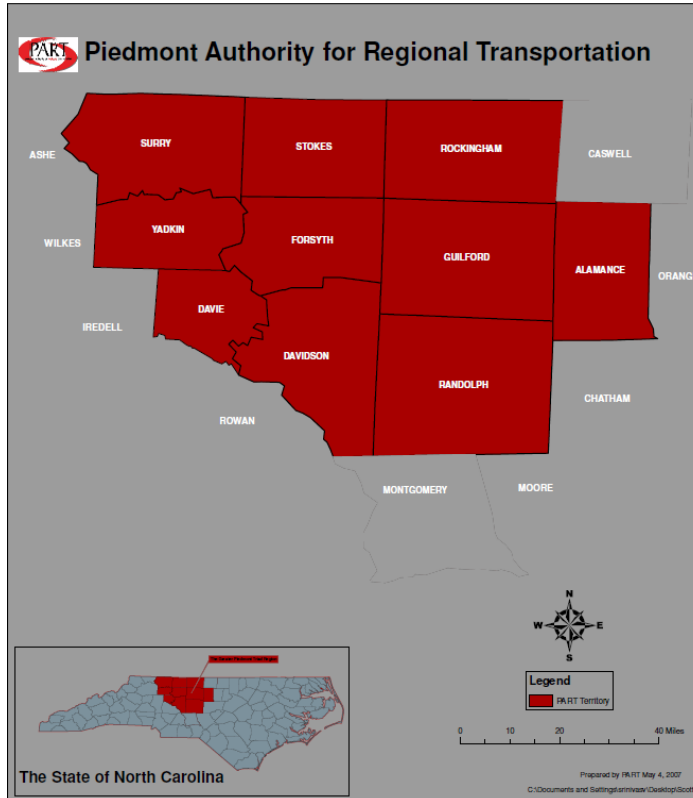
Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies such as the Piedmont Authority for Regional Transportation, private and non-profit entities, and subrecipients.

Plan Summary

PART has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to PART services as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who

has a limited ability to read, speak, write, or understand English.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates.



PART Territorial Jurisdiction

Definitions

Limited English Proficiency (LEP) individual – Any prospective, potential, or actual recipient of services from PART who cannot speak, read, write or understand the English language at a level that permits them to interact effectively with agency staff.

Vital Documents – Forms that include, but are not limited to; applications consent forms, letters containing important information regarding participation in a program, notices pertaining to the reduction, denial, or termination of services, the right to appeal such actions, or that require a response from notices advising LEP persons of the availability of free language assistance, and other outreach materials.

Title VI Compliance Officer – The PART point of contact concerning Title VI related items.

Substantial number of LEP – 5% or 4,500 people, whichever is smaller, are prospective, potential or actual recipients of service and speak a primary language other than english and have Limited English Proficiency or who cannot read, write or understand the English language at a level that permits them to interact effectively with PART staff.

Demography

The Piedmont Authority for Regional Transportation does not supersede, but compliments local transit services in the Piedmont Triad Region of North Carolina. The PART territory includes four metropolitan areas as defined by US Census metropolitan planning statistical areas, and ten counties (referenced on page 17). The following information is based on 2000 Census, local jurisdiction data, and state data center information compiled and maintained at PART.

The PART territorial jurisdiction had a population (2009 data) of 1,573,307 individual. The race and ethnic breakout is as follows:

White	1,097,804	69%
African American	317,784	20.2%
American Indian / Alaskan Native	5,741	.00034%
Asian	27,795	.002%
Hawaiian / Pacific Islander	492	0%
Other	35,587	.02%
Hispanic / Latino	125,501	.08%

Ninety percent of the region's population is White and African American ethnicity. The remaining 10% is broken out by all other recognizable ethnic cultures with the largest portion being Hispanic/Latino cultures; representing nearly 8%.

6.98% of the population in the PART territory is foreign born, with 55% of those entering the region between 1990 and 2000. 8.9% of the population 5 years of age or older in the PART territory speaks a language other than English at home and of that 37.8% speak English less than "very well." The following information is based on the 2008 American Community Survey data sets for the PART territory.

Spanish	7.5%
Speak English less than "very well"	3.8%
Indo-European languages	2.5%
Speak English less than "very well"	.8%
Asian & Pacific Island languages	2.1%
Speak English less than "very well"	1%
Other Languages	1.1%
Speak English less than "very well"	.4%

Data retrieved from the various school systems across the PART territory area reflects the highest concentration of LEP households within the urbanized area schools, and are ranked in order of highest to lowest:

- Spanish
- Vietnamese
- Arabic
- Urdu
- French

Household Language by Linguistic Isolation

Linguistic isolation describes a household as one in which no member 14 years and over speaks only English or speaks a non-English language and thereby speaks English "very well". In

simplistic terms, all members of the household 14 years and over have at least some difficulty with English. The data below is gathered from local human service agencies based on their interaction to communities from their jurisdiction.

All households	4.5%
Spanish	28.6%
Other Indo-European languages	13.8%
Asian and Pacific Island languages	17.6%
Other languages	19.4%

The data available from the sampling conducted for each of the jurisdictions within the PART territorial jurisdiction, 2000 census, 2009 census update and American Survey data combined; shows significant linguistically isolated households – primarily in urbanized areas.

In utilizing the data available from the sources identified above, PART, County school systems and human service agencies have been able to determine that the greatest non-English language need in the region is Spanish and an lower tier representation of Vietnamese / Asian dialect. (predominantly Korean)

Frequency of Contact

Since the inception of the PART express service of September 30, 2002, PART has had very limited contact with LEP persons who speak any non-English languages. In all cases, and family member or friend was accompanying the person specifically identified with LEP as a travel companion and language interpreter. However, PART has developed additional plans to reach the individuals who are LEP within the PART service territory. This will increase the frequency of contact thereby increasing the transit systems need to ensure appropriate measures are taken to communicate with the individual needing assistance.

The following pages lists out the details to implement, maintain, and monitor a meaningful LEP program plan to ensure federal compliance and meaningful service available to all ethnic groups of the PART service territory.

PART will use a U.S. Department of Transportation four factor LEP analysis which considers the following: 1) The number or proportion of LEP persons eligible in the PART service area who may be served or likely to encounter a PART program, activity, or service; 2) the frequency with which LEP individuals come in contact with a PART service; 3) the nature and importance of the program, activity or service provided by PART to the LEP population; and 4) the resources available to PART and overall costs to provide LEP assistance. A brief description of these considerations is provided in the following section.

Four Factor Analysis

1. The number or proportion of LEP persons eligible in PART service territory who may be served or likely to encounter a PART program, activity, or service.

PART has examined US Census data to determine the demographic makeup of the community. The number and proportion of Limited English Proficiency (LEP) persons is detailed on the previous pages for the PART territory, and PART will continue our contact with social services agencies and metropolitan planning organizations in PART service territory to keep this information up to date and accurate.

2. The frequency with which LEP individuals come in contact with a PART program, activity, or service.

While we understand anecdotally that LEP persons use PART services, the frequency is low. This is based on the low numbers of complaints, requests, and failed communication efforts experienced by the PART staff.

PART will assess the frequency at which staff, PART drivers, and customer service employees have or could possibly have contact with LEP persons. This includes documenting phone inquiries and verbally surveying PART drivers. PART has never had a request for interpreters, despite publishing notices that translators will be made available upon request, and no requests for translated documents.

3. The nature and importance of the program, activity, or service provided by PART to the LEP community.

PART understands that transportation is critically important to the daily lives of our community members. Certain aspects of our services are of critical importance and this plan will be used to meet the needs of the LEP community. These include services such as: construction projects; property acquisitions; and transit fare, service area or level changes.

4. The resources available to PART and costs.

PART has identified in-house staff with other language abilities and this staff has some availability to assist with requests related to PART services, including transit. The PART schedule will be formatted and made available in Spanish, but most printed materials, paid advertisements, brochures, and website pages are produced in English only. It would be

possible to produce these materials in Spanish and other languages with assistance from a professional translation service, although the cost is unknown and not currently budgeted. To make public meetings available to LEP persons, volunteer translators are available through University of North Carolina - Greensboro (UNCG). This resource could also be used to provide translation for written materials in Spanish or other languages.

Implementation Methods

1. How to Identify an LEP Person who Needs Language Assistance -These methods may be used to help identify persons who may need language assistance:

- Communicate and coordinate with the 4 MPO's of our territorial jurisdiction.
- Examine records requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings;
- When public meetings are held, have a staff member greet and briefly speak to each attendee. To informally gauge the attendee's ability to speak and understand English, ask a question that requires a full sentence reply;
- Provide US Department of Justice "I Speak" cards at public meetings. While staff may not be able to provide translation assistance at this meeting, the cards will be used to identify language needs for future meetings; and
- Regularly survey PART drivers and other first line staff of any direct or indirect contact with LEP individuals.

2. Language Assistance Measures - PART may implement the following LEP procedures, as appropriate:

- PART has identified in-house staff with other language abilities and this staff has some availability to assist with requests related to PART services, including transit;
- Public notice, publications, and other printed material, including webpage content, may be made available in other languages;
- Utilize translators at select public meetings; and
- Use a telephone translation service such as AT&T's Language Line, and web translation applications such as Alta Vista.

3. Training – Training for PART and contractor staff on all aspects of the Title VI and LEP will be conducted. Prior to public meetings at which LEP individuals are anticipated to attend, staff will review the Title VI Plan, including this LEP section. PART will also incorporate where applicable the Title VI efforts conducted by the regions urban operators and MPOs

4. Outreach – Specific outreach efforts will be evaluated on a case-by-case basis. Some or all of the following methods may be used:

- Posters and brochures will be made available through local churches, social service agencies, ethnic retail outlets, the school district office, Local Universities and Community Colleges, MPO offices, local DOT's, the local libraries and other locations.
- Other printed materials, such as transit schedules and maps, will be translated and made available on PART vehicles and at select outlets.
- Paid advertisements and the PART website will indicate ways in which LEP persons can access information about our services.
- If staff knows that they will be presenting a topic that could be of importance to an LEP individual or if staff will be hosting a meeting or a workshop in a geographic location with a known concentration of LEP persons, meeting notices, fliers, advertisements, and agendas will be printed in an alternative language, based on known LEP population in the area.

Monitoring and Updating the LEP Plan

This plan is designed to be flexible and is one that can be easily updated. At a minimum, PART will follow the Title VI Program update schedule for the LEP plan. However, major updates most likely will not occur until the next Census in 2010 unless PART finds it necessary and crucial for an update before such time.

Each update will examine all plan components such as:

- How many LEP persons were encountered?
- Were their needs met?
- What is the current LEP population in PART service area?
- Has there been a change in the types of languages where translation services are needed?
- Is there still a need for continued language assistance for any previously identified PART programs? Are there other programs that should be included?
- Have PART's available resources, such as technology, staff, and financial costs changed?
- Has PART fulfilled the goals of the LEP Plan?
- Were any complaints received?

Dissemination of the LEP Plan

Copies of the LEP plan will be on file at the PART office. The LEP plan will be provided, on request, to any person(s) requesting the document via phone, in person, by mail or email. LEP persons may obtain copies/translations of the plan upon request. The plan will also be available on the PART website

Any questions or comments regarding this plan should be directed to PART's Title VI Coordinator.

PART Title VI Coordinator / Affirmative Action Officer, Executive Director's Office 7800
Airport Center Dr., Suite 102, Greensboro, NC 27409
Phone: 336-662-0002 Fax: 336-662-9253 Email: brentm@partnc.org