Virginia Department of Rail and Public Transportation

Title VI Plan

October 1, 2018

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PROGRAM OVERVIEW

The Virginia Department of Rail and Public Transportation (DRPT) is a "primary recipient" of federal transportation funds. As a regulatory condition of receiving these funds, DRPT is required to administer a program that establishes Title VI goals and objectives which pertain to highway and transportation programs. DRPT's Title VI Compliance Officer is responsible for implementing and monitoring compliance with the Title VI program.

The focal point of nondiscrimination law is Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin. However, the broader application of nondiscrimination law may be found in other statutes, regulations, and executive orders. Discrimination based on sex, disability, and age is prohibited as well as inequitable treatment of persons as a result of projects which are undertaken with federal financial assistance. The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities whether they are federally funded or not.

In addition to nondiscrimination, this document provides information regarding two Presidential Executive Orders pertaining to fairness and inclusiveness. Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" mandates that federal agencies address equity and fairness, or Environmental Justice, toward low-income and minority populations. Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency (LEP)" mandates that federal agencies ensure that people who have Limited English Proficiency (LEP) have meaningful access to federally conducted and/or funded programs and activities.

The Title VI Compliance Officer is responsible for initiating and monitoring Title VI activities of all of DRPT's divisions, all program areas, and oversight of subrecipients. Subrecipients include cities, local governments, or any other entity receiving funds from DRPT.

DRPT is required to protect the public interest by developing a plan for their benefit. In addition, the Title VI plan delineates what DRPT will do to prevent discrimination in federally-funded activities and projects, how it will achieve its objective, and the procedures it will take to monitor Title VI.

Title VI assurances are the foundation of our commitment to nondiscrimination. DRPT monitors its subrecipients for compliance with the principles specifically set forth in the law. DRPT also acknowledges its responsibilities to work toward increased effectiveness regarding Title VI compliance.

DRPT TITLE VI POLICY STATEMENT

It is the policy of the Virginia Department of Rail and Public Transportation (DRPT), in accordance with Title VI of the Civil Rights Act of 1964, as amended, and the Assurances set forth in the Department's Title VI Compliance and Implementation Plan to assure that "no person in (Virginia) 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" for which the DRPT receives Federal financial assistance (42 U.S.C. 2000d).

DRPT is committed to ensuring that no person shall, on the grounds of race, color, national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, whether those programs and activities are federally funded or not.

The DRPT Title VI Compliance Officer is responsible for initiating and monitoring Title VI activities, preparing required reports and other responsibilities, as required by Title 23 Code of Federal Regulations (CFR) Part 200, and Title 49 CFR Part 21.

The signature below is of the Director of the Virginia Department of Rail and Public Transportation who is responsible for policy decisions and has reviewed and approved this Title VI plan for use by the Virginia Department of Rail and Public Transportation.

Jennifer Mitchell — 10/3/18

Director, Department of Rail and Public Transportation — Date

AUTHORITIES

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (refer to 49 CFR Part 21). The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms "programs or activities" to include all programs or activities of Federal Aid recipients, subrecipients, and contractors, whether such programs and activities are federally-assisted or not.

Additional authorities and citations include: Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d); Federal Transit Laws, as amended (49 U.S.C. Chapter 53 et seq.); U.S. Department of Transportation (DOT) regulation, 49 CFR Section 1.51, "Delegations to Federal Transit Administrator" (October 1, 2011); Department of Justice (DOJ) regulation, 28 CFR part 42.401 et seq., "Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs" (December 1, 1976, unless otherwise noted); U.S. Department of Transportation (DOT) regulation, 49 CFR part 21, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964" (June 18, 1970, unless otherwise noted); U.S. DOT Policy Guidance Concerning Recipients' Responsibilities to LEP Persons (December 14, 2005); Section 12 of FTA's Master Agreement, FTA MA 13 (October 1, 2006).

Questions

For questions on DRPT's Title VI Plan and procedures, please contact the Title VI Compliance Officer at 804.786.4440 or by email at drptpr@drpt.virginia.gov. For information on DRPT's work, programs, or publications, please see DRPT's website at www.drpt.virginia.gov.

TITLE VI NOTICE TO THE PUBLIC

DRPT posts the following notice to the public on its website at www.drpt.virginia.gov and in its office located at 600 E. Main Street, Suite 2102, Richmond, VA 23219 in the following locations: lobby and all conference rooms.

DRPT gives public notice of its policy to assure full compliance with Title VI of the Civil Rights Act of 1964 and all related statutes.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Title VI provides that "no person in the United States shall, on the basis 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" (42 U.S.C. Section 200d).

DRPT is committed to ensuring that no person is excluded from participation in, or denied the benefits of, or has been otherwise subjected to discrimination under any program or activity for which DRPT provides assistance. If you feel you are being denied participation in or being denied the benefits of any service for which DRPT provides assistance based upon race, color, national origin or limited English proficiency you have the right to file a formal complaint.

If a complaint addresses a particular service provider, the complaint should be lodged with that provider. A complaint must be submitted within 180 days of the alleged discriminatory act. Complaints may also be filed with the US Federal Transit Administration (FTA). If a complaint addresses DRPT, you may file the complaint through email at drptpr@drpt.virginia.gov, by phone, or in writing. For complainants who may be unable to file a written complaint, verbal information will be accepted by the Virginia Department of Rail and Public Transportation at 804.786.4440 as well as by the individual service providers.

To submit a formal complaint or to request additional information on Title VI obligations for both DRPT or local transit providers, please contact DRPT as noted below:

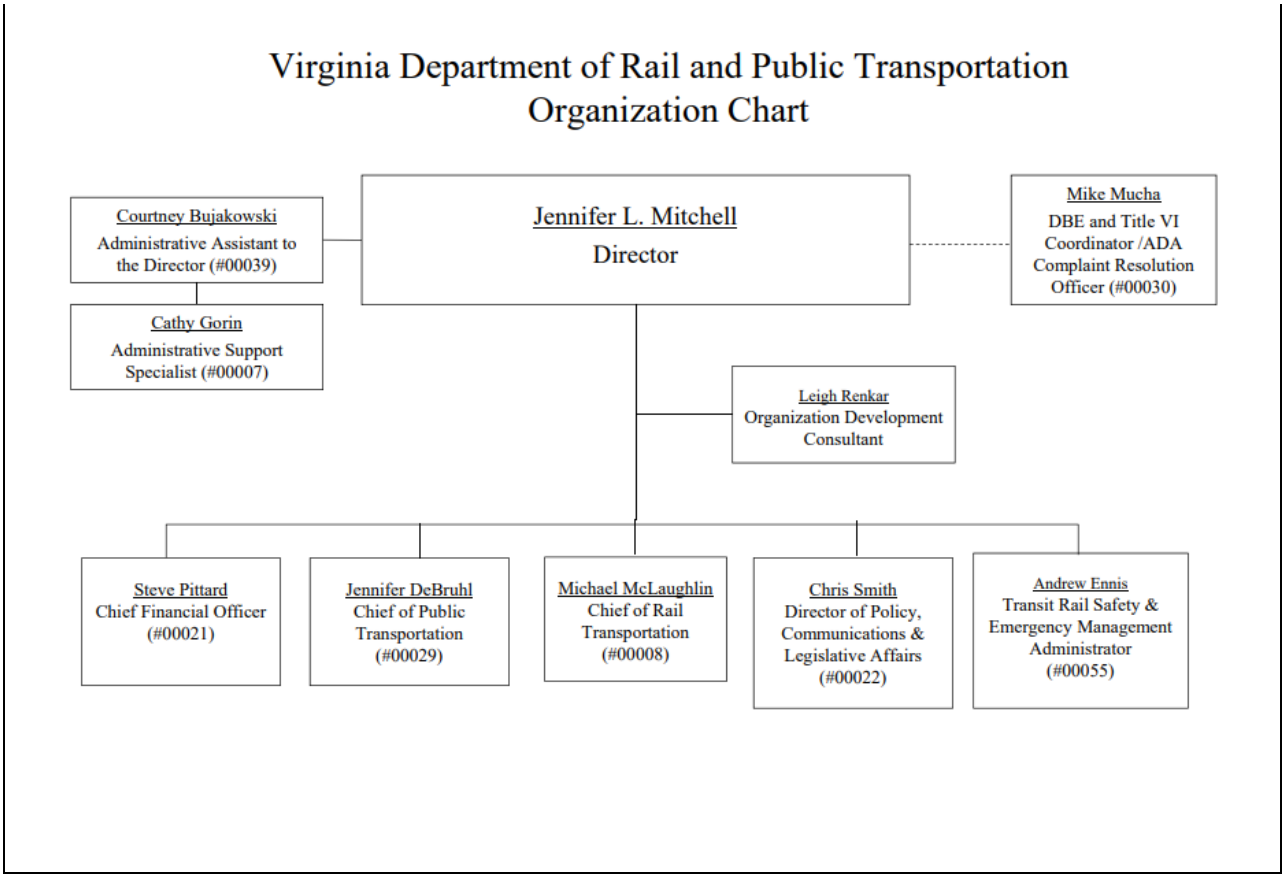
Public Information Office
DRPT
600 E. Main Street, Suite 2102
Richmond, VA 23219
804.786.4440

DRPT AND TITLE VI PROGRAM ORGANIZATION

DRPT is a state agency that reports to the Secretary of Transportation. Our focus is the movement of people and goods throughout the Commonwealth, and our primary areas of activity are rail, public transportation, and commuter services. DRPT works with local, regional, state, and federal governments, as well as private entities to provide support for projects and programs by:

1) Assessing feasibility and environmental impacts of new and expanding services,
2) Conducting statewide rail and public transportation studies,
3) Planning and programming new services and capital improvement projects,
4) Providing leadership, advocacy, technical assistance, and funding.

DRPT's policy decisions are not governed by a board, committee, or council. DRPT has no boards, committees, or councils that we have established or to which we have set the membership. Below is an organizational chart of the executive staff at DRPT. Under the authority of the Director, the Title VI Compliance Officer is responsible for ensuring implementation of the agency's Title VI program. The Title VI Compliance Officer is responsible for coordinating the day-to-day and overall administration of the Title VI program and plan.



EQUITY ANALYSIS REQUIREMENT

DRPT has not constructed any facility (such as vehicle storage facility, maintenance facility, operations center, etc.) in the last three years.

ORGANIZATION AND TITLE VI PROGRAM RESPONSIBILITIES

DRPT's Title VI Compliance Officer is responsible for ensuring implementation of the agency's Title VI program. Title VI program elements are interrelated and responsibilities may overlap. The specific areas of responsibility have been delineated below for purposes of clarity.

Overall Organization for Title VI

The Title VI Compliance Officer is responsible for coordinating the overall administration of the Title VI program, plan, and assurances, including complaint handling, data collection and reporting, annual review and updates, and internal education.

Detailed Responsibilities of the Title VI Compliance Officer

The Title VI Compliance Officer is charged with the responsibility for implementing, monitoring, and ensuring compliance with Title VI regulations. Title VI responsibilities are as follows:

1) Process the disposition of Title VI complaints received;
2) Collect statistical data (race, color or national origin) of participants in and beneficiaries of agency programs (see Appendix A);
3) Conduct annual Title VI reviews of agency to determine the effectiveness of program activities at all levels;
4) Conduct training programs on Title VI and other related statutes for agency employees;
5) Develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English;
6) Promptly resolve deficiency status and write the remedial action necessary, all within a period not to exceed 90 days.

General Title VI Responsibilities of DRPT

The Title VI Compliance Officer is responsible for substantiating that these elements of the plan are appropriately implemented and maintained, and for coordinating with those responsible for public outreach and involvement and service planning and delivery.

1) Data Collection
   a. A database or log of Title VI complaints received (see Appendix B). The investigation of and response to each complaint is tracked within the database or log.
   b. A log of the public outreach and involvement activities undertaken to ensure that minority and low-income people had meaningful access to these activities.

2) Annual Review of Title VI Program
   Each year, in preparing for the Annual Report and Updates, the Title VI Coordinator will review the DRPT's Title VI program to assure implementation of the Title VI plan. In addition, they will review agency operational guidelines and publications, including those for contractors, to verify that Title VI language and provisions are incorporated, as appropriate.

3) Annual Report and Update
   The document will include Title VI activities and efforts, accomplishments, relevant program changes, and updated Title VI goals and objectives for the coming year.

4) Dissemination of Information Related to the Title VI Program
   Information on the agency's Title VI program is to be disseminated to agency employees, contractors, and beneficiaries, as well as to the public, and in other languages when needed.

5) Resolution of Complaints
   Make a concerted effort to resolve complaints from any individual that believes they or any other program beneficiaries have been subjected to unequal treatment or discrimination, in their receipt of benefits/services or on the grounds of race, color, national origin, income, sex, or disability.

6) Written Policies and Procedures
   DRPT's Title VI policies and procedures are documented in this plan and its appendices and attachments. This plan will be updated periodically to incorporate changes and additional responsibilities that arise. During the course of the Annual Title VI Program Review, the Title VI Coordinator will determine whether or not an update is needed.

7) Internal Education
   DRPT employees who field inquiries from the public will receive training on Title VI policies and procedures. This training will include requirements of Title VI, DRPT's obligations under Title VI (LEP requirements included), and required data that must be gathered and maintained. In addition, training will be provided when any Title VI-related policies or procedures change, or when appropriate in resolving a complaint.

8) Title VI Clauses in Contracts
   In all federal procurements requiring a written contract or Purchase Order (PO), DRPT's contract/PO will include appropriate non-discrimination clauses. The Title VI Coordinator will work DRPT's Procurement Officer, who is responsible for procurement contracts and PO's to ensure appropriate non-discrimination clauses are included.

TITLE VI COMPLAINT PROCEDURES

Any individual may exercise their right to file a complaint with DRPT if that person believes that they or any other program beneficiaries have been subjected to unequal treatment or discrimination in the receipt of benefits/services or prohibited by nondiscrimination requirements. DRPT will make a concerted effort to resolve complaints locally, using the agency's Discrimination Complaint Procedures, as described below. All Title VI complaints and their resolution will be logged and reported annually (in addition to immediately).

Overview

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964 as amended, and the Civil Rights Restoration Act of 1987, relating to any program or activity administered by DRPT**,** as well as to subrecipients, consultants, and/or contractors. Intimidation or retaliation of any kind is prohibited by law. 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. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant. 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 the Title VI Compliance Officer may be utilized for resolution. The Title VI Compliance Officer will make every effort to pursue a resolution to the complaint. Initial interviews with the complainant and the respondent will request information regarding specifically requested relief and settlement opportunities.

Procedures (How to file a Title VI Complaint)

1) Any individual, group of individuals, or entity that believes they have been subjected to discrimination prohibited by Title VI nondiscrimination provisions may file a written complaint with DRPT's Title VI Program Compliance Officer. A formal complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant. The complaint must meet the following requirements:
    a. Complaint shall be in writing and signed by the complainant(s).
    b. Include the date of the alleged act of discrimination (date when the complainant(s) became aware of the alleged discrimination or the date on which that conduct was discontinued or the latest instance of the conduct).
    c. Present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the complained-of incident.
    d. Allegations received by fax or email will be acknowledged and processed, once the identity(ies) of the complainant(s) and the intent to proceed with the complaint have been established. The complainant is required to mail a signed, original copy of the fax or email transmittal for DRPT to be able to process it.

e. Allegations received by telephone will be reduced to writing and provided to complainant for confirmation or revision before processing.
f. A complaint form (see Appendix C) will be forwarded to the complainant to complete, sign, and return to DRPT for processing:

   Public Information Office
   DRPT
   600 E. Main Street, Suite 2102
   Richmond, VA 23219

2) Upon receipt of the complaint, the Title VI Compliance Officer will determine its jurisdiction, acceptability, and need for additional information, as well as investigate the merit of the complaint. In cases where the complaint is against one of DRPT's subrecipients of federal funds, DRPT will assume jurisdiction and will investigate and adjudicate the case. Complaints against DRPT will be referred to FTA or the appropriate Federal Agency for proper disposition pursuant to their procedures.

3) In order to be accepted, a complaint must meet the following criteria:
   a. The complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant.
   b. The allegation(s) must involve a covered basis such as race, color, or national origin.
   c. The allegation(s) must involve a program or activity of a federal-aid recipient, subrecipient, or contractor.

4) A complaint may be dismissed for the following reasons:
   a. The complainant requests the withdrawal of the complaint.
   b. The complainant fails to respond to repeated requests for addition information needed to process the complaint.
   c. The complainant cannot be located after reasonable attempts.

5) Once DRPT decides to accept the complaint for investigation, the complainant and the respondent will be notified in writing of such determination within seven calendar days. The complaint will receive a case number and will then be logged into DRPT's records identifying its basis and alleged harm.

6) In cases where DRPT assumes the investigation of the complaint, DRPT will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have ten (10) calendar days from the date of DRPT written notification of acceptance of the complaint to furnish his/her response to the allegations.

7) DRPT's final investigative report and a copy of the complaint will be forwarded to FTA (or appropriate Federal Agency) and affected parties within 60 calendar days of the acceptance of the complaint.

8) DRPT will notify the parties of its final decision.

9) If complainant is not satisfied with the results of the investigation of the alleged discrimination and practices the complainant will be advised of their right file a complaint with FTA.

The Title VI complaint procedures may be found online at
http://www.drpt.virginia.gov/media/2135/va-drpt-title-vi-discrimination-complaint-procedures.pdf

Monitoring Title VI Complaints

As part of the complaint handling procedure, the Title VI Compliance Officer investigates possible inequities about which the complaint was filed. If inequities are discovered during this review, options for reducing the disparity are explored, and changes are planned if needed.

In addition to the investigation following an individual complaint, the Title VI Compliance Officer periodically reviews all complaints received to determine if there may be a pattern. At a minimum, this review is conducted as part of preparing the Annual Report and Update for submission to the FTA.

PUBLIC PARTICIPATION PLAN (PPP)

Due to the size of this document, it has been attached as a separate document.

LANGUAGE ASSISTANCE PLAN (LAP)

Due to the size of this document, it has also been attached as a separate document.

PROVIDING ASSISTANCE TO SUBRECIPIENTS/MONITORING SUBRECIPIENTS

DRPT is responsible for administering federal and state funds for planning and operations. Subrecipients of these programs include Metropolitan Planning Organizations (MPOs), and subrecipients of Section 5311, Section 5310, Section 5316, and Section 5317 funding.

DRPT utilizes a staggered monitoring process to accomplish its mandate of reviewing and monitoring DRPT's subrecipients for compliance. Each subrecipient's is placed on a three-year review cycle. All findings, recommendations, and progress made in implementing corrective action are documented and maintained in the respective subrecipient's file.

Metropolitan Planning Organizations

Federal law requires all urbanized areas of 50,000 or greater population to maintain a continuing, comprehensive, and cooperative transportation planning process. The organization responsible for this process is called a Metropolitan Planning Organization. The MPO responsibilities are administered by an Executive Board and a Technical Committee. The Executive Board provides policy direction and the membership includes locally-elected officials and the Governor of Virginia. The Technical Committee provides technical expertise and is comprised of professional planners and engineers from local governments and other transportation related agencies.

The MPO's Long Range Transportation Plan is a 20-year plan of long and short-range strategies and actions for an integrated intermodal transportation system to facilitate the efficient movement of people and goods. The MPO's Transportation Improvement Program is a four year schedule of all federally-funded and regionally significant transportation projects to be implemented in the urban area. The MPO's Unified Planning Work Program (UPWP) is a one-year schedule of all urban transportation planning activities. It documents work to be performed with federal planning funds.

Formal Public Involvement Programs have been adopted in each area as a means of proactively involving the public in transportation planning. The public is invited to review and comment on proposed transportation plans and programs. MPO meetings are open to the public and serve as a regular forum to solicit community transportation concerns.

Rural Transit Program

Section 5311 is a rural transportation grant program providing federal funds to DRPT for state administration, planning, technical assistance, capital operating, and project administration assistance in areas with population less than 50,000. The annual federal allocations are based on the non-urbanized population, the number of vehicles, and counties in the service area.

The goal of the program is to provide the following services to rural communities:

1) Enhance the access of people in non-urbanized areas to health care, shopping, education, employment, public services, and recreation.

2) Assist in the maintenance, development, improvement, and use of public transportation systems in non-urbanized areas.

3) Encourage and facilitate the most efficient use of all transportation funds used to provide passenger transportation in non-urbanized areas through the coordination of programs and services.

4) Assist in the development and support of intercity bus transportation.

5) Provide for the participation of private transportation providers in non-urbanized transportation.

Non-Profit Transportation Providers

Elderly and Disabled (Section 5310), Job Access and Reverse Commute (Section 5316), and New Freedom Program (Section 5317) provide grants for non-profit organizations providing transportation services for elderly persons, persons with disabilities, and low income individuals. These programs supplement existing transportation services in urbanized, small urban, and rural areas where such services are insufficient, or inappropriate for these persons. The list of non-profit transportation providers varies annually, depending on applicant submissions.

DRPT Actions

DRPT will provide to all subrecipients upon request:

1) Sample notices to the public informing beneficiaries of their rights under the US Department of Transportation's (DOT) Title VI regulations, procedures on how to file a Title VI complaint, and a sample complaint form.

2) Sample procedures for tracking and investigating Title VI complaints filed with a subrecipient, and when the subrecipient is to notify DRPT of any complaints received.

3) Demographic information on the race and English proficiency of residents served by the subrecipient. This information will assist the subrecipient in assessing the level and quality of service it provides to communities within its service area and in assessing the need for language assistance.

4) Any other DRPT generated or obtained data, such as travel patterns, surveys, etc. that will assist subrecipients in complying with Title VI.

In order to ensure subrecipients are in compliance with Title VI requirements, DRPT will undertake the following activities:

1) Collect Title VI plans from subrecipients and review them for compliance. The Title VI plans will be stored electronically by DRPT.

2) Conduct a triennial review which examines subrecipient's Title VI program and compliance. See Appendix D for the Title VI portion of the Section 5311 Triennial Workbook.

3) Conduct an annual Title VI desk audit examining online subrecipient Title VI material for compliance.

4) Conduct quarterly site visits by DRPT transit program managers to ensure Title VI compliance and follow-up on any Title VI complaints or legal action filed against a subrecipient.

All Title VI complaints received by subrecipients are to be reported to DRPT within three business days

DEMOGRAPHIC MAPS

The following maps demonstrate the percentage of minority, low-income, and below poverty populations in Virginia by Census Block Group. Data from the U.S Census Bureau's 2011-2015 American Community Survey (ACS) 5-year estimates were used to create the maps.

Figure 1 - Percentage Minority by Census Block Group

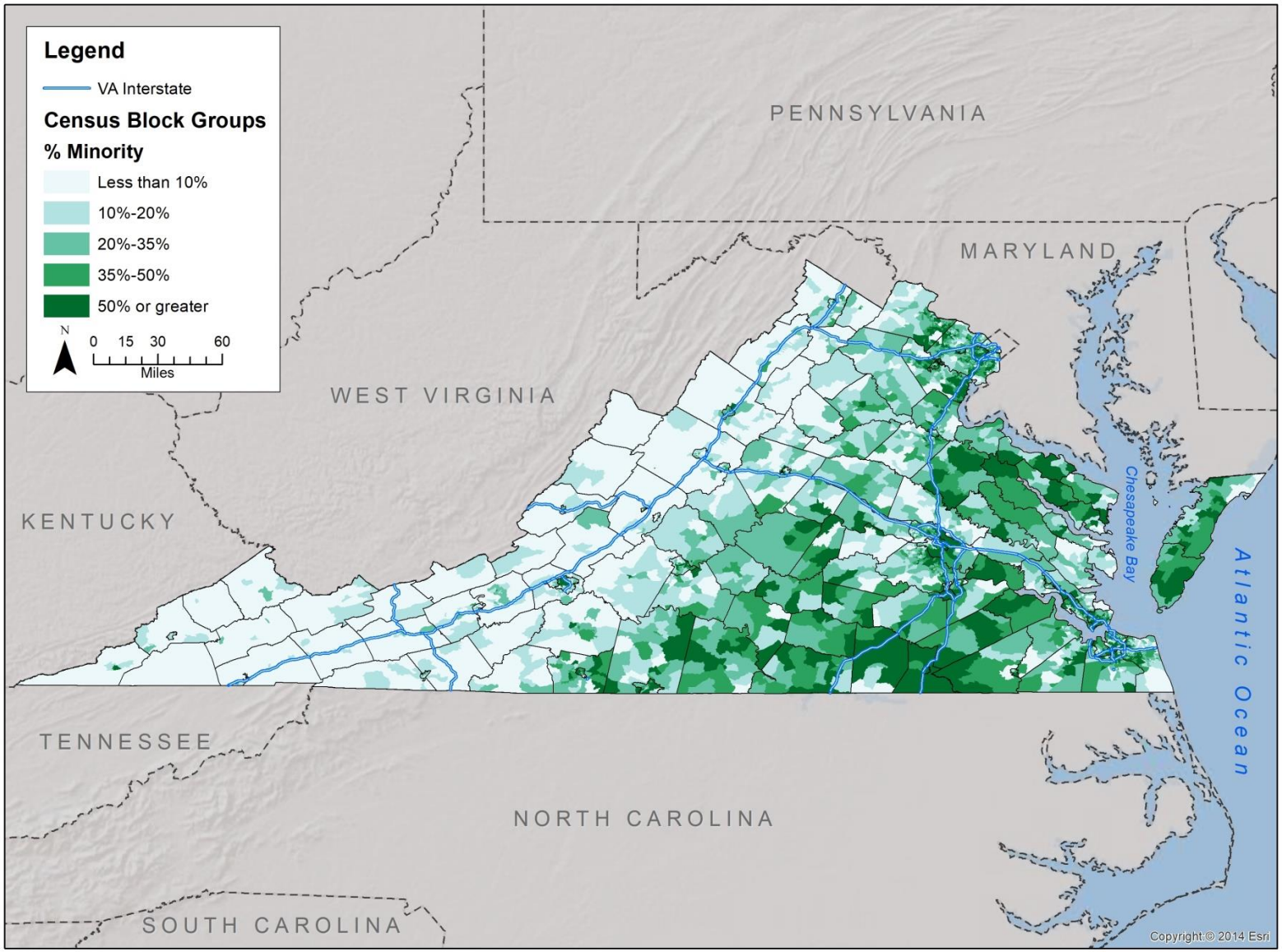


Figure 2 - Percentage Minority along Virginia Breeze Route

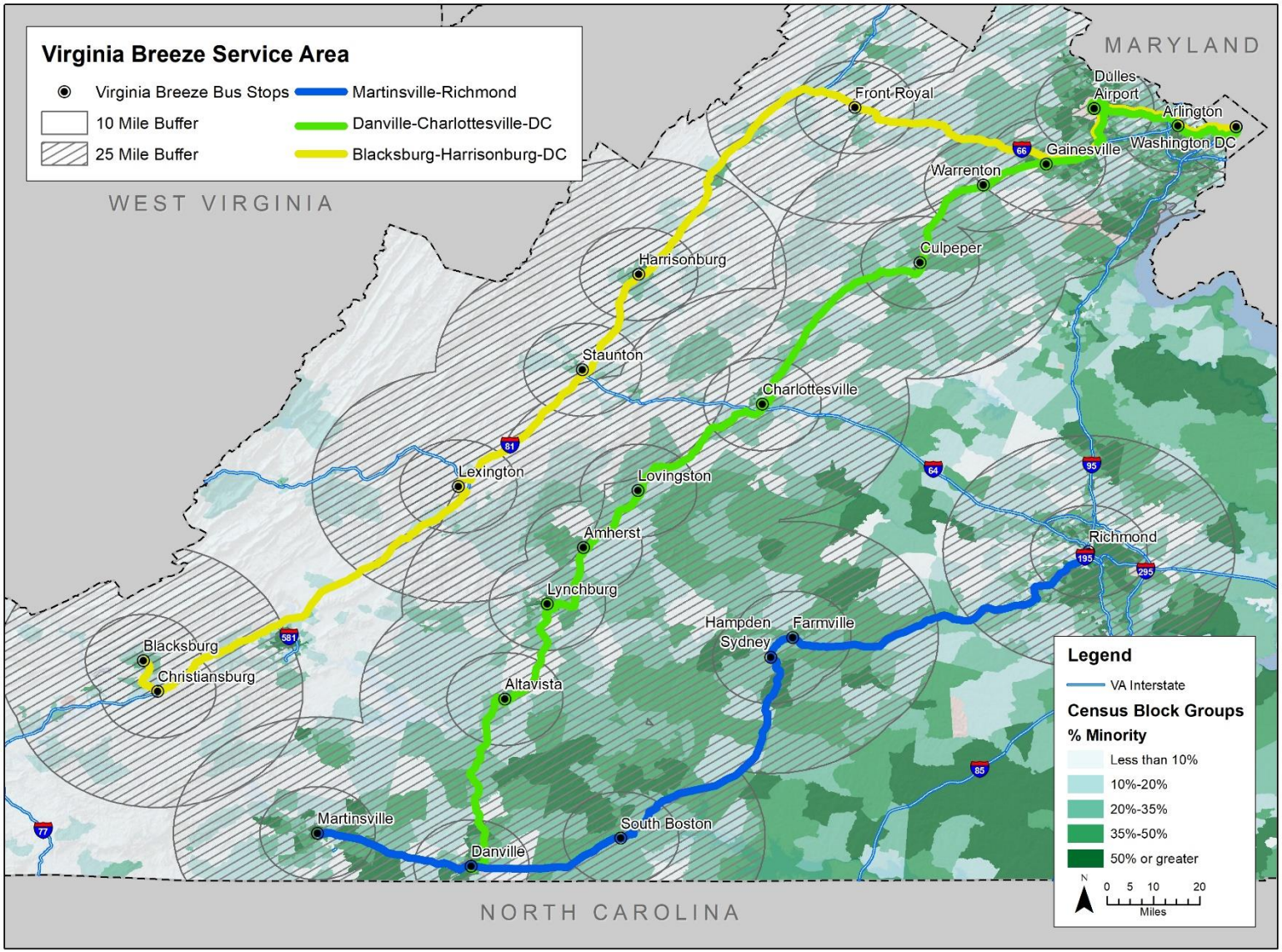


Figure 3 - Percentage Minority in DRPT Funded Jurisdictions

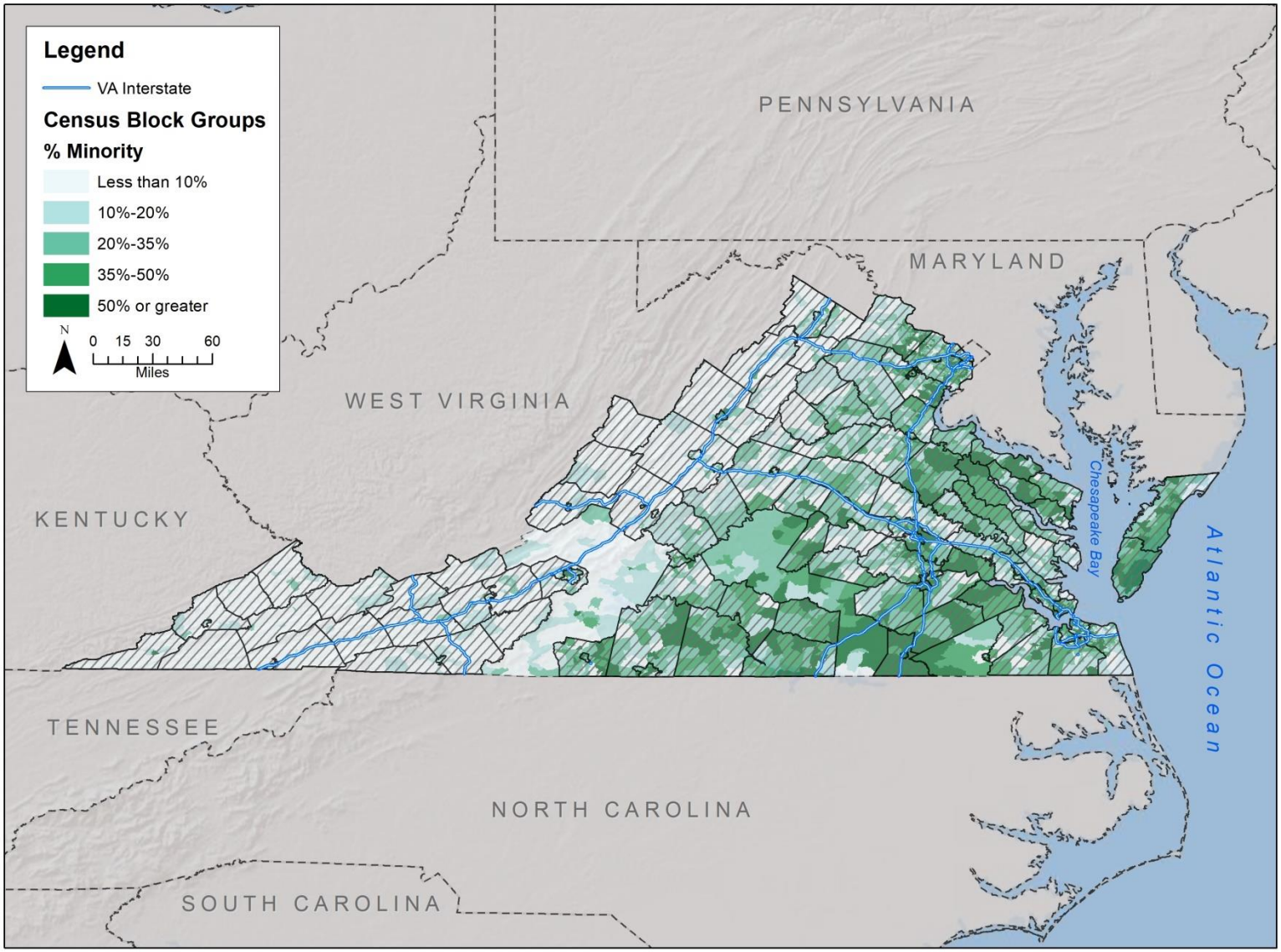


Figure 4 - Percentage Minority with Section 5310 Funding by VDOT Construction District

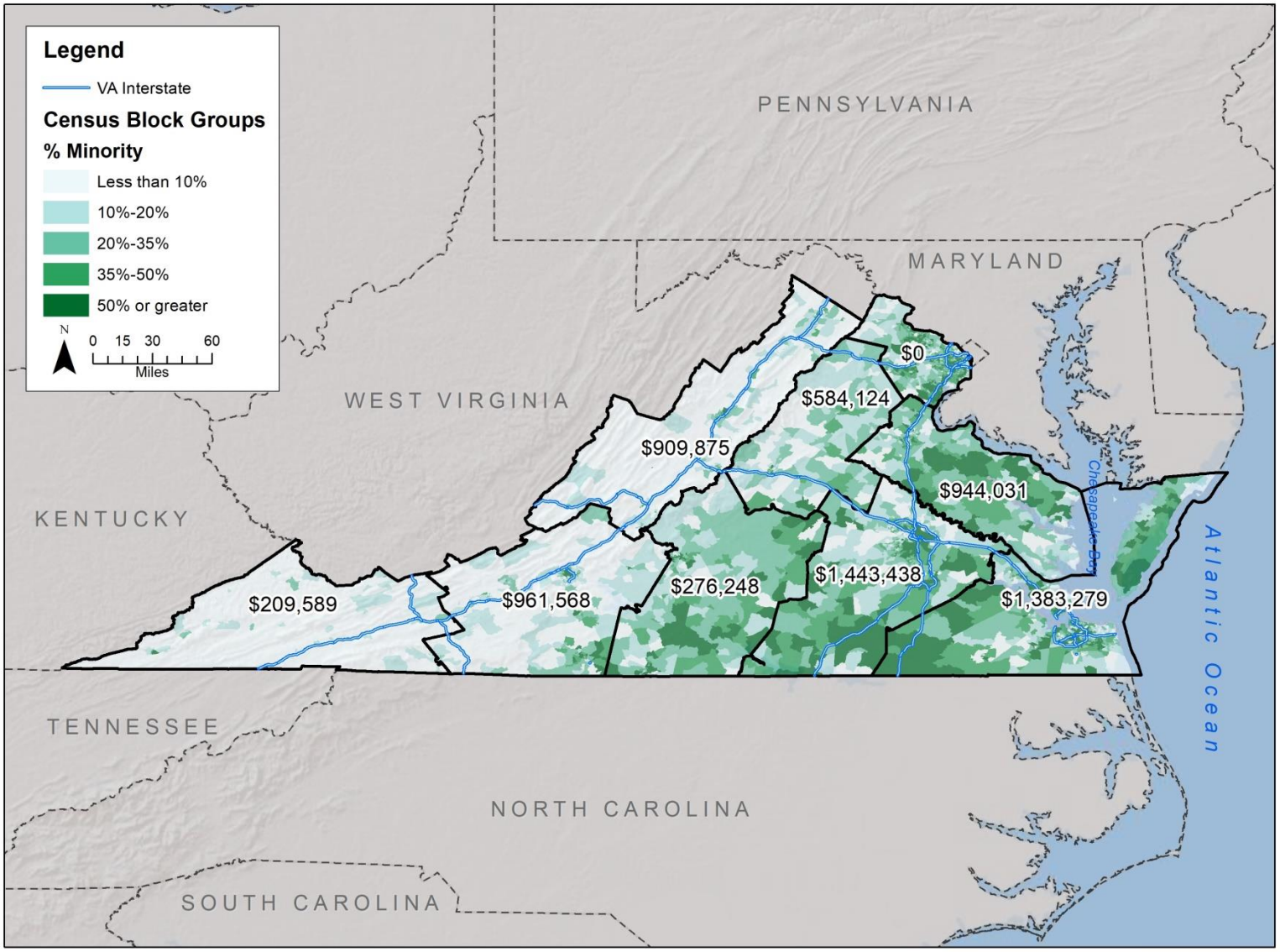


Figure 5 - Percentage Minority with Section 5311 Funding by VDOT Construction District

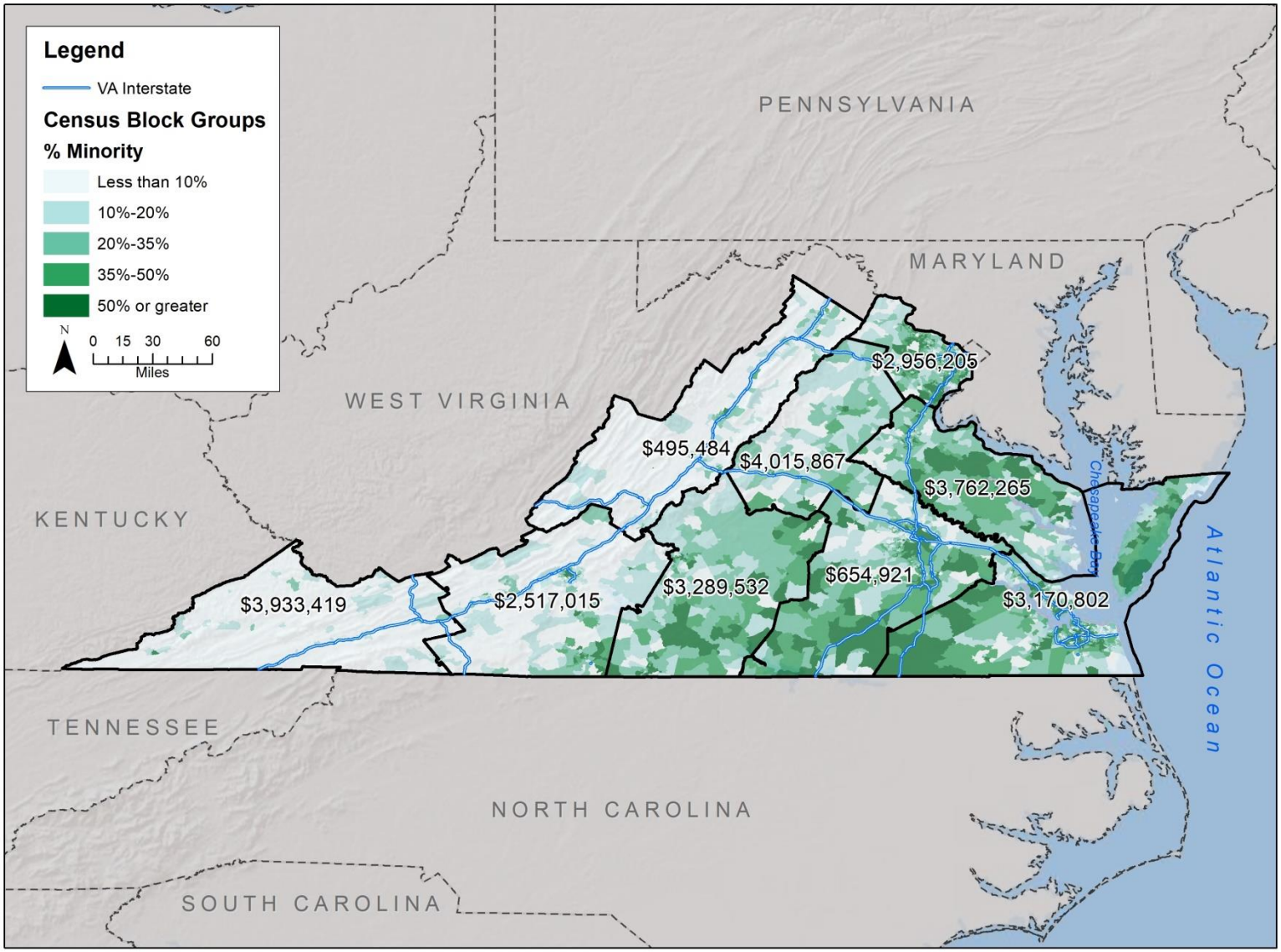


Figure 6 – Percentage Below Poverty Level by Census Block Group

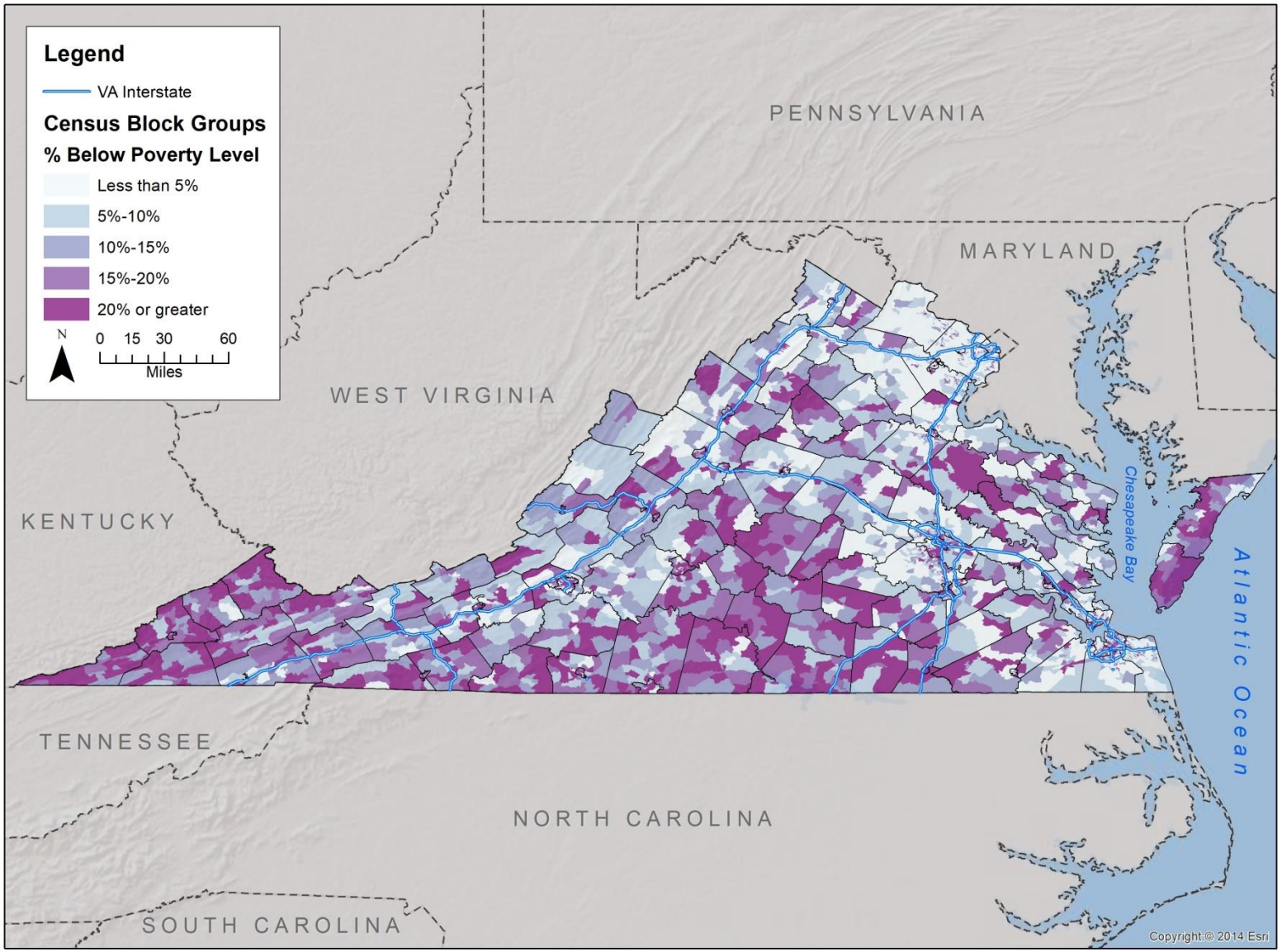


Figure 7 - Percentage Below Poverty Level along Virginia Breeze Route

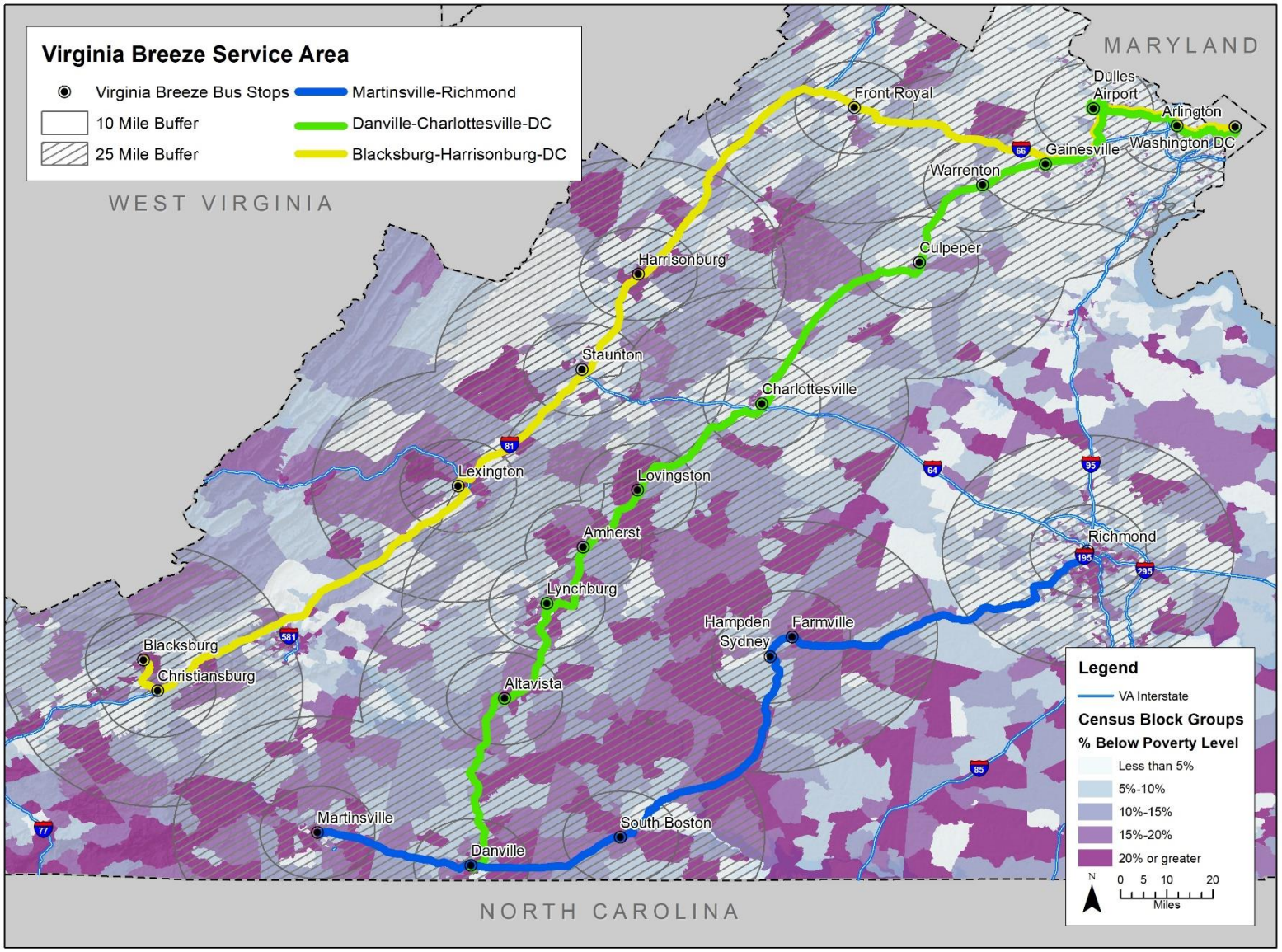


Figure 8 - Percentage Below Poverty Level in DRPT Funded Jurisdictions

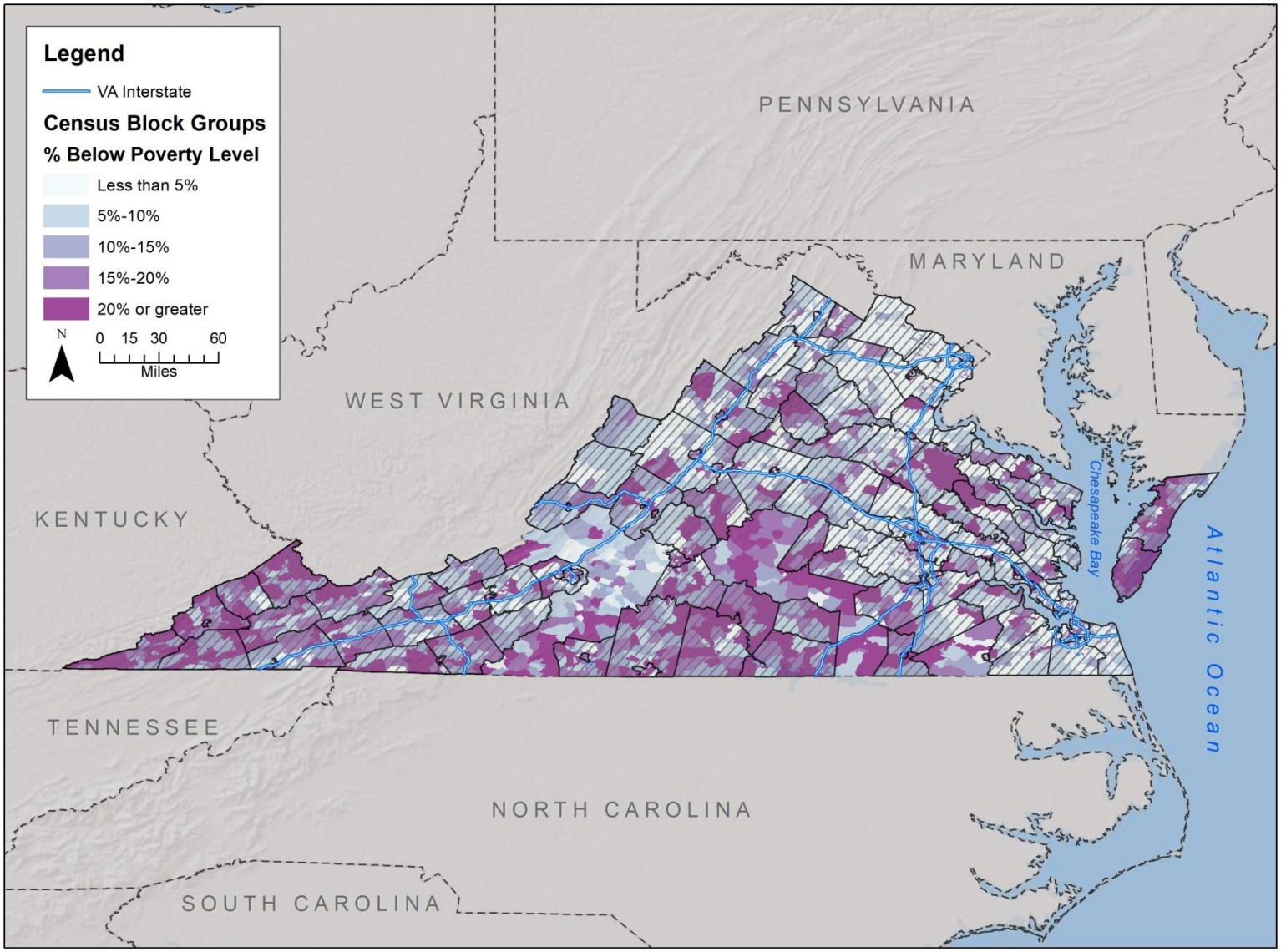


Figure 9 - Percentage Below Poverty Level with Section 5310 Funding by VDOT Construction District

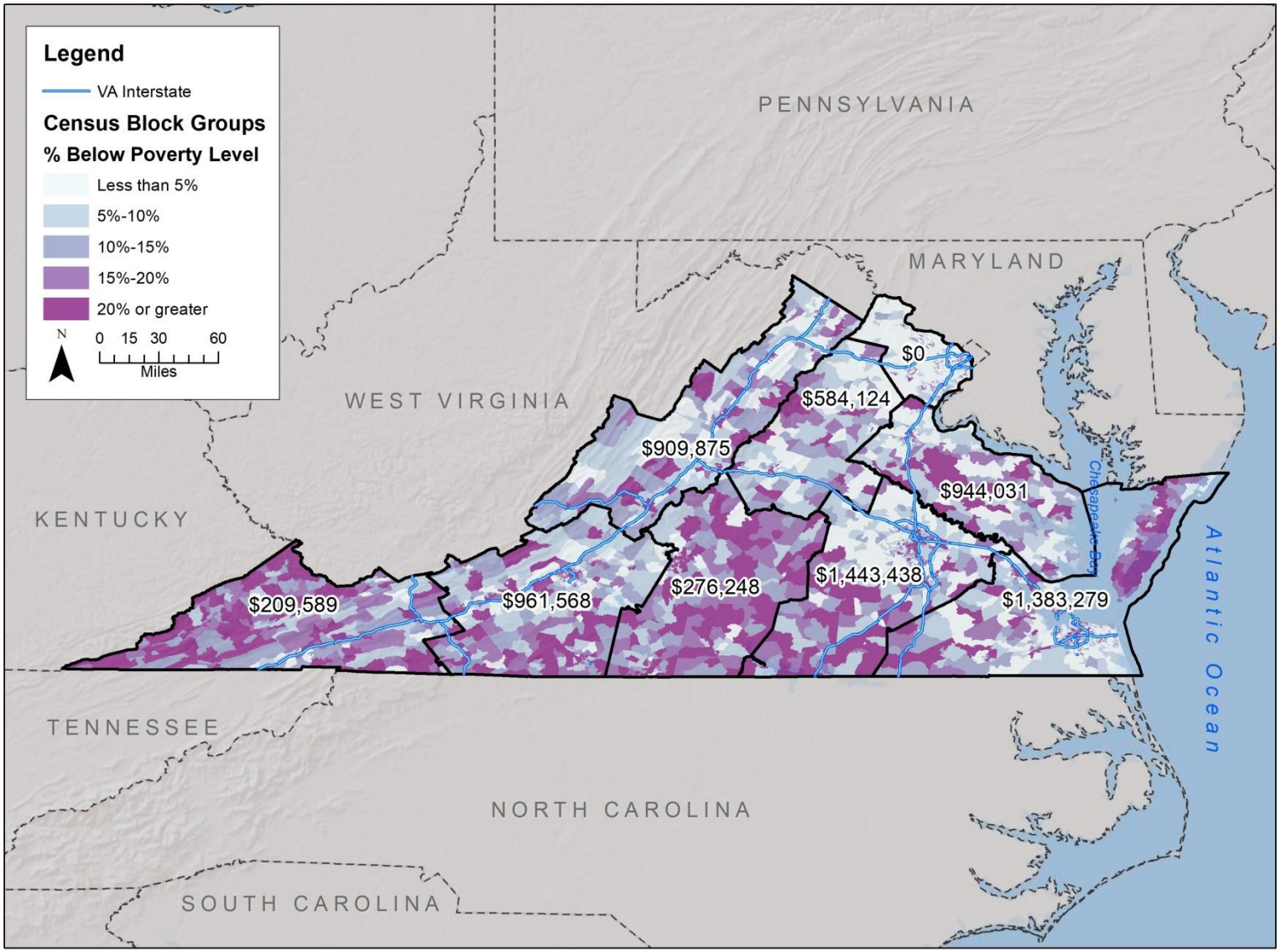


Figure 10 – Percentage Below Poverty Level with Section 5311 Funding by VDOT Construction District

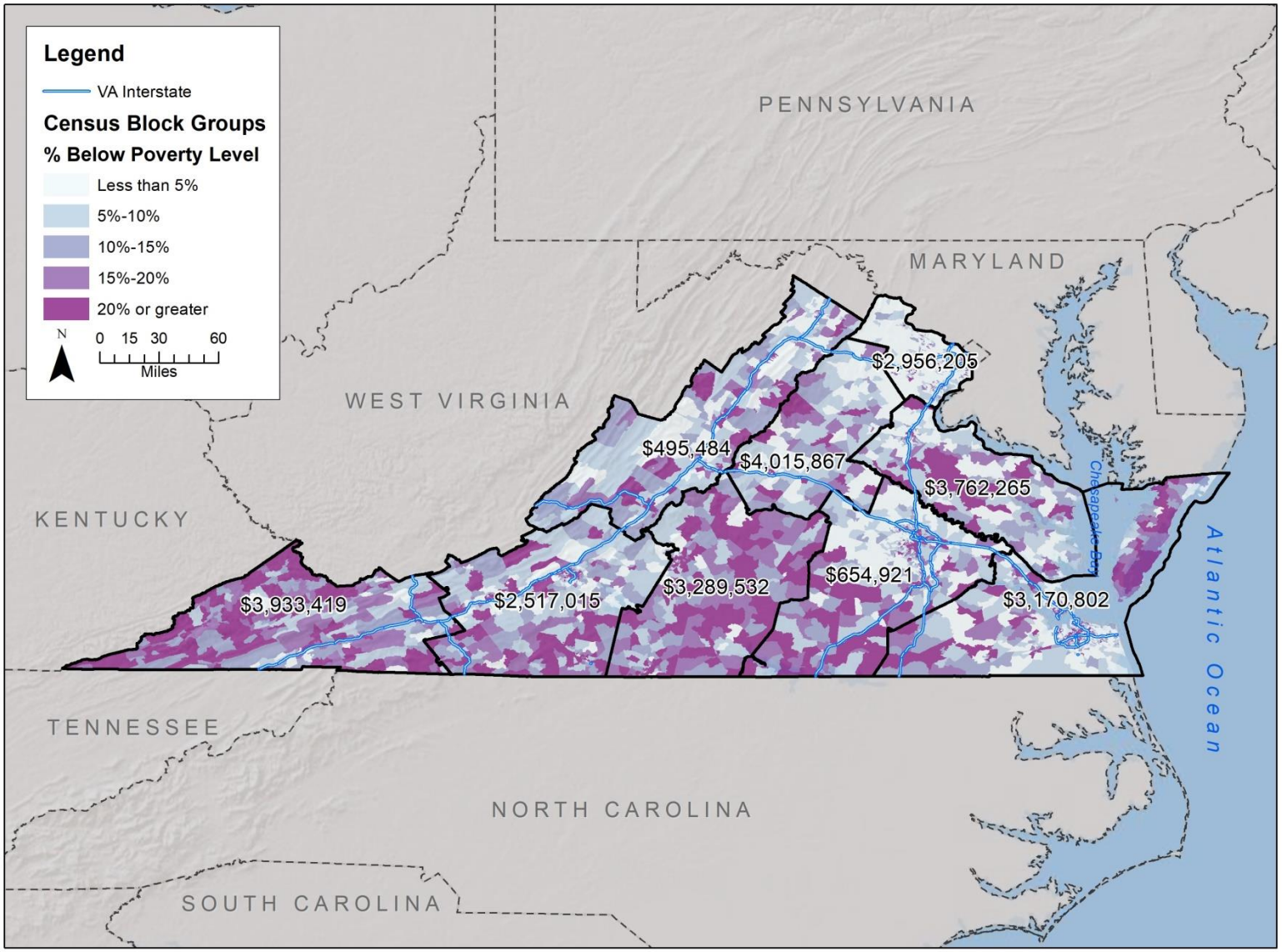


Figure 11 - Percentage Limited English Proficiency (LEP) by Census Block Group

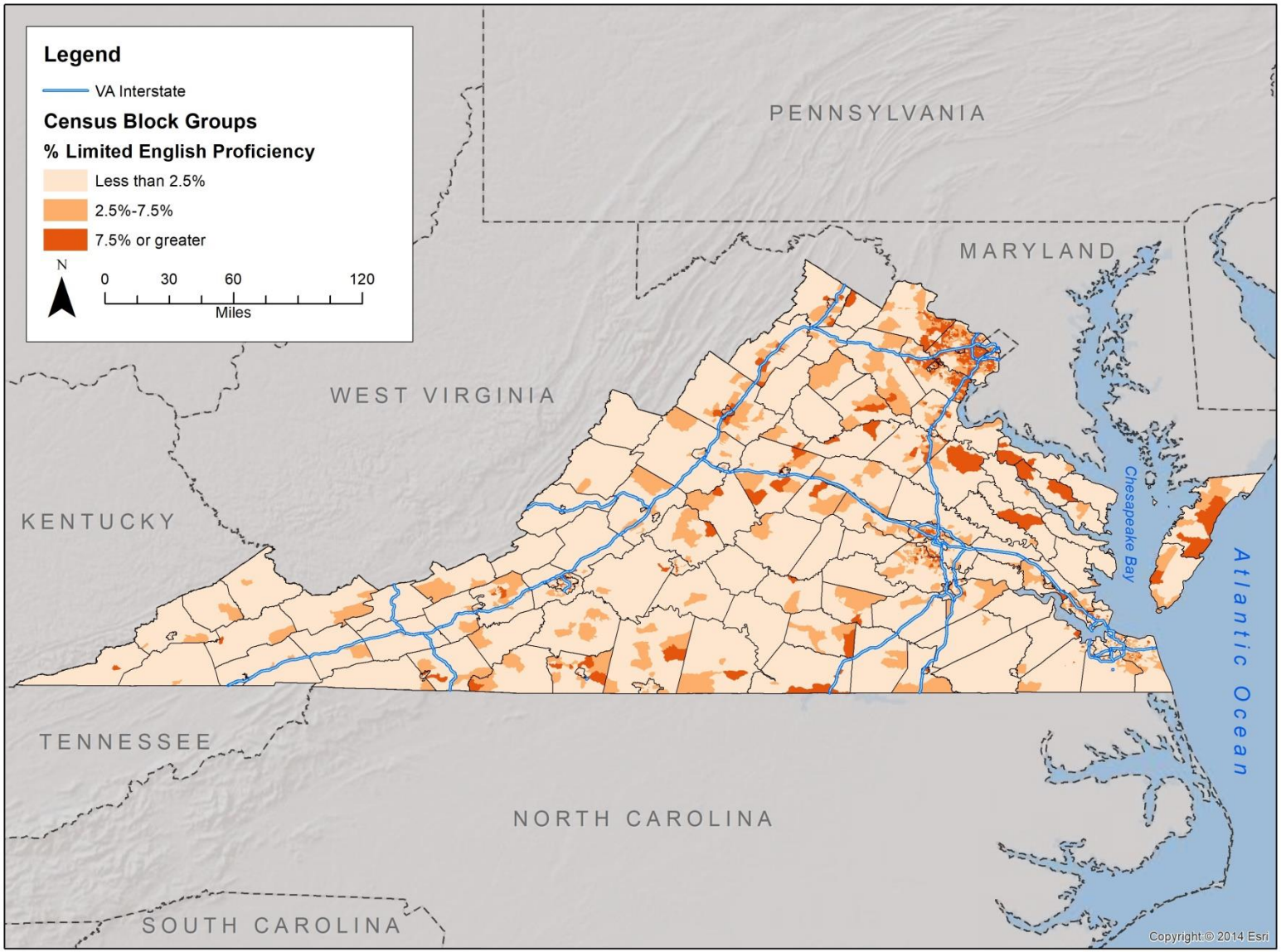


Figure 12 - Percentage LEP Along Virginia Breeze Route

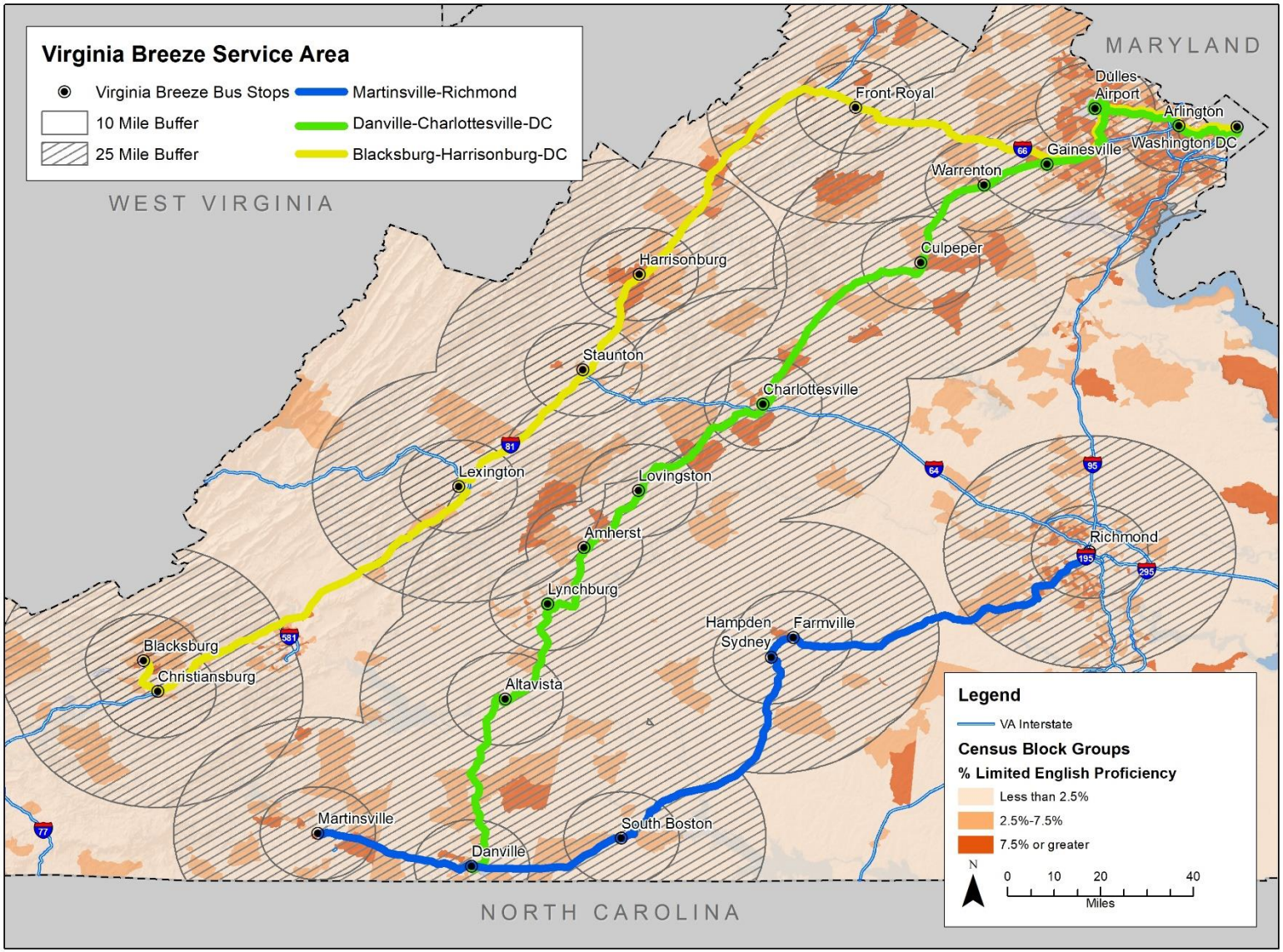


Figure 13 - Percentage LEP in DRPT Funded Jurisdictions

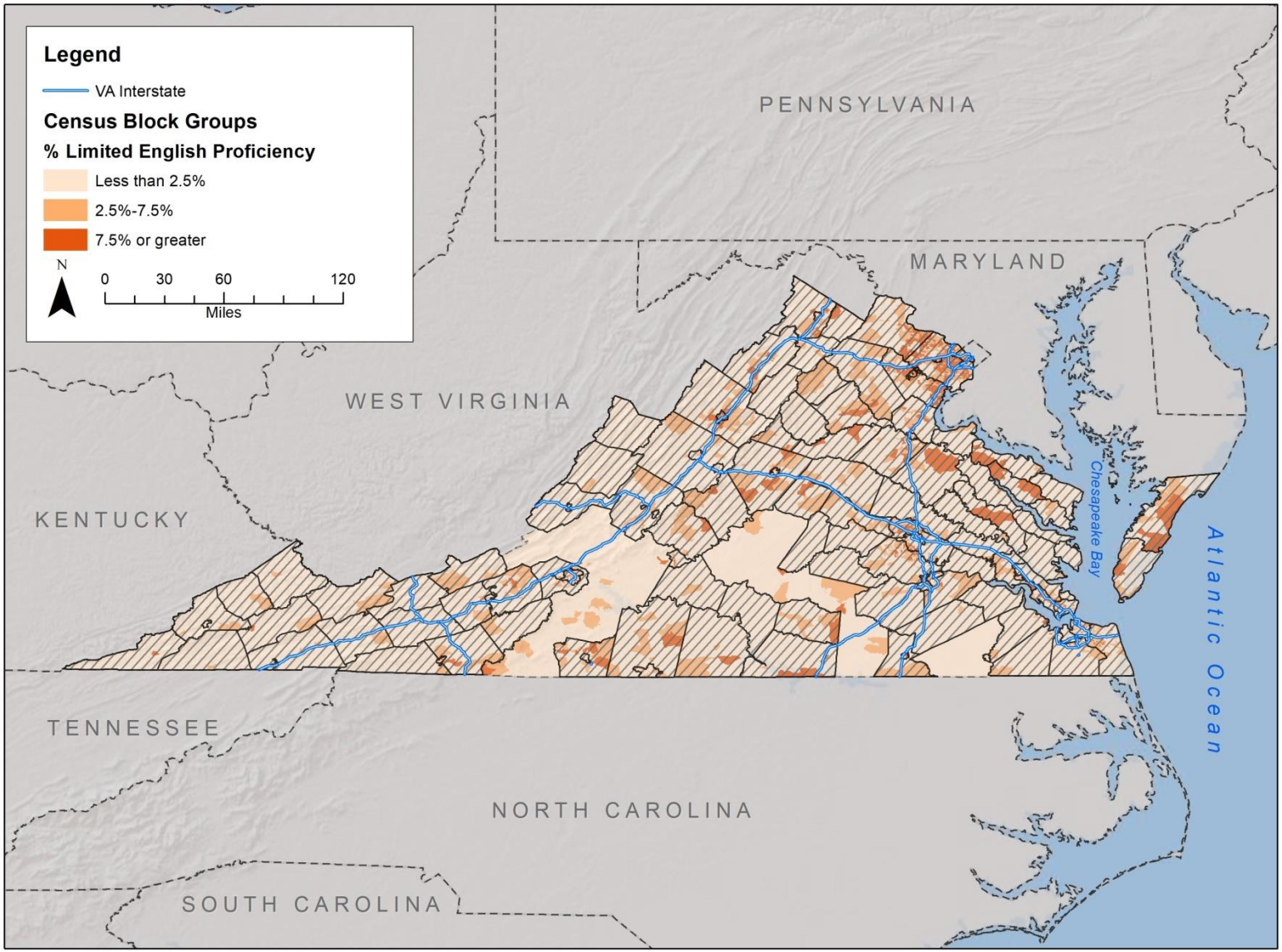


Figure 14 - Percentage LEP with Section 5310 Funding by VDOT Construction District

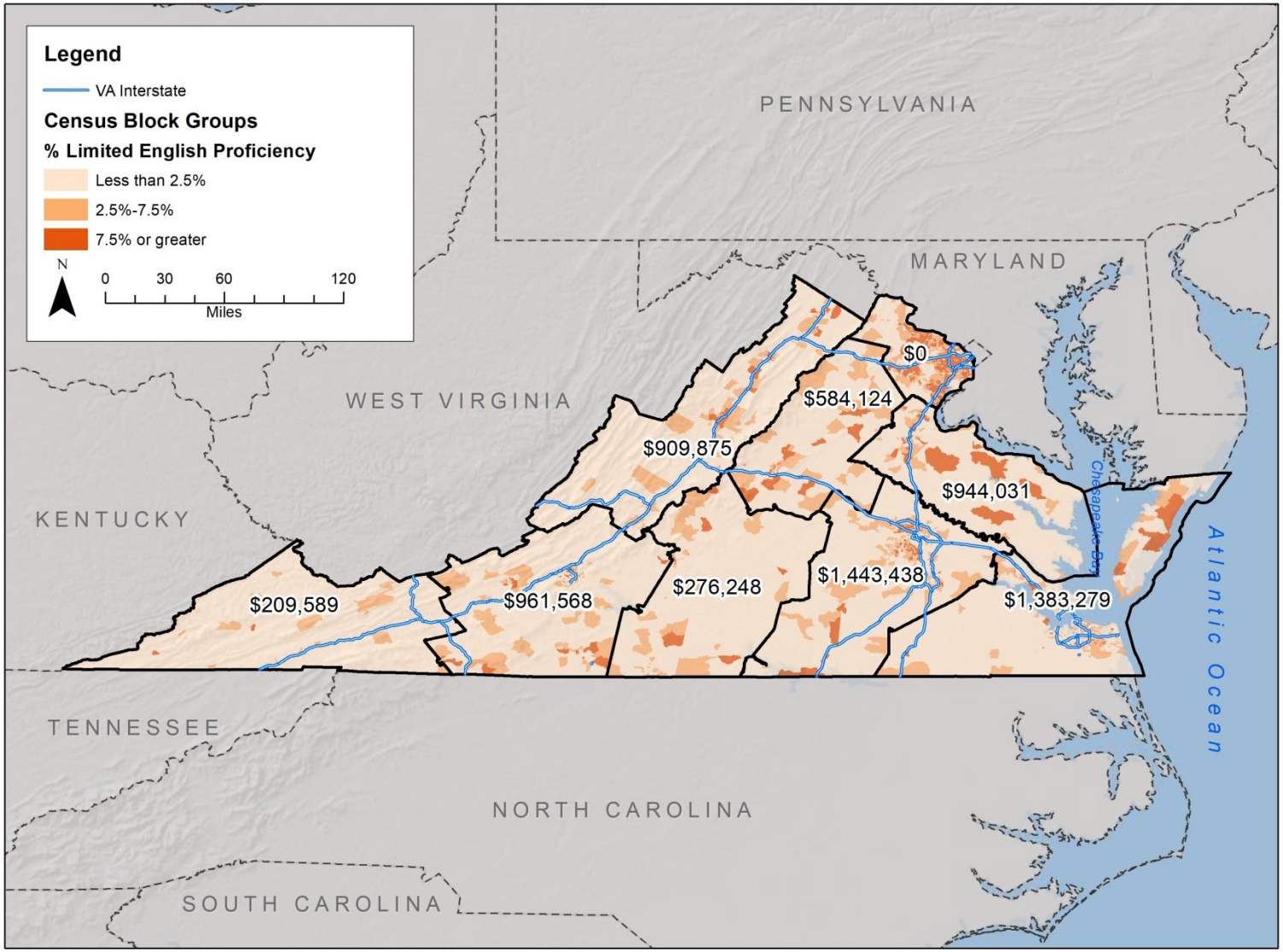
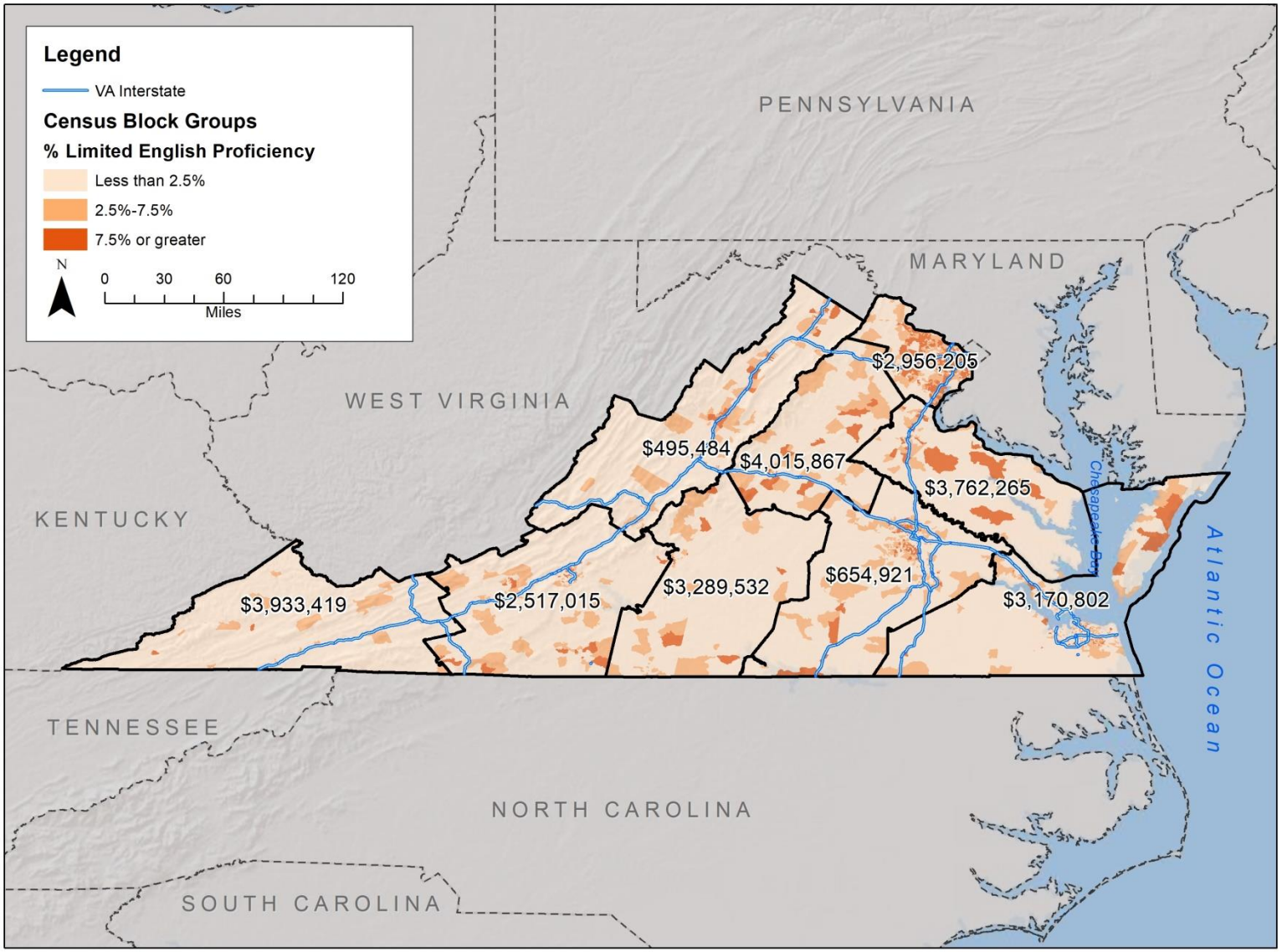


Figure 15 - Percentage LEP with Section 5311 Funding by VDOT Construction District



REQUIREMENTS AND GUIDELINES FOR FIXED ROUTE TRANSIT PROVIDERS

DRPT is required to plan and deliver transportation services in an equitable manner. This means the distribution of service levels and quality is to be equitable between minority and low income populations and the overall population. DRPT has reviewed its services and policies for Virginia Breeze to ensure that those services and benefits are provided in an equitable manner to all persons.

Service Standards

DRPT has set standards and policies that address how services are distributed across the transit system service area to ensure that the distribution affords users equitable access to these services. The Virginia Breeze service is available to all passengers without regard for race, color or national origin.

The following system-wide service standards are used to guard against service design or operations decisions from having disparate impacts. The Virginia Breeze service meets DRPT's established standards thus it is judged that this service is provided equitably to all persons in the service area, regardless of race, color, or national origin.

- **Vehicle load** - Vehicle load is expressed as the ratio of passengers to the total number of seats on a vehicle at its maximum load point. The standard for maximum vehicle load is no standees - the Virginia Breeze service meets this standard.

- **Vehicle headway** - Vehicle headway is the amount of time between two vehicles traveling in the same direction on a given route. A shorter headway corresponds to more frequent service. The standard for vehicle headways is daily service (at least once a day) – the Virginia Breeze service meets this standard.

- **On-time performance** - On-time performance is a measure that indicates the percentage of time a route is in adherence to its schedule. It is calculated by dividing the number of timepoints that are met as scheduled by the total number of timepoints. Non-end-of-line timepoints are considered on-time if a bus departs a stop 1 minute before to 15 minutes after the scheduled departure time. End-of-line timepoints are considered on-time if the bus arrives to the stop 1 minute before to 15 minutes after the scheduled arrival time. DRPT has set an average monthly on-time target of 80% for the Virginia Breeze- the Virginia Breeze service meets this target.

- **Service availability** - Service availability is a general measure of the distribution of routes within a transit provider's service area or the span of service. The standard for service availability is once a day at the schedule time (one in-bound trip and one out-bound trip) – the Virginia Breeze service meets this standard.

Service and Operating Policies

DRPT's service and operating policies also ensure that operational practices do not result in discrimination on the basis of race, color, or national origin.

- **Distribution and Siting of Transit Amenities -** Transit amenities refer to items of comfort, convenience, and safety that are available to the general riding public. It is DRPT's policy to ensure the equitable distribution of transit amenities across the system.

- **Vehicle Assignment** - Vehicle assignment refers to the process by which transit vehicles are placed into service and on routes throughout the system. DRPT assigns vehicles with the goal of providing equitable benefits to minority and low income populations. Vehicles are assigned with regard to service type and ridership demand patterns (routes with greater numbers of passengers need vehicles with larger capacities). For each type of assignment, newer vehicles are rotated to ensure that no single route or service always has the same vehicle. DRPT's contracted VA Breeze service documents vehicle assignment by the contractor (number of vehicles, make, model, and year) that are specifically branded. It is DRPT's policy to ensure the equitable distribution of vehicle assignments across the system.

Fare and Service Changes

DRPT follows its adopted written policy for the public comment process for major service changes and fare increases. With each proposed service or fare change, DRPT considers the relative impacts on, and benefits to, minority and low income populations, including LEP populations. All planning efforts for changes to existing services or fares, as well as new services, have a goal of providing equitable service.

DRPT defines the threshold for major service changes as +/- 25% or more in revenue miles or revenue hours, and for a fare increase of 25% or more. Any change that is a temporary or interim change due to construction, maintenance projects, natural or catastrophic disasters, or seasonal and special events is exempted from the definition and is not considered a "major service change".

REQUIREMENTS FOR STATES - STATEWIDE TRANSPORTATION PLANNING PROCESS IDENTIFYING THE TRANSPORTATION NEEDS OF MINORITY POPULATIONS

DRPT is responsible for developing and overseeing long and short-range transportation plans and programs to provide efficient transportation services for the Commonwealth. A comprehensive transportation process is used which entails the monitoring and collection of various data pertaining to transportation issues. DRPT coordinates with the Virginia Department of Transportation (VDOT), cities, counties, and area transit agencies; seeks public participation; and provides technical support when needed.

DRPT Actions

DRPT staff is responsible for evaluating and monitoring compliance with applicable nondiscrimination authorities in all aspects of DRPT's planning and programming processes:

1) Ensure that all aspects of the planning and programming process operation comply with nondiscrimination authorities.

2) Prepare and update a demographic profile of the Commonwealth using the most current and appropriate statistical information available on race, income, and other pertinent data.

3) Make the document available to the public and member agencies on the DRPT website or in hard copy format, if requested.

4) Continue to ensure that staff makes concerted efforts to involve members of all social, economic, and ethnic groups in the planning process.

REQUIREMENTS FOR STATES - PROCEDURES TO ENSURE NONDISCRIMINATORY PASS THROUGH OF FTA FINANCIAL ASSISTANCE

The procedures for distributing FTA Section 5310 funds shall be as follows:

In general, each application will be evaluated based on quality and completeness of applicant responses to application items addressing management of operations, preventative maintenance practices, coordination of transportation services with other transportation providers, etc.

The procedures for distributing FTA Section 5311 funds shall be as follows:

1) First Priority - The first funding priority is to continue operating assistance to current Section 5311 recipients where there exists a continuing demand for public transportation service, a need for government subsidy, and a commitment of local financial and administrative support.

2) Second Priority **-** The second priority for funding is to support capital projects for existing systems. If capital funding is made available, eligible requests will be prioritized on the following basis:
   a) Replacement of worn-out or unsafe revenue vehicles.
   b) Purchase of additional vehicles to meet demonstrated capacity problems on current routes.
   c) Purchase of vehicles for the expansion of existing services.
   d) Purchase of miscellaneous capital equipment.

3) Third Priority **-** The third priority is the funding of operating and capital expenses for new rural transportation systems.

All grant applications are considered in a nondiscriminatory manner.

REQUIREMENTS FOR STATES - PROCEDURES TO PROVIDE ASSISTANCE TO POTENTIAL SUBRECIPIENTS APPLYING FOR FUNDING, INCLUDING EFFORTS TO ASSIST APPLICANTS THAT WOULD SERVE PREDOMINANTLY MINORITY POPULATIONS

Through the administration of the Section 5310 program, it is the objective of DRPT to:

1) Encourage the maintenance and improvement of existing transportation providers serving seniors and people with disabilities in the Commonwealth through reliable programming of federal financial assistance.

2) Help to maximize the efficiency, effectiveness, and safety of existing human service transportation providers and public transportation systems through capital and technical assistance.

3) Enhance the access of all citizens in Virginia, especially the transportation disadvantaged, to transportation services for trip purposes such as health care, shopping, education, recreation, and employment, through the introduction of new transportation services and the protection of existing services.

4) Encourage efforts to avoid service duplication and improve the reliability of human service transportation providers.

5) Maintain administrative and technical assistance capabilities at the state level to assist human service transportation providers and local governments in the management of their systems.

6) Ensure that there is a fair and equitable distribution of Section 5310 program funds.

7) Ensure a process whereby private transit operators are provided an opportunity to participate to the maximum extent feasible.

8) Provide for maximum feasible coordination of public transportation assisted by FTA with transportation services assisted by other federal sources.

All grant applications are considered in a nondiscriminatory manner.

Through the administration of the Section 5311 program, it is the objective of DRPT to:

1) Encourage the maintenance, development, and improvement of existing public transportation systems in the non-urbanized areas of the state through a reliable program of federal and state financial assistance.

2) Help to maximize the efficiency, effectiveness, and safety of existing non-urbanized public transportation systems through capital, technical, and planning assistance.

3) Enhance the access of all citizens in non-urbanized areas of Virginia and especially the transportation disadvantaged for trip purposes such as health care, shopping, education, recreation and employment, through the introduction of new public transportation services and the protection of existing services.

4) Conserve energy resources by reducing fuel consumption and traffic congestion and associated travel delays through the provision of fuel efficient alternatives to the private automobile.

5) Maintain an administrative and technical assistance capability at the state level to assist local governments in the planning, development, and management of rural and intercity public transportation systems.

6) Ensure that there is a fair and equitable distribution of Section 5311 funds.

7) Ensure a process whereby private transit operators are provided an opportunity to participate to the maximum extent feasible.

8) Support intercity bus transportation.

9) Provide for maximum feasible coordination of public transportation service assisted by the FTA with transportation services assisted by other federal sources.

DRPT has increased staff in both the Public Transit Division and the Fiscal Division to provide better program management and oversight of the Section 5311 program. The Public Transit Division has five Transit Program Managers to provide technical assistance, ensure regulatory compliance, new service development, application review, procurement oversight, facility development and construction oversight, transit management development, driver training, and analyze present and future needs for rural transit providers. Transit Program Managers will be available to grantees on a daily basis to provide on-going support and to ensure that they meet FTA and DRPT requirements.

DRPT tracks which agencies apply for federal and state funding and which receive funding. For existing agencies, DRPT only considers past funding levels to help guide continued funding. For new agencies that apply for funding, DRPT looks at feasibility studies (that should include an analysis on minority and low-income populations) that demonstrate the need for public transportation, anticipated ridership, local letters of support, and a confirmed local match.

All grant applications are considered in a nondiscriminatory manner.

APPENDIX A: VA BREEZE RIDERSHIP SURVEY

VIRGINIA BREEZE **RIDER SURVEY**

The Virginia Breeze needs your input to better understand the demographics of Breeze ridership to assure that resources are being distributed properly under Title VI of the Civil Rights Act of 1964. If you have already completed a survey, you do not need to fill this out again. All information will be kept **confidential**. Thank you for sharing your opinions!

About your trip:

Where did you start your trip today?

- ❑ Blacksburg
- ❑ Lexington
- ❑ Harrisonburg
- ❑ Dulles Airport
- ❑ South Boston
- ❑ Danville
- ❑ Gainesville
- ❑ Culpeper
- ❑ Amherst
- ❑ Washington, DC (Union Station)
- ❑ Christiansburg
- ❑ Staunton
- ❑ Front Royal
- ❑ Arlington
- ❑ Farmville
- ❑ Richmond
- ❑ Warrenton
- ❑ Charlottesville
- ❑ Lynchburg
- ❑ Altavista

Where did you end your trip today?

- ❑ Blacksburg
- ❑ Lexington
- ❑ Harrisonburg
- ❑ Dulles Airport
- ❑ South Boston
- ❑ Danville
- ❑ Gainesville
- ❑ Culpeper
- ❑ Amherst
- ❑ Washington, DC (Union Station)
- ❑ Christiansburg
- ❑ Staunton
- ❑ Front Royal
- ❑ Arlington
- ❑ Farmville
- ❑ Richmond
- ❑ Warrenton
- ❑ Charlottesville
- ❑ Lynchburg
- ❑ Altavista

What is the purpose of your trip today?

- ❑ Work
- ❑ Shopping
- ❑ School
- ❑ Medical
- ❑ Social/Recreational
- ❑ Social Services
- ❑ Other: _____

How long does it take you to complete this trip?

- ❑ 15 minutes or less
- ❑ 16-30 minutes
- ❑ 31-45 minutes
- ❑ 46-60 minutes
- ❑ Over 60 minutes

How did you get to the bus today? *Check all that apply*

- ❑ Walked
- ❑ Drove myself
- ❑ Uber or Lyft
- ❑ Local transit
- ❑ Biked
- ❑ Got a ride
- ❑ Taxi
- ❑ Metro
- ❑ Other: _____

How will you travel from the bus today? *Check all that apply*

- ❑ Walked
- ❑ Drove myself
- ❑ Uber or Lyft
- ❑ Local transit
- ❑ Biked
- ❑ Got a ride
- ❑ Taxi
- ❑ Metro
- ❑ Other: _____

About you:

Which do you consider yourself? *Check all that apply*

- ❑ African-American/Black
- ❑ Caucasian/White
- ❑ Hispanic/Latino
- ❑ Asian
- ❑ Native American Indian/Alaska Native
- ❑ Native Hawaiian or Pacific Islander
- ❑ Other: _____

What is your total annual household income?

- ❑ Less than $10,000
- ❑ $10,000-$25,000
- ❑ $26,000-$45,000
- ❑ $46,000-$65,000
- ❑ $66,000-$85,000
- ❑ $86,000 or more

If you speak another language at home, how well do you speak English?

- ❑ Very Well
- ❑ Well
- ❑ Not Well
- ❑ Not at all
- ❑ I speak English at home

If you speak another language at home, what language do you speak?

_____

What is your age group?

- ❑ 17 or under
- ❑ 18-24
- ❑ 25-44
- ❑ 45-64
- ❑ 65 or older

What is your gender?

- ❑ Male
- ❑ Female
- ❑ Non-binary

What is your employment status?

- ❑ Employed Full-Time
- ❑ Employed Part-Time
- ❑ Homemaker
- ❑ Student
- ❑ Retired
- ❑ Unemployed

Why did you choose Virginia Breeze today? *Check all that apply*

- ❑ Affordability
- ❑ No car available
- ❑ Convenience
- ❑ Don't have a driver's license
- ❑ Good for the environment
- ❑ My employer provides transit benefits
- ❑ Difficult parking at my destination
- ❑ Other: _____

APPENDIX B: CALL AND COMPLAINT LOG

Complaint Log

Friday, July 31, 2020

Complaint Date	Complaintant	TitleVI?	ADA?	EEO?	DBE?	Status
8/1/2016	Calvin Matthews	☑	☐	☐	☐	Mr. Matthews wants his rights reinstated. – Decision to Ban Mr. Matthews is upheld. His outbursts – physical and verbal – continue
3/16/2016	Calvin Matthews	☑	☐	☐	☐	Emailed Governor's office to reinstate his right to ride at STAR transit. Decision to Ban Mr. Matthews is upheld. His outbursts – physical and verbal – continue

Grand Total: 2 Complaints

APPENDIX C: TITLE VI / ADA COMPLAINT FORM

Please provide the following information in order to process your complaint. Assistance is available upon request. Complete this form and mail or deliver to:

Title VI /ADA Compliance Officer, DRPT, 600 E. Main Street, Suite 2102, Richmond, VA 23219.

You can reach our office Monday-Friday from 8:00 am to 4:30 pm at 804.786.4440, or you can email the Virginia Department of Rail and Public Transportation (DRPT – the agency who oversees the Virginia Breeze Intercity Bus service) Title VI / ADA Compliance Officer at drptpr@drpt.virginia.gov.

The Title VI complaint form may also be found online at
http://www.drpt.virginia.gov/media/2981/va-breeze-title-vi-ada-complaint-form.pdf

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Complainant's Name: _____

Street Address: _____

City:_____ **State:**_____ **Zip Code:**_____

Telephone No. (Home):_____ **(Business):**_____

Email Address:_____

Person discriminated against (if other than complainant):
Name:_____

Street Address:_____

City:_____ **State:**_____ **Zip Code:**_____

Telephone No.:_____

The name and address of the agency, institution, or department you believe discriminated against you.
Name:_____
Street Address:_____
City:_____ **State:**_____ **Zip Code:**_____

Date of incident resulting in discrimination:_____

Identify the category of Discrimination:

Race _____ **Color** _____ **National Origin** _____ **Disability** _____

Describe how you were discriminated against. What happened and who was responsible? If additional space is required, please either use back of form or attach extra sheets to form.

_____
_____
_____

Does this complaint involve a specific individual(s) associated with DRPT? If yes, please provide the name(s) of the individual(s), if known.

_____
_____
_____
_____

Where did the incident take place?

_____
_____
_____
_____

Are there any witnesses? If so, please provide their contact information:
Name: _____
Street Address: _____
City:_____ **State:**_____ **Zip Code:**_____
Telephone No.: _____

Name: _____
Street Address: _____
City:_____ **State:**_____ **Zip Code:**_____
Telephone No.: _____

Did you file this complaint with another federal, state or local agency; or with a federal or state court?

❑Yes ❑No

If answer is Yes, check each agency complaint was filed with:

❑Federal Agency ❑Federal Court ❑State Agency
❑State Court ❑Local Agency ❑Other

Please provide contact person information for the agency you also filed the complaint with:

Name: _____

Street Address: _____

City:_____ **State:**_____ **Zip Code:**_____

Date Filed: _____

Sign the complaint in the space below. Attach any documents you believe support your complaint.

_____ _____

Complainant's Signature **Signature Date**

APPENDIX D: TITLE VI PORTION OF THE SECTION 5311 TRIENNIAL WORKBOOK

TITLE VI--NONDISCRIMINATION IN THE DELIVERY OF SERVICE

FTA and DRPT prohibit discrimination on the grounds of race, color, or national origin, in the delivery of public transit services. FTA also prohibits discrimination on the grounds of low-income status. Title VI complaints must be reported to DRPT within 24 hours of receipt of the complaint.

QUESTION	RESPONSE	OBSERVATION
26. Who is responsible for Title VI Program – for ensuring that transit services are operated without discrimination on the basis of race, color or national origin?		
27. Describe the mechanisms you use to analyze whether services and benefits are distributed in a non-discriminatory manner.		
• How are buses assigned to routes? Does the process ensure that assignments are made without regard to race, color, national origin, or income?		
• Please describe the location of transit services, facilities, and amenities such as shelters. Have you ensured that decisions on the location of transit services and facilities are made without regard to race, color, national origin, or income?		
• When considering changes in service or fare increases, have you ensured that Title VI was taken into consideration? How do you determine that changes in services and fare increases do not have a disproportionately high negative impact on low income or minority populations?		

28. How are individuals provided opportunities to participate in the transit planning and decision-making processes without regard to race, color, national origin, or income?		
• Have representatives of these groups expressed a need for transportation improvements? If yes, please describe.		
29. What outreach efforts were undertaken to identify minority groups and low income persons? How have you sought out and considered their viewpoints in the course of conducting public outreach and involvement activities?		
30. Do public information materials such as schedules, brochures, and your agency's website notify beneficiaries of:		
• Protection under Title VI?		
• How to obtain additional information on nondiscrimination obligations?		
• How to file a complaint? *REQUIREMENT– Grantees must notify the public of its protections under Title VI, how to obtain additional information on nondiscrimination obligations, and how to file a complaint. The notification may not be limited to a notice on the Grantee's website.*		
31. Do you have procedures for investigating, tracking, and documenting Title VI complaints? If yes, please describe. *Grantees must have a written procedures for tracking Title VI complaints.*		

32. Have any complaints concerning discrimination in the delivery of service been received since the last review or last grant application? If yes:		
• How were the complaints identified and resolved?		
• Did you report the complaints to DRPT?		
• Did you maintain a record of the complaints that includes:		
• The date of the complaint was filed?		
• A summary of the allegations?		
• The status of the investigation?		
• The actions taken in response to the complaint?		
33. Have you assessed and addressed the ability of persons with limited English proficiency (LEP) to use transit services? *REQUIREMENT– Grantees must assess and address the ability of persons with limited English proficiency (LEP) to use transit services.*		
34. What products and/or services do you offer to Limited English Proficiency persons?		
35. Are schedules and other public information provided in languages other than English? If yes, what languages are provided?		
36. Has your staff been trained on the requirements of Title VI? Is the training provided periodically?		

37. Do the answers to the above questions indicate any disparate impacts or treatment on the basis of race, color, national origin, or income?		