



# **Title VI Program**

**Adopted**

**April 21, 2020**

**By the Modoc Transportation Agency**

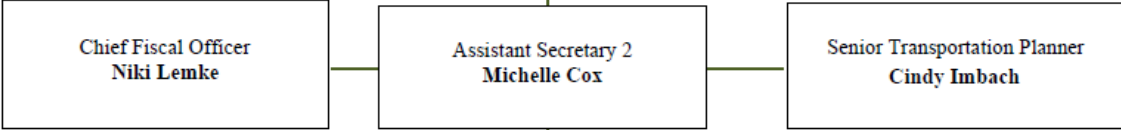
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 (Public Rural and Intercity Bus Operator – Joint Power Authority between City of Alturas and County of Modoc)

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## Table of Contents

TITLE VI PROGRAM POLICY AND COMPLAINT PROCEDURES.....	4
POLICY .....	4
APPLICABILITY .....	4
DEFINITIONS .....	4
GENERAL REQUIREMENTS AND GUIDELINES .....	5
ENVIRONMENTAL JUSTICE REQUIREMENTS.....	7
LIMITED ENGLISH PROFICIENT (LEP) INDIVIDUALS AND PUBLIC PARTICIPATION REQUIREMENTS .....	8
ORAL LANGUAGE ASSISTANCE .....	8
COMPLAINTS/LAWSUITS AND APPEALS .....	8
DEFFICIENCIES WITH TITLE VI COMPLIANCE .....	11
ADMINISTRATION OF REGULATION .....	12
LIMITED ENGLISH PROFICIENCY (LEP) PLAN .....	12
INTRODUCTION .....	12
PLAN SUMMARY.....	12
LIMITED ENGLISH PROFICIENCY (LEP) PLAN OUTLINE.....	14
LANGUAGE ASSISTANCE MEASURES.....	14
STAFF TRAINING .....	15
OUTREACH TECHNIQUES.....	15
MONITORING AND UPDATING THE LEP PLAN.....	15
DISSEMINATION OF THE MTA LEP PLAN .....	16
PUBLIC PARTICIPATION PLAN .....	17
Summary of Public Participation Efforts.....	17
Public Meetings and Outreach .....	17
Short Range Transit Development Plan (SRTDP) .....	17
Stakeholder Outreach.....	19
COMMUNICATION TECHNIQUES AND MEDIA.....	19
Attachment A.....	22
Attachment B.....	23
Attachment C.....	24
Attachment C (Spanish) .....	25
Attachment D .....	26
Attachment E .....	27

## TITLE VI PROGRAM POLICY AND COMPLAINT PROCEDURES

### POLICY

Modoc Transportation Agency (MTA)/Sage Stage Bus is committed to ensuring that no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any of its programs, activities, or services on the basis of race, color or national origin. All persons, regardless of their citizenship, are covered under this regulation. In addition, MTA prohibits discrimination on the basis of race, color or national origin in its employment and business opportunities.

MTA will not condone retaliation against an individual for his/her involvement in asserting his/her rights pursuant to Title VI or because he/she filed a complaint or participated in an investigation under Title VI, and/or this regulation.

As a Federal Transit Administration (FTA) fund recipient, MTA will ensure that its programs, policies and activities comply with the Department of Transportation (DOT) Title VI Regulations of the Civil Rights Act of 1964.

MTA will ensure the level and quality of its transportation service is provided without regard to race, color or national origin.

MTA will promote the full and fair participation of all affected populations in the transportation decision-making process.

MTA will make good faith efforts to achieve environmental justice as part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, activities, and services on minority populations and low-income populations within MTA's service area as provided herein.

MTA will ensure that Limited English Proficient (LEP) individuals have access to MTA's programs, activities and services.

MTA's Title VI policy will be posted on the agency website, within the business office, within vehicles and at local bus shelters.

These regulations shall be maintained in English and made available in Spanish upon request.

### APPLICABILITY

This policy is applicable to all MTA employees, members of the public and all contractors hired by MTA.

Failure of an MTA employee to follow this policy and procedure may subject such employee to disciplinary action up to and including employment termination.

### DEFINITIONS

**Adverse Effect** means having a harmful or undesired effect.

**Discrimination** refers to any act or inaction, whether intentional or unintentional, in any program or activity of a Federal aid recipient, sub-recipient, or contractor that results in

disparate treatment, disparate impact, or perpetuates the effects of prior discrimination based on race, color or national origin.

**Limited English Proficient (LEP) Persons** are individuals for whom English is not their primary language and who have a limited ability to speak, understand, read, or write English. It includes people who reported to the U.S. Census that they do not speak English well or do not speak English at all.

**Low-Income Population** means any readily identifiable groups of low-income individuals who live in geographic proximity, and if circumstances warrant, geographically dispersed transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy, or activity.

#### **Minority Individuals**

1. American Indian and Alaska Native, which refers to people having origins in any of the original people of North and South America (including Central America), and who maintain tribal affiliation or community attachment.
2. Asian, which refers to people having origins in any of the original people from the Far East, Southeast Asia, or the Indian subcontinent.
3. Black or African American, which refers to people having origins in any of the Black racial groups of Africa.
4. Hispanic or Latino, which includes people of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
5. Native Hawaiian and Other Pacific islanders, which refers to people having origins in any of the original people of Hawaii, Guam, Samoa, or other Pacific Islands.

**National Origin** means the particular nation in which a person was born, or where the person's parents or ancestors were born.

**Race** means a group of people united or classified together on the basis of common history, nationality, or geographic distribution.

**Recipient** means one that has received or is receiving Federal financial assistance. The term includes sub-recipients of a recipient and sub-recipients in FTA State administered programs.

**Retaliation** Any adverse action taken against another individual because of his/her participation in the complaint, investigation, or hearing relating to this policy or the provision of federal or state law.

**Vital Documents** are documents that convey information that critically affects the ability of the customer to make informed decisions about his/her participation in the program (e.g., public notices, consent forms, complaint forms, eligibility rules, notices pertaining to the reduction, denial or termination of services or benefits, right to appeal, and notices informing customers of the availability of free language assistance).

## **GENERAL REQUIREMENTS AND GUIDELINES**

MTA will carry out its programs, activities, and services in compliance with Title VI of the Civil Rights Act of 1964. MTA or any of its employees will not, on the grounds of race, color, national

origin, exclude any person from participating in, deny the benefits of, or subject him/her to discrimination under any MTA programs, services, or activities.

MTA, any of its employees, or contractors will not, on the grounds of race, color or national origin:

- a. Provide any service, financial aid, or benefit that is different from that provided to others;
- b. Subject an individual to segregation or segregation or separate treatment;
- c. Restrict an individual in the enjoyment of any advantage or privilege enjoyed by others;
- d. Deny any individual service, financial aid, or benefits under any MTA programs, services, or activities;
- e. Treat individuals differently in terms of whether they satisfy admission or eligibility requirements;
- f. Deny an individual the opportunity to participate as a member of a planning or advisory body.

MTA shall evaluate significant system-wide service, fare changes and proposed improvements at the planning and programming stages to determine whether these changes have a discriminatory impact on low-income and Limited English Proficiency individuals. This applies to major service changes that affect 25% of service hours of a route. MTA operates demand response and intercity services – there are no fixed route services

MTA conducts regular board meetings every other month to ensure that all individuals are afforded an opportunity to participate in transportation decisions. If items for board approval become apparent before that regular meeting, a special meeting is scheduled.

There have been no issues (discrimination investigations, complaints, or lawsuits) within the past three years. MTA and MTA's legal counsel will maintain a list (a minimum of four years in active status) of any Title VI investigations, complaints, or lawsuits filed which allege MTA discriminated against a person or group on the basis of race, color, or national origin. This list will include:

- a. The date the investigation, complaint, or lawsuit was filed;
- b. A summary of the allegation(s);
- c. The status of the investigation, complaint, or lawsuit; and
- d. Any actions or corrective actions taken by MTA in response to the investigation, complaint or lawsuit.

MTA will keep the public informed of the protections against discrimination afforded to them by Title VI and MTA's obligations under Title VI by posting a [Title VI Policy Statement](#) (Attachment A) and associated English and Spanish [Complaint Forms](#), on MTA's website at [www.sagestage.com](http://www.sagestage.com) and at the MTA's office.

MTA will take steps to ensure meaningful access to the benefits, services, information and other important portions of its programs, activities, and services for individuals that are Limited English Proficient (LEP).

MTA has met the Safe Harbor Provision by providing a written Spanish translation of the Complaint form and Notice of Title VI rights. In addition oral translation is made available as needed.

Also, MTA has not constructed a facility in the past three years.

MTA will provide information, upon request from FTA, in order to investigate complaints of discrimination, or to resolve concerns about possible noncompliance with Title VI.

MTA will submit its Title VI Program to the FTA's regional civil rights officer and the California Department of Transportation Division of Mass Transportation once every three years to ensure compliance with Title VI Requirements.

MTA will ensure that minority and low-income individuals have meaningful access to MTA's programs, activities and services.

### **ENVIRONMENTAL JUSTICE REQUIREMENTS**

MTA shall integrate an environmental justice analysis into its National Environmental Protection Act (NEPA) documentation of construction projects. MTA is not required to conduct environmental justice analyses of projects where NEPA documentation is not required. MTA will consider preparing an environmental assessment (EA) or environmental impact statement (EIS) to integrate into its documents the following components:

- a. 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 (e.g., analysis of Census data, direct observation, or a public involvement process);
- b. A discussion of all adverse effects of the project both during and after construction that would affect the identified minority and low-income populations;
- c. A discussion of all positive effects of the project that would affect the identified minority and low-income populations, such as improvements in transit service, mobility, or accessibility;
- d. 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;
- e. A discussion of the remaining effects, if any, and why further mitigation is not proposed; and
- f. For projects that traverse predominantly minority and low-income and predominantly non-minority and non-low-income areas, a comparison of mitigation and environmental enhancement actions that affect predominantly low-income and minority areas with mitigation implemented in predominantly non-minority or non-low-income areas.

## LIMITED ENGLISH PROFICIENT (LEP) INDIVIDUALS AND PUBLIC PARTICIPATION REQUIREMENTS

MTA will seek out and consider the viewpoints of minority, low-income and Limited English Proficient (LEP) populations in the course of conducting public outreach and involvement activities. MTA's public participation strategy will offer early and continuous opportunities for the public to be involved in the identification of social, economic and environmental impacts of proposed transportation decisions.

MTA will ensure that individuals have access to its programs, activities and services by developing and carrying out the language plan herein. MTA will continually assess the language assistance needs of the population to be served.

MTA will use the following four (4) factors to determine what measures must be undertaken to provide reasonable and meaningful access to LEP individuals.

- a. Languages likely to be encountered and the number or proportion of LEP persons in the eligible service population likely to be affected by the program, activity, or service.
- b. Frequency with which LEP individuals come into contact with MTA programs, activities and services.
- c. Importance of the program, activity, or service provided by MTA to LEP individual's lives.
- d. Resources needed to provide effective language assistance and costs.

## ORAL LANGUAGE ASSISTANCE

MTA will make every effort to employ bilingual staff to provide Spanish-speaking interpretation at its Transit office, customer service area and within the transit drivers for transit questions and trip planning assistance. If MTA is unable to employ bilingual staff, then interpretation services will be made available by appointment.

## COMPLAINTS/LAWSUITS AND APPEALS

**How to File a Title VI Complaint with MTA:** Any person who believes that he/she, or as a member of any specific class of individuals, has been subjected to discrimination on the basis of race, color, national origin, with respect to MTA's programs, activities, services, or other transit related benefits, may file a written complaint with MTA. A complaint may be filed by the individual or by a representative. A complaint must be filed within 180 days after the date of the alleged discrimination, but complainants are encouraged to submit complaints as soon as possible. MTA will promptly investigate all complaints filed under Title VI, pursuant to this regulation.

### ***Complaint must include the following information:***

- a. A complaint must be in writing and signed and dated by the complainant or his/her representative before any action can be taken.
- b. A complaint shall state, as fully as possible, the facts and circumstances surrounding the alleged discrimination, including the name and address of the complainant, the date, time



and location of the incident. The complaint shall include a description of the program, activity or service on which the alleged discrimination occurred.

A *Complaint Form* (Attachment C) can be used to file a Title VI complaint with MTA. A complaint form will be made in an accessible format upon request. A complaint form can be obtained at:

- a. MTA's website [www.sagestage.com](http://www.sagestage.com)
- b. By calling MTA at (530) 233-6410 and a complaint form can be mailed.
- c. By picking up a complaint form at 108 S. Main St., Alturas, CA 96101.

If the complaint is received by anyone besides MTA'S Executive Director, the individual in receipt of the complaint shall forward it to the Executive Director or his/her designee as soon as practicable but no later than two (2) business days of receipt. The Executive Director shall immediately provide a copy of the complaint to the Chair of the Board of Directors regarding the program, activity or service that is identified as being out of compliance.

#### **Procedures for Investigating Complaints**

The Executive Director or his/her designee shall promptly investigate the alleged complaint and shall prepare a written response as soon as possible, but no later than ten (10) business days of his/her receipt of the complaint. The Executive Director or his/her designee may consult with appropriate staff in the preparation of his/her response to the complaint.

#### **Efforts to Contact Complainant**

The Executive Director or his/her designee shall make efforts to speak (meeting or telephone conversation) with the complainant, at which time the complainant may give written or oral evidence supporting the allegation that his/her rights under Title VI have been violated. The Executive Director or his/her designee shall review and consider the response prepared by the Executive Director or his/her designee, all the information provided by the complainant, if any, and any other evidence available regarding the allegations of the complaint. The Executive Director or his/her designee shall prepare a written report of his/her findings and if corrective action is required, a timetable for the completion of such action.

#### **Completion of Investigation**

As soon as it is practicable, but no later than twenty (20) business days following receipt of the initial complaint, the Executive Director or his/her designee shall inform the complainant of his/her findings and any corrective action to be taken as a result of the complaint together with the timetable for completion of such action.

#### **Appeal to MTA Chairman**

If the complainant is not satisfied with the findings and/or action of MTA'S Executive Director or his/her designee, then the complainant may file his/her Complaint with the Chair of the Board of Directors or with the FTA'S Office of Civil Rights.

#### **Appeal Process**

If the complainant chooses to file his/her complaint with the Chairman of the Board of Directors, then the complaint and any supporting documentation should be submitted within

five (5) business days of his/her receipt of the results of the Executive Director's investigation, with the Chairman of the Board of Directors by providing it to the Executive Director at MTA's facility. Upon review of the file, the Chairman shall notify the complainant of what actions, if any, will be taken as a result of the review by the Chairman with ten (10) business days of the Chairman's notification that the complainant is not satisfied with the results of the Executive Director's investigation. The decision of the Chairman of MTA's Board of Directors shall be final.

#### **Timeline waiver**

Any timeline set forth herein may be extended by the Executive Director upon a showing of good cause.

#### **How to file a Title VI complaint with the FTA Office of Civil Rights**

Any person who believes that he/she or as a member of any specific class of individuals, has been subjected to discrimination on the basis of race, color, national origin, age, sex, sexual orientation, or gender identity, with respect to MTA's programs, activities, or services, or other transit related benefits, may file a written complaint with FTA. A complaint may be filed by the individual or by a representative. A complaint must be filed within 180 days after the date of the alleged discrimination. FTA will promptly investigate all Complaints filed under Title VI in accordance with DOT regulations *49 CFR 21.11 (b) and 21.11 (c)*

- A. A complaint must include the following information: A complaint must be in writing and signed and dated by the complainant or his/her representative before any action can be taken. In cases where a complainant is unable or incapable of providing a written statement, but wishes FTA or DOT to investigate alleged discrimination, a verbal complaint of discrimination may be made to the FTA Director, Office of Civil Rights. If necessary, the Civil Rights Official will assist the person in converting the verbal complaint into writing. All complaints must, however, be signed by the complainant or his/her representative.

[FTA.ADAAssistance@dot.gov](mailto:FTA.ADAAssistance@dot.gov)

Federal Transit Administration Office of Civil Rights

Attn: Title VI Program Coordinator

East Building, 5<sup>th</sup> Floor – TCR

1200 New Jersey Avenue, S.E.

Washington, DC 20590

TTY: 1 800 877-8339

Voice: 1 866 377-8642

- B. A complaint shall state, as fully as possible, the facts and circumstances surrounding the alleged discrimination, including the date, time and location of the incident. The complaint shall include a description of the program, activity or service on which the alleged discrimination occurred.

#### **Complaint Acceptance**

Once a complaint has been accepted, FTA will notify MTA that it has been subject to a Title VI complaint and ask MTA to respond in writing to the complainant's allegations. Once the

complainant agrees to release the complaint to MTA, FTA will provide MTA with the complaint. FTA may choose to close a complaint if the complainant does not agree to release the complaint to MTA. FTA strives to complete a Title VI complaint investigation within 180 days of the acceptance date of a complaint.

### **Investigations**

FTA will make a prompt investigation whenever a compliance review, report, complaint or any other information indicates a possible failure to comply with Title VI Regulations. FTA's investigation will include a review of the pertinent practices and policies of MTA, the circumstances under which the possible noncompliance occurred, and other factors relevant to a determination as to whether MTA has failed to comply with Title VI regulations.

Following the investigation, FTA's Office of Civil Rights will transmit to the complainant and MTA one of the following three letters based on its findings:

- a. *Letter of Resolution*: explains the steps that MTA has taken or promises to take to come into compliance with Title VI.
- b. *Letter of Finding (Compliance)*: explains that MTA is found to be in compliance with Title VI. This letter will include an explanation of why MTA was found to be in compliance, and provide notification of the complainant's appeal rights.
- c. *Letter of Finding (Noncompliance)*: explains that MTA is found to be in noncompliance. This letter will include each violation referenced, the applicable regulations, a brief description of proposed remedies, notice of the time limit on the conciliation process, the consequences for failure to achieve voluntary compliance, and an offer of assistance to MTA in devising a remedial plan for compliance.

### **Appeals Process**

The letters of finding and resolution will offer the complainant and MTA the opportunity to provide additional information that would lead FTA to reconsider its conclusions. FTA requests that the parties in the complaint provide this additional information within 60 days of the date of the FTA letter of finding. FTA's Office of Civil Rights will respond to an appeal either by issuing a revised letter of resolution or finding to the appealing party, or by informing the appealing party that the original letter of resolution or finding remains in force.

### **DEFICIENCIES WITH TITLE VI COMPLIANCE**

Compliance Reviews will be conducted periodically by FTA, as part of its ongoing responsibility pursuant to its authority under 49 CFR 21.11(a).

If FTA determines that MTA is in noncompliance with Title VI, it will transmit a *Letter of Findings* that describes FTA's determination and requests that MTA voluntarily take corrective action(s) which FTA deems necessary and appropriate.

MTA will submit a remedial action plan including a list of planned corrective actions and, if necessary, sufficient reasons and justification for FTA to reconsider any of its findings or recommendations within 30 days of receipt of FTA's *Letter of Findings*.

## **ADMINISTRATION OF REGULATION**

MTA will integrate the provisions within its Title VI Program into all programs, activities, and services. MTA will integrate the Title VI Program into its policies and procedures.

## **LIMITED ENGLISH PROFICIENCY (LEP) PLAN**

### **INTRODUCTION**

This Limited English Proficiency (LEP) Plan has been prepared to address the MTA's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, Federal Transit Administration Circular 4702.1A dated May 13, 2007, which states that no person shall be subjected to discrimination on the basis of race, color or national origin.

Executive Order 13166, titled Improving Access to Services for Persons with Limited English Proficiency, indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each federal agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds.

### **PLAN SUMMARY**

MTA is the public transit provider for Modoc County and the City of Alturas. MTA has developed this LEP Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services provided by MTA. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English.

This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

In order to prepare this plan, MTA undertook the U.S. Department of Transportation (U.S. DOT) four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter an MTA program, activity or service.
2. The frequency with which LEP persons come in contact with MTA programs, activities or services.
3. The nature and importance of programs, activities or services provided by MTA to the LEP population.
4. The resources available to MTA and overall costs to provide LEP assistance.

A summary of the results of the MTA four-factor analysis follows.

#### **Four-Factor Analysis**

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter a MTA program, activity or service.

Modoc Transportation Agency staff reviewed the 2015 U.S. Census Language Survey Report and determined that 1094 persons in Modoc County [12.5 % of the population] speak a language other than English. In Modoc County, 498 persons [45.5%] indicate having limited English proficiency; that is, they speak English “not very well” while 596 speak English “very well.”

In Modoc County, of those persons with limited English proficiency, 906 (10.3% of the total population) speak Spanish; the remaining 188 respondents speak approximately 33 different languages, each accounting for less than 1.6% of the population.

2. The frequency with which LEP persons come in contact with MTA programs, activities or services.

MTA assessed the frequency with which staff and drivers have, or could have, contact with LEP persons. This includes documenting phone inquiries and surveying vehicle operators for requests for interpreters and translated documents. To date, the most frequent contact between LEP persons is with bus drivers and office staff. MTA has asked staff and drivers if they have encountered calls which needed assistance and they can only remember having none or just 1 or 2 calls. Based on this information MTA will continue to employ bilingual staff, if available. If MTA is unable to employ bilingual staff, then interpretation services will be made available by appointment. MTA works with local community service agencies having high LEP person traffic and ensure that language assistance information is posted in areas such as buses website and MTA office.

3. The nature and importance of programs, activities or services provided by MTA to the LEP population.

The largest geographic concentration of LEP individuals in the MTA service area is Spanish. The 2010 Census indicates that 86.7% of Modoc residents over 5 years of age speak only English with 13.3% (1,205 people) speaking a language other than English of which 11.8% (1069 people) speak Spanish. 380, or 4.2%, of Spanish speaking residents noted that they speak English less than “very well.” Services provided by MTA are available to the LEP and general public with an intercity route to Reno, Redding and Klamath Falls along with local demand response Dial a Ride. These routes would most likely encounter LEP individuals; Spanish translation services are available through MTA.

MTA would most likely encounter LEP individuals at the MTA offices where reservation, tickets, and passes are sold; community outreach events and posters are displayed relating to transit events.

4. Assessment of the resources available to MTA and overall costs to provide LEP assistance.

MTA assessed its available resources that could be used for providing LEP assistance, including determining the cost of a professional interpreter and translation service on an as-needed basis, which of its documents would be the most valuable to be translated if the need should arise, and taking an inventory of available organizations that MTA could partner with for outreach and translation efforts. The amount of staff and vehicle operation training that might be needed was also considered. See Attachment E-1 for a summary. Based on the four-factor analysis, MTA developed its LEP Plan as outlined in the following section.

### **LIMITED ENGLISH PROFICIENCY (LEP) PLAN OUTLINE**

*How MTA and staff may identify an LEP person who needs language assistance:*

1. Examine records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events or meetings.
2. Have staff greet participants as they arrive to MTA sponsored events. By informally engaging participants in conversation, it is possible to gauge each attendee's ability to speak and understand English.
3. Have Census Bureau Language Identification flashcards available at MTA meetings. This will assist MTA in identifying language assistance needs for future events and meetings.
4. Have Census Bureau Language Identification flashcards available on all transit vehicles to assist vehicle operators in identifying specific language assistance needs of passengers. If such individuals are encountered, vehicle operators will be instructed to try to obtain contact information to give to MTA management staff for follow-up.
5. Vehicle operators and other front-line staff will be surveyed on their experience concerning any contacts with LEP persons during the previous year.

### **LANGUAGE ASSISTANCE MEASURES**

There are numerous language assistance measures available to LEP persons, including both oral and written language services. There are also various ways in which MTA staff responds to LEP persons, whether in person, by phone or in writing.

- a. Provide bilingual staffing to provide Spanish-speaking interpretation within its offices.
- b. Network with local human service organizations that provide services to LEP individuals and seek opportunities to provide information on MTA programs and services;
- c. Placement of statements in notices and publications that interpreter services are available for these meetings, with seven (7) days advance notice;
- d. Survey bus drivers and other staff, annually on their experience concerning any contacts with LEP persons during the previous year;

- e. Provide Language Identification Flashcards onboard MTA Transit vehicles and the MTA/Sage Stage office;
- f. Post MTA's Title VI Program and LEP Plan on the agency website, [www.sagestage.com](http://www.sagestage.com), and at the MTA/Sage Stage office;
- g. Provide travel training to LEP persons with the assistance of bilingual staff;
- h. When an interpreter is needed, for a language other than Spanish, in person or on the telephone, staff will utilize a professional interpreter service.

## **STAFF TRAINING**

The following training has been and continues to be provided to MTA staff:

1. Information on the MTA Title VI Procedures and LEP responsibilities (ongoing).
2. Description of language assistance services offered to the public (ongoing)
3. Use of Language Identification Flashcards (used to identify language preference)
4. Documentation of language assistance requests (drivers note requests on daily manifests)
5. How to handle a potential Title VI / LEP complaint (ongoing)

## **OUTREACH TECHNIQUES**

In order to ensure that LEP individuals are aware of MTA's language assistance measures, MTA provides the following:

- a. Spanish language contact information, phone and email, is posted on the MTA website home page, at the office, and on the transit buses.
- b. Bilingual staff available for in-person or phone customer service at the MTA office for schedule translation, making reservations, trip information, assistance accessing Sage Stage services.

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

- a. MTA Transit office
- b. MTA/Sage Stage buses
- c. MTA Transit website

Such notices may also be posted or announced with local stakeholders and community centers. Interpreters will be provided and made available as needed.

## **MONITORING AND UPDATING THE LEP PLAN**

MTA will update the LEP plan as required by U.S. DOT. At a minimum, the plan will be reviewed and updated every three (3) years in conjunction with the Title VI submission, when data from the 2020 U.S. Census is available, or when it is clear that higher concentrations of LEP individuals are present in the MTA service area. Updates will include the following:

- a. The number of documented LEP person contacts encountered annually
- b. How the needs of LEP persons have been addressed

- c. Determination of the current LEP population in the service area
- d. Determination as to whether the need for translation services has changed
- e. Determine whether local language assistance programs have been effective and sufficient to meet the need
- f. Determine whether MTA's financial resources are sufficient to fund language assistance resources needed
- g. Determine whether MTA has fully complied with the goals of the LEP Plan
- h. Determine whether complaints have been received concerning MTA's failure to meet the needs of LEP individuals

### **DISSEMINATION OF THE MTA LEP PLAN**

A link to the MTA's LEP Plan and the Title VI Program is included on the MTA website at [www.sagestage.com](http://www.sagestage.com).

Any person or agency with internet access will be able to access and download the plan from the MTA website. Alternatively, any person or agency may request a copy of the plan via telephone, mail, or in person and shall be provided a copy of the plan at no cost. LEP individuals may request copies of the plan in translation which MTA will provide, if feasible.

Questions or comments regarding the LEP Plan may be submitted to the Modoc Transportation Agency, Executive Director:

Modoc Transportation Agency  
Debbie Pedersen, Executive Director  
108 S. Main Street  
Alturas, CA 96101  
(530) 233-6410  
[dpedersen@modoctransportation.com](mailto:dpedersen@modoctransportation.com)



## **PUBLIC PARTICIPATION PLAN**

### **Summary of Public Participation Efforts**

Over the last reporting period, MTA conducted the following public outreach and involvement activities:

#### **Public Meetings and Outreach**

The MTA Board Meetings are regularly scheduled public meetings that are conducted on the first Tuesday of February, April, June, August, October and December annually. All timetables and public meeting information are available on the MTA website prior to the meeting. Special Arrangements for “free” transportation to and from MTA meetings will be provided to elderly, disabled and persons with limited means, within 10 miles of meeting location and with 48-hour advance notice. In addition to the MTA public meetings, special events are noticed in the local newspaper and by posting flyers in each Sage Stage bus, at the County courthouse, City Hall, at our local grocery stores, and on the Sage Stage website.

MTA contacts a bilingual social service employee that provides translation for Spanish-speaking guests with information on public transit services. Bilingual assistance is utilized in outreach programs when needed and appropriate.

#### **Short Range Transit Development Plan (SRTDP)**

MTA prepared a Short-Range Transit Development Plan in 2013. On board surveys were conducted and public workshops held in our outlying communities. Interviews of agencies representatives, including Latino interests, were conducted. A list of SRTDP participants follows.

## **List of Stakeholder Interviewees and Public Workshops**

### **Stakeholder Interviewees**

**Modoc Social Services:** Debbie Mason and Sarah Holshouser

**CalWorks:** Diane Fogle and Megan Macdonnel

**Public Health/Mental Health:** Tara Shepherd

**Strong Family Health Center:** Michelle Baldrige

**Cedarville Rancheria:** Gordon Rouse and Melissa Davis

**Modoc Medical Center:** Monica Derner

**Cedarville Health Care District:** Bill Bostic

**Canby Family Practice:** Jessica Marchessault

**California Tribal TANF Partnership:** Gail Woolery and Mandy

**TEACH, inc.:** Lola Hurtado and Heather Tufts

**Lassen RTPA:** Dan Douglas

**Big Valley 50+:** Clinton Davies

**Warner Mountain Indian Health Clinic, Ft. Bidwell:** Lucinda Lamabull

**Modoc County Record:** Rick Holloway

**Modoc Unified School District:** Mike Martin

**Modoc Work Activity Center (formerly DART):** Paul Mitchell

**Alturas Senior Center Board Members:** Emily Martin and Sharon Crabtree

### **Modoc Transportation Agency Policy Board**

- John Dederick, Chairperson
- Bobby Ray, Director
- David Allan, Director
- Bill Hall, Director

### **PUBLIC WORKSHOPS**

- Cedarville Public Workshop
- Alturas Public Workshop
- Adin Public Workshop

## Stakeholder Outreach

MTA efforts to secure participation are targeted at “stakeholders” – individuals, entities or groups that could be affected significantly by transportation planning or could influence implementation considerably. Stakeholders include, but are not limited to, the following groups:

- the general public
- town or neighborhood groups
- city, county and local agencies
- tribal governments and communities
- limited means and minority households
- elderly and disabled communities
- special interest groups and organizations
- transportation providers and riders
- bicycle/walking enthusiasts or organizations
- chambers of commerce and businesses
- Latino populations
- underrepresented groups
- air, environmental and resource districts
- other federal, state or regional agencies

All meetings of the MTA are open to the public, except for rare instances when closed sessions are permissible by the Brown Act. Notification is made by posting of the agenda at the Alturas City Hall, Modoc County Courthouse and Sage Stage office at least 72 hours in advance. If a public hearing is held in conjunction with a meeting, a legal notice also will be published as described above.

## COMMUNICATION TECHNIQUES AND MEDIA

Appropriate techniques among the following will be used to inform, educate and get input from the public about plans, programs and project development during the regional planning process:

- Surveys or questionnaires - mail-in, telephone, personal interview and/or door to door
- Comment cards at all public meetings, presentations, workshops, etc.
- Articles or Press Releases for the Modoc County Record and appropriate publications
- Timely consultation with advisory committees and councils
- Distribution of informational reports, flyers or brochures
- Informal presentations at regional sites, open houses, or other community forums
- Formal presentations to various service clubs, civic and professional groups
- Information about meetings, public hearings and special events on MTA/Sage Stage web site
- Public Service Announcements, providing specific information and generally promoting public participation, for local radio and cable television
- Direct mailings to those expressing interest in or commenting about certain topics
- General mailings with posters and flyers to area post offices and appropriate agencies, offices and organization for distribution to customers

## POSTED NOTICES LOCATIONS:

MTA/Sage Stage Offices – 108 S Main Street, Alturas, CA 96101

Sage Stage transit buses – (intercity and demand response vehicles)

MTA /Sage Stage Website [sagestage.com](http://sagestage.com)

## Notice

### Notifying the Public of Rights Under Title VI

Modoc Transportation Agency (MTA) operates its programs and services without regard to race, color or national origin in accordance with Title VI of the Civil Rights Act. Any person who believes he or she has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with MTA.

For more information on MTA's civil rights program, and the procedures to file a Complaint, contact (530) 233-6410; website [www.sagestage.com](http://www.sagestage.com); or visit the MTA office at 108 S. Main St., Alturas, CA 96101.

A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5<sup>th</sup> Floor-TCR, 120 New Jersey Ave., SE, Washington DC 20590

*If information is needed in another language, contact (530) 233-6410 for assistance. Si require informacion en otro idioma, llame a (530) 233-6410.*

[www.sagestage.com](http://www.sagestage.com)

108 S. Main Street  
Alturas, CA 96101  
(530) 233-6410

**Sus derechos en virtud del Título VI  
De la Ley de Derechos Civiles de 1964**

Título VI es una sección de la Ley de Derechos Civiles de 1964 que exige que "Ninguna persona en los Estados Unidos será, por motivos de raza, color u origen nacional, ser excluida de participar en, ser negado los beneficios de, o ser sometido a la discriminación bajo cualquier programa o actividad que reciba asistencia financiera federal ". Tenga en cuenta que el Título VI no se ocupa de la discriminación de género. Sólo cubre la raza, color y origen nacional. Otras leyes de derechos civiles prohíben la discriminación de género.

Cualquier persona que sienta que él o ella, de forma individual o como miembro de cualquier clase de personas, sobre la base de raza, color u origen nacional ha sido expulsado o se le negarán los beneficios de, o sujeto a discriminación causada por la, la Agencia de Transporte del Condado de Modoc, o MTA, póngase en contacto con el Administrador del Condado de MTA Título VI o la Administración Federal de Tránsito (FTA) Oficina de Derechos Civiles. La ley federal y estatal requiere que las quejas sean presentados dentro de los ciento ochenta (180) días calendario a partir de la última presunto incidente.

Administración Federal de Tránsito (FTA) Oficina de Derechos Civiles  
A la atención de: Coordinador de Programa del Título VI  
Edificio Este, 5 ° piso-TCR, 1200 New Jersey Avenue SE  
Washington DC 20590

Agencia de Transporte del Condado de MTA  
Administrador Título VI: Atención  
108 S Main St,  
Alturas, CA 96101  
(530) 233-6410

Para preguntas o para solicitar información adicional, por favor póngase en contacto con: Administrador del Condado de MTA Título VI



**POLICY STATEMENT**

The Modoc Transportation Agency (MTA) is committed to providing public transportation in an environment that is free from discrimination on the basis of race, color or national origin. MTA operates its programs, activities and services without regard to race, color or national origin.

As a Federal Transit Administration (FTA) fund recipient, Modoc Transportation Agency will ensure that its programs, policies and activities comply with Title VI of the Civil Rights Act of 1964, as amended, and Department of Transportation regulations.

Any person, who believes that he/she, has been subjected to discrimination on the basis of race, color or national origin, with respect to MTA’s programs, activities, services, or other transit related benefits, may file a Title VI complaint. Complaints must be filed in writing and signed by the complainant, or a representative, and should include the complainants name, address, and telephone number or other means by which the complainant can be contacted. Complaints must be filed within 180 days of the date of the alleged discriminatory act.

To request additional information on Modoc Transportation’s non-discrimination obligations or to file a Title VI Complaint, please submit your request or complaint in writing to:

Modoc Transportation Agency  
Attn: Debbie Pedersen, Executive Director  
108 S. Main St.  
Alturas, CA 96101

**Complaint forms can also be obtained at [www.sagestage.com](http://www.sagestage.com)**

**Federal Transit Administration (FTA) Title VI Complaints may be filed directly to:**

Federal Transit Administration Office of Civil Rights  
Title VI Program Coordinator  
East Building, 5<sup>th</sup> Floor-TCR  
1200 New Jersey Avenue, SE  
Washington, DC 20590



**LIST OF TRANSIT-RELATED TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS  
(GENERAL REQUIREMENT)**

Modoc Transportation Agency does not have any past, current, or pending Title VI complaints



**MODOC TRANSPORTATION AGENCY**  
**TITLE VI DISCRIMINATION COMPLAINT FORM**  
108 S. Main St., Alturas, CA 96101

Complainant's Name: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ E-mail Address: \_\_\_\_\_  
Date of Violation: \_\_\_\_\_ Time of Violation: \_\_\_\_\_  
Date of Complaint: \_\_\_\_\_ Place of Violation: \_\_\_\_\_  
Bus Number: \_\_\_\_\_ Bus Route: \_\_\_\_\_

Discrimination because of:

- Race  Color  National Origin

Please provide the names(s) of the MTA/Sage Stage employee(s) who allegedly discriminated against you, including their job titles (if known). \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Identify what MTA/Sage Stage service, program, or activity did not comply with Title VI of the Civil Rights Act of 1964. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Identify individuals by name, address and phone number that has information relating to the violation. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Explain as clearly as possible what happened, how you feel you were discriminated against and who was involved. Please include how other individuals were treated differently from you. \_\_\_\_\_  
\_\_\_\_\_

Signature of Complainant: \_\_\_\_\_ Date: \_\_\_\_\_



Attachment C (Spanish)



**MODOC TRANSPORTATION AGENCY**  
**FORMULARIO DE QUEJA POR DISCRIMINACION CONFORME AL**  
**TITULO VI**  
**108 S. Main St., Alturas, CA 96101**

Nombre del reclamante: \_\_\_\_\_  
Dirección (calle): \_\_\_\_\_  
Ciudad/Estado/Código postal: \_\_\_\_\_  
Telefono: \_\_\_\_\_ Correo electrónico: \_\_\_\_\_  
Fecha del incidente: \_\_\_\_\_ Hora del incidente: \_\_\_\_\_  
Fecha de la queja: \_\_\_\_\_ Lugar del incidente: \_\_\_\_\_  
Número del bus: \_\_\_\_\_ Ruta del bus: \_\_\_\_\_

Causa de la discriminación:

- Raza                                       Color                                       Origen nacional

Por Favor Proporcione el nombre(s) de los empleados de MTA/Sage Stage que supuestamente le discriminaron, incluyendo su título del trabajo (si se conocen). \_\_\_\_\_  
\_\_\_\_\_

Identifique cual servicio, programa o actividad de MTA/Sage Stage no cumple con el Título VI del Acta de Derechos Civiles de 1964. \_\_\_\_\_  
\_\_\_\_\_

Identifique a individuos de nombre (s), dirección y número de teléfono que tiene la información que se relaciona con la violación. \_\_\_\_\_  
\_\_\_\_\_

Explique lo más claramente posible lo que ocurrió, cómo usted siente que le discriminaron y quién estuvo involucrado. Por favor incluya cómo otras personas fueron tratadas de manera diferente a usted. \_\_\_\_\_  
\_\_\_\_\_

Firma del reclamante: \_\_\_\_\_ Fecha: \_\_\_\_\_



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**MODOC TRANSPORTATION AGENCY (MTA) FARE AND SERVICE CHANGE  
PUBLIC NOTIFICATION**

**POLICY**

Modoc Transportation Agency shall maintain an open and participative process including the consideration of public comment before a fare increase or major service reduction. Public input is solicited while proposals are under consideration. Customers are notified before the implementation of any major service changes or fare increases.

It is the intent of Modoc Transportation Agency to comply with the Federal Public Comment on Service Change and Fare Change policy cited in Federal Transit Administration Section C. 9030.1C.

**DEFINITION**

For the purpose of the FTA C. 9030.1C comment requirement, Modoc Transportation Agency definition of a service change is as follows:

- a. Service Change – A change in service area equal to more than 25% total system square mile service area.
- b. Fare Change – A change of any amount compared to existing fare.

**PROCEDURES**

In order to insure maximum opportunity for community input and involvement in the decision-making process, Modoc Transportation Agency adheres to the following:

- a. Provide a thirty (30) day advance notice of a public hearing to consider the proposal in appropriate local and regional publications, as applicable.
- b. Provide customer information regarding the fare change and service reduction proposal and process for public comment on board service vehicles.
- c. Before finalizing recommendations, Modoc Transportation Agency staff will review proposed fare changes and reductions in service and the merits of such proposals with MTA’s Social Service Transportation Advisory Council (SSTAC). The SSTAC includes consumers, consumer advocates, and members of the public with interest in public transportation.
- d. Conduct at least one (1) formal public hearing to solicit public input and consider recommendations to the proposed service changes. The hearing includes a staff presentation of proposed service changes and the opportunity for testimony from any interested individual in attendance. Minutes of the hearing are recorded.
- e. Following the conclusion of the Public Hearing, the Modoc Transportation Agency’s Board of Directors will consider both the staff recommendations and the public comment and make the final decision regarding the service change by a simple majority vote. The effective date of any fare or service change shall be least sixty (60) days after the date noticing the public hearing.

## Attachment E



**TABLE DEPICTING MINORITY REPRESENTATION ON NON-ELECTED  
SOCIAL SERVICE TRANSIT ADVISORY COMMITTEE**

<b>Body</b>	<b>Caucasian</b>	<b>Latino</b>	<b>African American</b>	<b>Asian American</b>	<b>Native American</b>
<b>Population</b>	<b>83.46%</b>	<b>13.86%</b>	<b>0.85%</b>	<b>0.81%</b>	<b>3.82%</b>
<b>Social Service Transit Advisory Committee</b>	<b>82.35%</b>	<b>5.88%</b>	<b>0%</b>	<b>0%</b>	<b>17.65%</b>

Modoc Transportation Agency encourages participation on non-elected committees via requests for participation or by nomination of persons involved with local human services agencies, non-profit community based organizations and other local stakeholders.

### Attachment E-1

<b>MTA Assessment of Available Resources</b>	
<i>Professional interpreter</i>	None available - rural area
<i>Translation service</i>	Not readily available
<i>Partnering Agencies</i>	Currently partner with agencies
<i>Training Drivers</i>	Cost prohibitive to train all drivers.

**DEPARTMENT OF TRANSPORTATION**

DIVISION OF RAIL &amp; MASS TRANSPORTATION

P.O. BOX 942874, MS-74

SACRAMENTO, CA 94274-0001

PHONE (916) 653-0243

FAX (916) 654-9366

TTY 711

www.dot.ca.gov



Making Conservation  
a California Way of Life.

July 20, 2020

Modoc Transportation Agency  
Debbie Pedersen, Executive Director  
108 S. Main Street  
Alturas, CA 96101

Re: Title VI Plan Approval

Dear Ms. Pedersen:

Thank you for submitting the Modoc Transportation Agency Title VI Plan. Upon review, we have determined that it meets the requirements set forth in the Federal Transit Administration's (FTA) Title VI Circular, 4702.1B, "Title VI Program Guidelines for Federal Transit Administration Recipients," effective October 1, 2012. This Plan becomes part of your Certificate and Assurances that will be uploaded in TRAMs for final FTA approval. Please upload your agency's Plan and this letter into the BlackCat system under the "Important Documents" tab.

Your next Title VI Plan must be updated and submitted by April 2023.

We thank you for partnering with us to meet the FTA compliance requirements. Please feel free to contact me at (916) 657-5206, should you have any questions or need immediate technical assistance. I can also be reached by e-mail at [Sharon Beasley@dot.ca.gov](mailto:Sharon.Beasley@dot.ca.gov)

Sincerely,

*Sharon Beasley*

SHARON BEASLEY, Specialist  
Federal Policies & Reporting  
Office of Transit Grants and Contracts



MODOC TRANSPORTATION AGENCY

108 South Main, Alturas, CA 96101  
Phone (530) 233-6410

**MINUTE ORDER**  
**Regular Meeting**  
**April 21, 2020**

**Board Members Present**

John Dederick, Chair  
Kathie Rhoads, Vice Chair  
Elizabeth Cavasso  
Bobby Ray  
Danny Parker

Representative, City of Alturas  
Board of Supervisors, District III, Modoc County  
Board of Supervisors District IV, Modoc County  
Representative, City of Alturas  
City At-Large Member

**Board Members Absent**

Jim Wills  
Ned Coe (Alternate)  
Cheryl Nelson (Alternate)

County At-Large Member  
Board of Supervisors, District 1, Modoc County  
Councilmember, City of Alturas

**Staff Present**

Debbie Pedersen  
Niki Lemke  
Michelle Cox

Executive Director  
Chief Fiscal Officer  
Assistant Secretary 2

**Public Present**

None

**5. Public Forum** –There were no public comments.

**c. Consider approval of the 2020 Title VI Plan update.**

Executive Director, Debbie Pedersen explained the minor changes to the 2020 Title VI Plan. New percentages were calculated, and dates have been changed.

Motion by Board Member Cavasso to approve the 2020 Title VI Plan update, seconded by Board Member Rhoads. Roll call was taken, all present. All Ayes; motion carried.

Attest:

Debbie Pedersen  
Executive Director