

Title VI Plan and Procedures
Title VI of the Civil Rights Act of 1964



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I. INTRODUCTION

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. Specifically, Title VI provides that "no person in the United States shall, on the ground 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 2000d).

The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of Federal-aid recipients, sub-recipients, and contractors whether those programs and activities are federally funded or not.

Recently, the Federal Transit Administration (FTA) has placed renewed emphasis on Title VI issues, including providing meaningful access to persons with Limited English Proficiency.

Recipients of public transportation funding from FTA and the Virginia Department of Rail and Public Transportation (DRPT) are required to develop policies, programs, and practices that ensure that federal and state transit dollars are used in a manner that is nondiscriminatory as required under Title VI.

This document details how PORTCO incorporates nondiscrimination policies and practices in providing services to the public. PORTCO'S Title VI policies and procedures are documented in this plan and its appendices and attachments. This plan will be updated periodically (at least every three years) to incorporate changes and additional responsibilities that arise.

II. OVERVIEW OF SERVICES

PORTCO, Inc. (Federal Identification Number: 54-1598359) is a 501 (c) (3) Internal Revenue Services recognized nonprofit corporation and Employment Service Organization (ESQ) located in Portsmouth, Virginia, that was started in 1991 to provide transitional/supported employment, and vocational services to individuals with disabilities. We are in our twenty-seventh year of operation as an Employment Service Organization (ESO), and PORTCO'S track record of providing employment opportunities for significantly disabled individuals is clearly established and steadily growing. Based on our progress to date, the future looks bright for our company.

Our company currently provides janitorial and related services to various federal, state, and private entities in Virginia, Missouri, Pennsylvania, North Carolina, Washington DC and Ohio. PORTCO currently employs 41 full time personnel, 7 of which have a significant disability. PORTCO also employs 119 part time individuals with disabilities working on Federal Contracts; 67 part time individuals with disabilities working state, local government or private contracts and 56 part time individuals without disabilities.

III. POLICY STATEMENT AND AUTHORITIES

Title VI Policy Statement

PORTCO 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 PORTCO Title VI Manager 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.

Belinda Daugherty, COO; Authorizing Official

Belinda Daugherty
Signature

November 8, 2021
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, sub recipients, 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.); Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601, et seq.); Department of Justice regulation, 28 CFR part 42, Subpart F, "Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs" (December 1, 1976, unless otherwise noted); U.S. 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); Joint FTA/Federal Highway Administration (FHWA) regulation, 23 CFR part 771, "Environmental Impact and Related Procedures" (August 28, 1987); Joint FTA/FHWA regulation, 23 CFR part 450 and 49 CFR part 613, "Planning Assistance and Standards," (October 28, 1993, unless otherwise noted); U.S. DOT Order 5610.2, "U.S. DOT Order on Environmental Justice to Address Environmental Justice in Minority Populations and Low-Income Populations," (April 15, 1997); U.S. DOT Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons, (December 14,

2005), and Section 12 of FTA's Master Agreement, FTA MA 13 (October 1, 2006)

IV. NONDISCRIMINATION ASSURANCE TO DRPT

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from the Federal Transit Administration (FTA) must be accompanied by an assurance that the applicant will carry out the program in compliance with DOT's Title VI regulations. This requirement is fulfilled when the Virginia Department of Rail and Public Transportation (DRPT) submits its annual certifications and assurances to FTA. DRPT shall collect Title VI assurances from sub-recipients prior to passing through FTA funds.

As part of the Certifications and Assurances submitted to DRPT with the Annual Grant Application and all Federal Transit Administration grants submitted to the DRPT, PORTCO submits a Nondiscrimination Assurance which addresses compliance with Title VI as well as nondiscrimination in hiring (EEO) and contracting (DBE), and nondiscrimination on the basis of disability (ADA).

In signing and submitting this assurance, PORTCO confirms to DRPT the agency's commitment to nondiscrimination and compliance with federal and state requirements.

V. PLAN APPROVAL DOCUMENT

I hereby acknowledge the receipt of the PORTCO Title VI Implementation Plan for 2022. I have reviewed and approve the Plan. I am committed to ensuring that no person is excluded from participation in, or denied the benefits of transit services on the basis of race, color, or national origin, as protected by Title VI according to Federal Transit Administration (FTA) Circular 4702.1B Title VI requirements and guidelines for FTA sub-recipients.

PORTCO's Title VI Plan, as updated on November 8, 2021, has been reviewed and approved by:



Dr. James V. Cornetta, Board President

11/08/2021
Date

VI. ORGANIZATION AND TITLE VI PROGRAM RESPONSIBILITIES

Belinda Daugherty, PORTCO's Chief Operations Officer is responsible for ensuring implementation of the agency's Title VI program along with PORTCO's Transportation Coordinator, Christine Silver. 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 Manager and transportation staff are 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 Manager

1. The Title VI Manager is charged with the responsibility for implementing, monitoring, and ensuring compliance with Title VI regulations. Title VI responsibilities are as follows:
2. Process the disposition of Title VI complaints received.
3. Collect statistical data (race, color or national origin) of participants in and beneficiaries of agency programs, (e.g., affected citizens, and impacted communities).
4. Conduct annual Title VI reviews of agency to determine the effectiveness of program activities at all levels.
5. Conduct Title VI reviews of construction contractors, consultant contractors, suppliers, and other recipients of federal-aid fund contracts administered through the agency.
6. Conduct training programs on Title VI and other related statutes for agency employees.
7. Prepare a yearly report of Title VI accomplishments and goals, as required.
8. Develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English.
9. Identify and eliminate discrimination.
10. Establish procedures for promptly resolving deficiency status and writing the remedial action necessary, all within a period not to exceed 90 days.

General Title VI responsibilities of the agency

The Title VI Manager 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.

Data collection

To ensure that Title VI reporting requirements are met, PORTCO will maintain:

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

Annual Report and Updates

As a sub-recipient of FTA funds, PORTCO is required to submit a Quarterly Report Form to DRPT that documents any Title VI complaints received during the preceding quarter and for each year. PORTCO will also maintain and provide to DRPT an annual basis, the log of public outreach and involvement activities undertaken to ensure that minority and low-income people had a meaningful access to these activities.

Further, we will submit to DRPT updates to any of the following items since the previous submission, or a statement to the effect that these items have not been changed since the previous submission, indicating date:

- A copy of any compliance review report for reviews conducted in the last three years, along with the purpose or reason for the review, the name of the organization that performed the review, a summary of findings and recommendations, and a report on the status or disposition of the findings and recommendations
- Limited English Proficiency (LEP) plan
- procedures for tracking and investigating Title VI complaints
- A list of Title VI investigations, complaints or lawsuits filed with the agency since the last submission
- A copy of the agency notice to the public that it complies with Title VI and instructions on how to file a discrimination complaint

Annual review of Title VI program

Each year, in preparing for the Annual Report and Updates, the Title VI Manager will review the agency'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.

Dissemination of information related to the Title VI program

Information on our Title VI program will be disseminated to agency employees, contractors, and beneficiaries, as well as to the public, as described in the "public outreach and involvement" section of this document, and in other languages when needed according to the LEP plan as well as federal and State laws/regulations.

Resolution of complaints

Any individual may exercise his or her right to file a complaint if that person believes that he, she or any other program beneficiaries have been subjected to unequal treatment or discrimination in the receipt of benefits/services or prohibited by non-discrimination requirements. PORTCO will report the complaint to DRPT within three business days (per DRPT requirements), and make a concerted effort to resolve complaints locally, using the agency's Title VI Complaint Procedures. All Title VI complaints and their resolution will be logged as described under Section 1. Data collection and reported annually (in addition to immediately) to DRPT.

Written policies and procedures

Our 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 (item 3 above), the Title VI Manager will determine whether or not an update is needed.

Internal education

Our employees will receive training on Title VI policies and procedures upon hiring and upon promotion. This training will include requirements of Title VI, our 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 (agency-wide training), or when appropriate in resolving a complaint.

Title VI training is the responsibility of PORTCO's Transportation Coordinator.

Title VI clauses in contracts

In all federal procurements requiring a written contract or Purchase Order (PO), PORTCO's contract/PO will include appropriate non-discrimination clauses. The Title VI Manager will work with the President/CEO who is/are responsible for procurement contracts and PO's to ensure appropriate non-discrimination clauses are included.

VII. PROCEDURES FOR NOTIFYING THE PUBLIC OF TITLE VI RIGHTS AND HOW TO FILE A COMPLAINT.

Requirement to Provide a Title VI Public Notice

Title 49 CFR Section 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI. At a minimum, PORTCO shall disseminate this information to the public by posting a Title VI notice on the agency's website and in public areas of the agency's offices, including the reception desk, meeting rooms, in federally-funded vehicles, etc.

Appendix A – PORTCO's Public Notice Regarding Title VI

Appendix B – A List of All Locations Where PORTCO's Title VI Notice Has Been Posted

Title VI Complaint Procedures

Requirement to Develop Title VI Complaint Procedures and Complaint Form.

In order to comply with the reporting requirements established in 49 CFR Section 21.9(b), all recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public. Recipients must also develop a Title VI complaint form. The form and procedure for filing a complaint will be available on the recipient's website and at our facilities.

Any individual may exercise his or her right to file a complaint with PORTCO if that person believes that he or she has been subjected to unequal treatment or discrimination in the receipt of benefits or services. We will report the complaint to DRPT within three business days (per DRPT requirements), and make a concerted effort to resolve complaints locally, using the agency's Nondiscrimination Complaint Procedures. All Title VI complaints and their resolution will be logged and reported annually (in addition to immediately) to DRPT.

PORTCO includes the following language with instructions on how to file a complaint on all printed transit information materials, on the agency's website, in press releases, in public notices, in published documents, and on the interior of each vehicle operated in passenger service:

PORTCO is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color or national origin, as protected by Title VI of the Civil Rights Act of 1964.

For additional information on PORTCO's nondiscrimination policies and procedures, or to file a complaint, please visit the website at www.portco.org or contact:

Belinda Daugherty, COO
bdaugherty@portco.org or 757-399-2444 x. 108
or
Christine Silver, Transportation Coordinator
csilver@portco.org or 757-399-2444 x. 131

PORTCO, Inc.
7025 Harbour View Blvd. * Suite 110 * Suffolk, VA 23435

Instructions for filing Title VI complaints are posted on the agency's website and in posters on the interior of each vehicle operated in passenger service and agency's facilities, and are also included within **PORTCO's** Program Handbook.

PLEASE SEE:

APPENDIX C: Title VI Complaint Form

Procedures for Handling and Reporting Investigations/Complaints and Lawsuits

Should any Title VI investigations be initiated by FTA or DRPT, or any Title VI lawsuits are filed against PORTCO the agency will follow these procedures:

Procedures

1. Any individual, group of individuals, or entity that believes they have been subjected to discrimination on the basis of race, color, or national origin may file a written complaint with the Title VI Manager. The complaint is to be filed in the following manner:

A formal complaint must be filed within 180 calendar days of the alleged occurrence.

- a. The complaint shall be in writing and signed by the complainant(s).
 - b. The complaint should include:
 - Complainant's name, address, and contact information (i.e., telephone number, email address, etc.)
 - Date(s) of the alleged act of discrimination (if multiple days, include the date when the complainant(s) became aware of the alleged discrimination and the date on which the alleged discrimination was discontinued or the latest instance).
 - Description of the alleged act of discrimination
 - Location(s) of the alleged act of discrimination (include vehicle number if appropriate)
 - Explanation of why the complainant believes the act to have been discriminatory on the basis of race, color, and national origin
 - If known, the names and/or job titles of those individuals perceived as parties in the incident
 - Contact information for any witnesses
 - Indication of any related complaint activity (i.e., was the complaint also submitted to DRPT or FTA?)
 - c. The complaint shall be submitted to PORTCO's Title VI Manager at 7025 Harbour View Blvd. * Suite 110 * Suffolk, VA 23435
 - d. Complaints received by any other employee of PORTCO will be immediately forwarded to the Title VI Manager.
 - e. In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the Title VI Manager. Under these circumstances, the complainant will be interviewed, and the ESD Program Staff will assist the complainant in converting the verbal allegations to writing. The complainant may also receive any assistance or representation from an agency or person of their choice.
2. Upon receipt of the complaint, the Title VI Manager will immediately
 - a. notify DRPT (no later than 3 business days from receipt)
 - b. notify the President/CEO of Authorizing Official
 - c. ensure that the complaint is entered in the complaint database
 3. Within 3 business days of receipt of the complaint, the Title VI Manager will contact the complainant by telephone to set up an interview.
 4. The complainant will be informed that they have a right to have a witness or representative present during the interview and can submit any documentation he/she perceives as relevant

- to proving his/her complaint.
5. If DRPT has assigned staff to assist with the investigation, the Title VI Manager will offer an opportunity to participate in the interview.
 6. The alleged discriminatory service or program official will be given the opportunity to respond to all aspects of the complainant's allegations.
 7. The Title VI Manager will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned.
 8. The investigation may also include, (if applicable)
 - a. investigating contractor operating records, policies or procedures
 - b. reviewing routes, schedules, and fare policies
 - c. reviewing operating policies and procedures
 - d. reviewing scheduling and dispatch records
 - e. observing behavior of the individual whose actions were cited in the complaint
 9. All steps taken and findings in the investigation will be documented in writing and included in the complaint file
 10. The Title VI Manager will contact the complainant at the conclusion of the investigation, but prior to writing the final report, and give the complainant an opportunity to give a rebuttal statement at the end of the investigation process.
 11. At the conclusion of the investigation and **within 60 days** of the interview with the complainant, the Title VI Manager will prepare a report that includes a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition. This report will be provided to the Authorizing Official, DRPT, and, if appropriate, PORTCO's legal counsel.
 12. The Title VI Manager will send a letter to the complainant notifying them of the outcome of the investigation. If the complaint was substantiated, the letter will indicate the course of action that will be followed to correct the situation. If the complaint is determined to be unfounded, the letter will explain the reasoning, and refer the complainant to DRPT in the event the complainant wishes to appeal the determination. This letter will be copied to DRPT.
 13. A complaint may be dismissed for the following reasons:
 - a. The complainant requests the withdrawal of the complaint.
 - b. An interview cannot be scheduled with the complainant after reasonable attempts.
 - c. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
 14. DRPT will serve as the appealing forum to a complainant that is not satisfied with the outcome of an investigation conducted by PORTCO. DRPT will analyze the facts of the case and will issue its conclusion to the appellant according to their procedures.

Transportation-Related Title VI Investigations, Complaints, and Lawsuits

All recipients of Federal transit funds shall prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin:

- Active investigations conducted by FTA and entities other than FTA;
- Lawsuits; and
- Complaints naming the recipient.

PLEASE SEE:

APPENDIX D: Transportation-Related Investigations, Complaints and Lawsuits Tracking Form

Public Outreach and Involvement: PUBLIC PARTICIPATION PLAN

Introduction

The Public Participation Plan (PPP) is a guide for ongoing public participation endeavors. Its purpose is to ensure that PORTCO utilizes effective means of providing information and receiving public input on transportation decisions from low income, minority and limited English proficient (LEP) populations, as required by Title VI of the Civil Rights Act of 1964 and its implementing regulations.

Under federal regulations, transit operators must take reasonable steps to ensure that Limited English Proficient (LEP) persons have meaningful access to their programs and activities. This means that public participation opportunities, normally provided in English, should be accessible to persons who have a limited ability to speak, read, write, or understand English.

In addition to language access measures, other major components of the PPP include: public participation design factors; a range of public participation methods to provide information, to invite participation and/or to seek input; examples to demonstrate how population-appropriate outreach methods can be and were identified and utilized; and performance measures and objectives to ensure accountability and a means for improving over time.

PORTCO established this public participation plan or process that will determine how, when, and how often specific public participation activities should take place, and which specific measures are most appropriate.

PORTCO will make these determinations based on a demographic analysis of the population(s) affected, the type of plan, program, and/or service under consideration, and the resources available. Efforts to involve minority and LEP populations in public participation activities may include both comprehensive measures, such as placing public notices at all transit stations, stops, and vehicles, as well as targeted measures to address linguistic, institutional, cultural, economic, historical, or other barriers that may prevent minority and LEP persons from effectively participating in our decision-making process

Implementation of the Plan

LEP COMMUNITIES

PORTCO provides training and employment opportunities for adults with disabilities. Given the relatively small percentage of LEP community in the Hampton Roads area together with PORTCO's restrictive criteria for service and program eligibility, PORTCO's LEP outreach efforts to date have been minimal. However, some of the effective outreach practice that PORTCO will utilize, as the need arises, include:

- a. Coordinating with community and faith-based organizations, educational institutions and other organizations that serve LEP communities to implement public engagement

- and outreach strategies
- b. Use of radio, television, print media or social media forums that cater to LEP communities
- c. Translation of all printed materials (brochures, annual reports, etc.)

MINORTIES

PORTCO's services are available to individuals with disabilities regardless of race, color or national origin. Transit services are offered to all program participants. PORTCO partners with school districts, educational institutions and community organizations to continually reach minority individuals that may benefit from our employment services.

PORTCO does not hold any memberships or select members to any transit-related, non-elected planning boards, advisory councils or committees. Therefore, no discrimination or denial of memberships would be present in selection. PORTCO does have a diverse board of directors.

The table below indicates the representation of PORTCO's Board of Directors:

BOARD MEMBER	RACE	GENDER
James Cornetta	White, Non-Hispanic	Male
Milton Blount	African-American	Male
David Holley	White, Non-Hispanic	Male
Tonya Monroe	African-American	Female
Melissa Edmunds	White, Non-Hispanic	Female
Bill Underwood	White, Non-Hispanic	Male

VIII. LANGUAGE ASSISTANCE PLAN FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)

PORTCO's PLAN FOR SERVING PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)

Introduction and Legal Basis

LEP is a term that defines any individual not proficient in the use of the English language. The establishment and operation of an LEP program meets objectives set forth in Title VI of the Civil Rights Act and Executive Order 13116, Improving Access to Services for Persons with Limited English Proficiency (LEP). This Executive Order requires federal agencies receiving financial assistance to address the needs of non-English speaking persons. The Executive Order also establishes compliance standards to ensure that the programs and activities that are provided by a transportation provider in English are accessible to LEP communities. This includes providing meaningful access to individuals who are limited in their use of English. The following LEP language implementation plan, developed by PORTCO is based on PTA guidelines.

As required, PORTCO developed a written LEP Plan (below). Using 2011-2015 (most recent Survey) American Community Survey (ACS) Census data provided through the Hampton Roads Planning District Commission. PORTCO has evaluated data to determine the extent of need for translation services of its vital documents and materials.

LEP persons can be a significant market for public transit, and reaching out to these individuals can help increase their utilization of transit. Therefore, it also makes good business sense to translate vital information into languages that the larger LEP populations in the community can understand.

Assessment of Needs and Resources

The need and resources for LEP language assistance were determined through a four-factor analysis as recommended by FTA guidance.

Factor 1: Assessment of the Number and Proportion of LEP Persons Likely to be Served or Encountered in the Eligible Service Population

PORTCO has reviewed census data on the number of individuals in its service area that have limited English Proficiency (LEP), as well as the languages that are spoken in the home.

Hampton Roads Planning District Commission Census Data (2011-2015)- US Census Bureau American Community Survey 5-Year Estimates

Data from the U.S. Census Bureau's American Community Survey (ACS) were obtained through Hampton Roads Planning District Commission at www.hrpdcv.gov for PORTCO service area:
Language Spoken at Home for population 5 years and over: 1,597,129

- ENGLISH ONLY: 91.1%
- SPANISH: 3.9% (Speak English less than very well - 1.2%)

- OTHER INDO-EUROPEAN: 2.0% (Speak English less than very well-0.4%) ASIAN: 2.6% (Speak English less than very well- 1.0%)
- OTHER LANGUAGES: 0.5% (Speak English less than very well - 0.1%)

It is noted that there are relatively low number of LEP persons in the service area that speak English less than very well. 2.7% for a total of 43 122. Currently, PORTCO serves no LEP individuals by the fixed route transportation services.

Factor 2: Assessment of Frequency with Which LEP Individuals Come Into Contact with the Transit Services or System

PORTCO, Inc. reviewed the relevant benefits, services, and information provided by our agency and determined the extent to which LEP persons have come into contact with these functions through one or more the following channels:

- Contact with transit vehicle operators;
- Calls to PORTCO's customer service telephone line;
- Visits to the agency's headquarters;
- Access to the agency's website

There have been no incidences of LEP contact with PORTCO Inc. However PORTCO will continue to identify emerging populations as updated census data become available for our service area. In addition when LEP persons contact our agency we attempt to identify their language and keep accurately records to assess the frequency of contact. To assist in language identification, we use a language identification flashcard based on that which was developed by the U.S. Census. (<http://www.lep.gov/lepard2004.pdf>)

Factor 3: Assessment of the Nature and Importance of the Transit Services to the LEP Population

PORTCO provides the following programs, activities and services:

Fixed route transportation services to its clients with disabilities, transporting from their residences to the PORTCO headquarters and then to both their respective employment/training sites and return transportation to their residences.

Based on our current client population, PORTCO, Inc. has determined that there are no fixed transportation routes provided by our agency that are of particular importance to LEP persons in the community.

Factor 4: Assessment of the Resources Available to the Agency and Costs

Through analysis of demographic data, PORTCO has determined that only limited services are ideally needed to provide meaningful access to PORTCO's program capabilities for LEP individuals.

The available budget that currently is devoted to additional language assistance expenses is less than \$100.00 annually. This amount is likely to be stable over time.

PORTCO has requested no additional grant funding for language assistance.

Resources and Costs

The following language assistance measures currently being provided by PORTCO:

- LED information flash-cards are maintain in transit vehicles
- Access to translation through face-to-face interviewers and/or language interpreters can be made available.
-

PORTCO has determined that no additional LEP services or increase of costs/activities will be required for 2020.

LEP Implementation Plan

Through the preceding, four-factor analysis, PORTCO has determined that no language assistance is needed at this time. As need arises, PORTCO will ensure that all Vital documents are made available in Spanish and there will be an attempt made to hire bilingual staff to accommodate any LEP needs.

Staff Access to Language Assistance Services

PORTCO staff who come into contact with LEP persons can access language services such as offering the individual a language identification flashcard.

If the need arises, PORTCO will make available, as soon as administratively possible, translated documents, a bilingual staff to assist with LEP needs, staff training for servicing LEP individuals.

Providing Notice to LEP Persons

As the need arises, LEP persons will be notified of the availability of language assistance through translated vital documents, a bilingual staff and through social media sites by links to translations of vital information and/or documents.

LEP persons will also be included in all community outreach efforts related to service and fare changes.

IX. REQUIREMENTS OF TRANSIT PROVIDERS

PORTCO, Inc 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. PORTCO has reviewed its services and policies to ensure that those services and benefits are provided in an equitable manner to all persons.

Service Standards

PORTCO 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. PORTCO provides transportation services for individuals with disabilities that are employed through any of PORTCO's programs. The specific routes are determined by the location of employees' residences, work sites and/or training facilities. PORTCO offers transportation to all disabled employees within the Hampton Roads service area 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. All of PORTCO's services meet the agency's established standards; thus it is judged that services are 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 determined by the vehicle type (ie; 5 passenger van; 9 passenger van, etc.) Wheelchair occupancy may affect normal vehicle load if seats must be adjusted to accommodate. All of PORTCO's transit services meet this standards
- **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. PORTCO does not set a standard for vehicle headway as services are used to transport employees to and from work sites.
- **On-time performance** -On-time performance is a measure of runs completed as scheduled. This criterion first must define what is considered to be "on time." PORTCO's standards for on time service is measured by picking up an employee and reaching their worksite as scheduled. ALL of PORTCO's transit services meet this standard.
- **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. PORTCO offers transportation services to all disabled employees.

Service and Operating Policies

PORTCO'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. All PORTCO vehicles are maintained to safety and cleanliness standards to ensure the comfort of ALL riders regardless of race, color, national origin or income level.

Vehicle assignment - Vehicle assignment refers to the process by which transit vehicles are placed into service and on routes throughout the system. PORTCO assigns vehicles with the goal of providing equitable benefits to minority and low income populations. Vehicles are assigned with regard to service type (fixed-route demand-response, or a hybrid 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. The Transportation Coordinator reviews vehicle assignments on a monthly basis to ensure that vehicles are indeed being rotated and that no single route or service always has the old or new vehicles.

Fare and Service Changes

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

PORTCO does not charge a fare for their transportation services. All transit services are at no cost to the individual consumer.

Minority Representation on Planning and Advisory Bodies

Title 49 CFR Section 21.5(b)(1)(vii) states that a recipient may not, on the grounds of race, color, or national origin, “deny a person the opportunity to participate as a member of a planning, advisory, or similar body which is an integral part of the program.”

Monitoring Title VI Complaints

As part of the complaint handling procedure, the Title VI Manager investigates possible inequities in service delivery for the route(s) or service(s) about which the complaint was filed. Depending on the nature of the complaint, the review examines span of service (days and hours), frequency, routing directness, interconnectivity with other routes and/or fare policy. If inequities are discovered during this review, options for reducing the disparity are explored, and service or fare changes are planned if needed.

In addition to the investigation following an individual complaint, the Title VI Manager 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 DRPT



PUBLIC NOTICE TITLE VI

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. Specifically, Title VI provides that "no person in the United States shall, on the ground 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 2000d).

PORTCO is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transportation services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1B. If you feel you are being denied participation in or being denied benefits of the transit services provided by PORTCO, or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, our contact information is:

Belinda Daugherty, COO
bdaugherty@portco.org or 757-399-2444 x. 108
or
Christine Silver, Transportation Coordinator
csilver@portco.org or 757-399-2444 x. 131

PORTCO
7025 Harbour View Blvd.
Suffolk, VA 23435

LIST OF POSTING LOCATIONS OF PORTCO's TITLE VI PUBLIC NOTICE

Website - www.portco.org

PORTCO's Facebook page

Reception Area of Corporate Office

Reception Area of Employment Services Division Office

Work Area Bulletin Board in Employment Services Division

Each Grant Funded Vehicle

Break room for PORTCO employees at Portsmouth Naval Medical Center

Office area for PORTCO employees at Portsmouth Federal Building



TITLE VI COMPLAINT FORM

LOCAL AGENCY NAME: PORTCO, INC.

AGENCY CONTACT PERSON:

Belinda Daugherty, COO or Christine Silver, Transportation Coordinator

PORTCO, Inc.* 7025 Harbour View Blvd * Suffolk, VA 23435 * (757) 399-2444

IS THIS COMPLAINT AGAINST A SPECIFIC PERSON? YES NO

IF YES, PLEASE PROVIDE THE FOLLOWING INFORMATION:

NAME OF PERSON COMPLAINT IS AGAINST:

IF YOU DO NOT KNOW THE NAME OF THE PERSON, PLEASE DESCRIBE HOW YOU INTERACTED WITH THE PERSON. YOU MAY ALSO PROVIDE A DESCRIPTION:

PLEASE EXPLAIN WHAT OCCURRED: DATE INCIDENT OCCURRED: _____

YOU MAY ATTACH ANY WRITTEN MATERIALS OR OTHER INFORMATION THAT YOU THINK IS RELEVANT TO YOUR COMPLAINT.

HAVE YOU FILED THIS COMPLAINT WITH ANY OTHER FEDERAL, STATE OR LOCAL AGENCY OR WITH ANY FEDERAL OR STATE COURT?

YES

NO

PRINTED NAME

SIGNATURE

DATE



**TRANSPORTATION-RELATED TITLE VI INVESTIGATIONS,
COMPLAINTS and LAWSUITS TRACKING FORM**

This Tracking Form is used to indicate and report any of the following that allege decimation on the basis of race, color or national origin. It must be included in the submission of PORTCO's Title VI Program to DRPT every three years. Information involving any of the following must be reported quarterly and annually to DRPT.

- Active Investigations conducted by FTA and entities other than FTA
- Lawsuits
- Complaints naming the recipient

	DATE	SUMMARY (Include basis of complaint: race, color or national origin)	STATUS	ACTION(S) TAKEN
Investigations				
Lawsuits				
Complaints				

