

**Title VI of the Civil Rights Act of 1964
2018-2021 Implementation Plan**

DULLES AREA TRANSPORTATION ASSOCIATION



Adopted date

March 14, 2018

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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 grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." (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.

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

Recipients of public transportation funding from FTA and the Metropolitan Washington Council of Governments ("COG") are required to develop policies, programs, and practices that ensure federal transit dollars are used in a manner that is nondiscriminatory as required under Title VI.

This document details how the Dulles Area Transportation Association incorporates nondiscrimination policies and practices in providing services to the public.

II. OVERVIEW OF SERVICES

The Dulles Area Transportation Association (DATA), a 501(c)(3) transportation management association (TMA), is a public-private partnership that identifies access and mobility issues in the greater Dulles area and helps to develop solutions that will resolve them, primarily through employer outreach and educational events and programs. In December 2013 at its Annual Membership Meeting, DATA affirmed its 335-square mile area of operations to include portions of Fairfax, Loudoun, and Prince William Counties along the Dulles Corridor, the Route 28 Corridor, the Route 7 Corridor, the Route 50 Corridor, and the I-66 Corridor.

DATA is constantly evaluating its employer outreach protocol to develop the most effective means of reducing single occupant vehicle commuting. DATA has been aided in this process by several grants from the Virginia Department of Rail and Public Transportation that have enabled the Association to "beta test" Transportation Demand Management (TDM) strategies before including them in its TDM toolbox. These include *Live More Commute Less*®, a multimedia-driven initiative to effect commuting behavior change, the Onsite Ridematching Program (originally Rotating Rideshare Program), the Van Do Attitude incentivized vanpool formation strategy and E³Calc (DATA's greenhouse gas calculator for businesses).

DATA has also been the recipient of several FTA Job Access Reverse Commute (JARC) Grants over the past several years. These have focused on expanding the reach of the Onsite Ridematching Program, providing bilingual outreach through community and faith based organizations and at Dulles International Airport. DATA hopes to continue this expansion by applying for an FTA Enhanced Mobility Grant. DATA will partner with local jurisdictions to provide ridematching services to senior citizens and persons with disabilities who require Spanish language assistance.

III. POLICY STATEMENT AND AUTHORITIES

Title VI Policy Statement

The Dulles Area Transportation Association (DATA) 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.

DATA's 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.



Douglas Pickford, Executive Director and CEO

Date: March 14, 2018

Authorities

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, national origin, or sex, 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 ASSURANCES TO COG

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from 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 COG submits its annual certifications and assurances to FTA. COG shall collect Title VI assurances from sub recipients prior to passing through FTA funds.

As part of the Certifications and Assurances submitted to COG at the time of grant application and award, DATA submits a Nondiscrimination Assurance which addresses compliance with Title VI as well as nondiscrimination in hiring (“EEO”) and contracting (“DBE”), and nondiscrimination because of a disability (“ADA”).

In signing and submitting the assurance, DATA confirms to COG our commitment to nondiscrimination and compliance with federal and state requirements.

V. PLAN APPROVAL DOCUMENT

I hereby acknowledge the receipt of DATA's Title VI Implementation Plan 2018-2021 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 DATA transportation services on the basis of race, color, or national origin, as protected by Title VI according to FTA Circular 4702.1B, Title VI requirements and guidelines for Federal Transit Administration sub-recipients.



John Martin

Date: March 14, 2018

Interim President

Dulles Area Transportation Association

VI. ORGANIZATION AND TITLE VI PROGRAM RESPONSIBILITIES

Under the authority of the Dulles Area Transportation Association, the Executive Director/Chief Executive Officer will serve as the Title VI Manager and be responsible for ensuring implementation of the agency's Title VI program. The specific areas of responsibility are described below.

Overall Organization for Title VI

The Title VI Manager and 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.

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:

1. Process the disposition of Title VI complaints received.
2. Conduct annual Title VI reviews of agency to determine the effectiveness of program activities at all levels.
3. Conduct training programs on Title VI and other related statutes for agency employees.
4. Prepare a yearly report of Title VI accomplishments and goals, as required.

5. Develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English.
6. Identify and eliminate discrimination.
7. 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 ensuring the aforementioned elements of the plan are appropriately implemented and maintained, and for coordinating with those responsible for public outreach and involvement and service planning and delivery.

1. Data collection

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

- A database or log of Title VI complaints received that tracks the investigation of and response to each complaint.
- 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.

2. Annual Report and Updates

As a subrecipient of FTA funds, DATA is required to submit a log, as part of its Quarterly Report to COG that documents any Title VI complaints received during the preceding quarter and for each year. DATA will also maintain and provide to COG, on an annual basis, the log of public outreach and involvement activities undertaken to ensure that minority and low-income individuals have meaningful access to these activities.

Furthermore, DATA will submit to COG updates to any of the following items subsequent to its previous submission, or a statement to the effect that these items have not been changed since the previous submission:

- A copy of any compliance review report for reviews conducted in the last three (3) 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; and
- A copy of the agency's notice to the public that it complies with Title VI and instructions on how to file a discrimination complaint.

3. Annual review of Title VI program

Each year the Title VI Manager will review the agency's Title VI program to ensure 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.

4. Dissemination of information related to the Title VI program

Information on DATA's 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 according to federal and state laws/regulations. The Title VI program will be available in other languages when needed according to the LEP plan.

5. 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. DATA will report the complaint to COG within three (3) business days (per COG 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 to COG in the Quarterly Report (in addition to immediately).

6. Written policies and procedures

DATA's Title VI policies and procedures are documented in this plan and its appendices and attachments. This plan will be updated periodically to incorporate changes and additional responsibilities that arise. During the course of the Annual Title VI Program Review (item 3 above), the Title VI Manager will determine whether or not an update is needed.

7. Internal education

DATA employees will receive training on Title VI policies and procedures upon hiring and periodically as required. This training will include requirements of Title VI, DATA's obligations under Title VI (LEP requirements included), 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 the Executive Director/Chief Executive Officer, as supported by DATA's Administrative Manager.

8. Title VI clauses in contracts

In all DATA procurements funded under DATA's status as a subrecipient of federal grant money, the applicable written contracts or Purchase Orders will include appropriate non-discrimination clauses.

VII. GENERAL REPORTING REQUIREMENTS

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, DATA shall disseminate this information to the public by:

- posting a Title VI notice on the agency's website
- including Title VI language on all DATA informational materials
- posting a Title VI notice in public areas of the agency's office(s), including the reception desk, meeting rooms

DATA specific notice language is as follows

DATA ensures non-discrimination in all programs and activities, in accordance with Title VI of the Civil Rights Act of 1964, the Americans With Disabilities Act and Equal Employment Opportunity procedures.

As an Equal Opportunity Employer, DATA does not discriminate in hiring or retaining on the basis of race, color, religion, national origin, sex or sexual orientation, age, disability or any other status protected by law or regulation.

If you believe you have been discriminated against in any of these areas you may file a complaint using the attached form. Submit to Douglas Pickford, 1886 Metro Center Drive, Suite 230, Reston, VA 20191. You will receive a response concerning disposition of your complaint within 60 days of receipt by DATA.

You may also file a complaint directly with the Federal Transit Administration, Office of Civil Rights: Attention: Title VI Program Coordinator, East Building, 5th floor -TCR, 1200 New Jersey Avenue SE, Washington, DC 20590.

As part of Title VI requirements, sub-recipients are also required to maintain a list of locations where their Title VI Notices have been posted or displayed.

A copy of DATA's Title VI Notice to the Public; List of Locations is attached as Appendix A.

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 shall be available on the recipient's website and at their facilities.

A copy of DATA's TITLE VI Complaint Form is attached as Appendix B.

TRANSPORTATION-RELATED TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS

Background

All recipients 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.

This list shall include the date that the transportation-related Title VI investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to the investigation, lawsuit, or complaint. This list shall be included in the Title VI Program submitted to COG every three years (3) and new information regarding complaints, lawsuits, or investigations shall be provided to COG with the Quarterly Report.

A copy of DATA's Investigations, Lawsuits, and Complaints Document is attached as Appendix C.

PUBLIC OUTREACH AND INVOLVEMENT - Public Participation Plan

Introduction

As DATA does not provide fixed-route public transit, it is not required to have a formal Public Participation Plan (“PPP”). However, as mentioned in the LEP factor analysis Factor 2 (below) DATA attempts to utilize effective means of providing information and receiving public input on its services 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 and to ensure that LEP persons have meaningful access to its programs and activities.

DATA’s public participation efforts are normally demand driven, i.e. DATA will respond to requests to participate in public forums and meetings as requested by sponsoring organizations. In addition, DATA has fixed schedules for onsite ridematching at the Reston Hospital Center and Dulles International Airport.

A copy of DATA’s Summary of Outreach Efforts is attached as Appendix D.

ACCESS FOR LIMITED ENGLISH PROFICIENT (LEP) PERSONS

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 must meet the 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 DATA is based on FTA guidelines.

As required, DATA developed a written LEP Plan (below). Using 2010 and American Community Survey (ACS) Census data, DATA 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**

The agency has reviewed census data on the number of individuals in its service area that have limited English Proficiency, as well as the languages they speak.

U.S. Census Data – American Community Survey (2008-2012)

Data from the U.S. Census Bureau’s American Community Survey (ACS) were obtained through www.census.gov for DATA’s service area. The agency’s service area includes an estimated total of 30,438 persons with Limited English Proficiency (those persons who indicated that they spoke English “not well,” and “not at all” in the 2008-2012 ACS Census).

Information from the 2008-2012 ACS also provides more detail on the specific languages that are spoken by those who report that they speak English less than very well. Languages spoken at home by those with LEP are presented below. These data indicate the extent to which translations into other language are needed to meet the needs of LEP persons.

• Spanish	11,704	2.29%
• Other Indo-European languages	4,477	.88%
• Asian and Pacific Island languages	11,760	2.30%
• All Other languages	2,497	.49%

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

DATA reviewed the relevant benefits, services, and information provided by the agency and determined the extent to which LEP persons have encountered these functions through:

- Contact with DATA’s Spanish speaking Mobility Managers at onsite ridematching events;
- Attendance at events sponsored by DATA or in which DATA has been invited to participate

While DATA Mobility Managers are fluent in Spanish, the data presented in Factor 1 indicates that DATA needs to address the growing Asian population in its service area. In particular there is a high concentration of Vietnamese in DATA's service area. In future hiring, DATA will consider fluency in this language in its selection decision. Anecdotal evidence from our current Mobility Managers has not indicated any requests for services from Vietnamese speaking workers. However, DATA will continue to monitor this emerging population and attempt to accurately assess the frequency of contact.

Information from Community Organizations that Serve LEP Persons

To supplement the Census, education, and labor department data, DATA conducts community outreach to the following organizations that work with LEP populations. While not all contacts with these organizations required LEP assistance, all of them serve the Spanish speaking population in DATA's service area.

Contact is primarily made through attendance at meetings, presentations on DATA capabilities, participation in events hosted by the organization, and one-on-one meetings with key organization personnel. Through these events, DATA is able to better assess the transportation challenges facing the primarily Spanish speaking LEP population in the service area. DATA partners with the following organizations for this purpose:

Northern Virginia Family Services

Loudoun Workforce Center

Reston Interfaith

Crossroads Jobs

Loudoun and Fairfax County Public Schools

Town of Herndon

Multiple Local Churches

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

DATA provides the following programs, activities and services:

- Employer outreach aimed at implementing TDM strategies such as carpooling, vanpooling, public transit, biking, and walking
- Onsite ridematching/distribution of informational brochures
- Implementation of carbon footprint measurement through E³Calc

- Development and distribution of lifestyle publication @livemore

Based on past experience serving and communicating with LEP persons and partnering with community and faith based organizations, onsite ridematching and the development and distribution of printed information are of critical importance to the LEP population. In particular, DATA has focused on and will continue to target low wage individuals, particularly for its onsite ridematching services. If DATA receives the Enhanced Mobility Grant, these services will be expanded to reach Spanish speaking senior citizens and persons with disabilities.

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

DATA's current expenses associated with providing language assistance are as follows:

- Salaries and benefits – Approximately \$59,500/year. 2 Mobility Managers (avg 65%).
- Printing brochures (English and Spanish) – Approximately \$325/year.
- Local travel – Approximately \$2,300/year.

The current JARC grant funding these expenses will expire at the end of March 2018. If DATA receives the pending Enhanced Mobility Grant, it is anticipated that these resources will be shifted to accomplishing the new grant effort.

No budget increases are anticipated until additional funding is received.

LEP Implementation Plan

Through the four-factor analysis, DATA has determined that the following types of language assistance are most needed and feasible:

- Onsite ridematching to Spanish speaking population
- Translation of brochures and other information into Spanish
- As budget is available, attempt to hire a parttime Vietnamese speaking Mobility Manager

Staff Access to Language Assistance Services:

Agency staff who come into direct contact with LEP persons are proficient in Spanish. Other staff can utilize the capability of these multilingual Mobility Managers. In addition, Spanish language informational materials are available to all DATA staff.

Responding to LEP Callers:

As a full telework organization without a formal office, DATA utilizes an automated telephone system. No DATA staff members are assigned to directly answer calls from the public. If a

caller leaves a message in Spanish, it is referred to one of DATA's bilingual Mobility Managers for response.

Responding to Written Communications from LEP Persons:

As with telephone messages, written communications from LEP persons are assigned to bilingual Mobility Managers for response.

Responding to LEP Individuals in Person:

As mentioned above, DATA does not have a physical office where the public can interact with DATA staff. Nor does DATA operate vehicles. All in person contacts are handled in accordance with the above procedure, Staff Access to Language Assistance Services.

Staff Training

All new hires will receive training on assisting LEP persons as part of their initial Title VI training. This includes:

- A summary of the transit agency's responsibilities under the DOT LEP Guidance;
- A summary of the agency's language assistance plan;
- A summary of the number and proportion of LEP persons in the agency's service area, the frequency of contact between the LEP population and the agency's programs and activities, and the importance of the programs and activities to the population;
- A description of the type of language assistance that the agency is currently providing and instructions on how agency staff can access these products and services; and
- A description of the agency's cultural sensitivity policies and practices.

Also, all staff who routinely encounter customers receive periodic refresher training on policies and procedures related to assisting LEP persons.

Providing Notice to LEP Persons:

LEP persons are notified of the availability of Spanish language assistance through the following approaches:

- following our Title VI policy statement included on our vital documents;
- on our website, with links to translations of vital documents in other languages;
- through ongoing outreach efforts to community organizations, schools, and religious organizations; and.

- staffing a table with bilingual staff at community service events of interest to LEP groups.

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

Monitoring/updating the plan

This plan will be updated on a periodic basis (at least every three (3) years), based on feedback, updated demographic data, and resource availability.

As part of ongoing outreach to community organizations, DATA will encourage feedback on the effectiveness of language assistance provided and unmet needs. In addition, we will conduct periodic internal meetings with staff who assist LEP persons, to determine the adequacy and quality of the language assistance provided, and to determine changes to LEP needs.

Based on the feedback received from community members and agency employees, DATA II make incremental changes to the type of written and oral language assistance provided as well as to their staff training and community outreach programs. The cost of proposed changes and the available resources will affect the enhancements that can be made, and therefore DATA will attempt to identify the most cost-effective approaches.

As the community grows and new LEP groups emerge, DATA will strive to address the needs for additional language assistance.

A copy of DATA's LAP is attached as APPENDIX E.

MINORITY REPRESENTATION ON PLANNING AND ADVISORY BODIES – NA DATA does not utilize planning or advisory committees as part of its ongoing operations.

VIII. REQUIREMENTS OF TRANSIT PROVIDERS - NA

Appendix A

Title VI Notice to the Public: List of Locations

DATA's website – www.datatrans.org

Title VI language included in all DATA printed materials

Title VI notice is posted in the support space at 1886 Metro Center Drive, Suite 230, Reston, VA 20191

Appendix B

DATA COMPLAINT FORM

(Attached as separate document)

Appendix C

Investigations, Lawsuits and Complaints Document

Any individual may exercise his or her right to file a complaint with Douglas Pickford, DATA Executive Director and CEO, if that person believes that s/he or any other program beneficiaries have been subjected by DATA to unequal treatment or discrimination in the receipt of benefits/services or prohibited by non-discrimination requirements. DATA will report the complaint to COG/TPB within three business days (per COG/TPB requirements), and make a concerted effort to resolve complaints locally, using the agency's Nondiscrimination Complaint Procedures, as described below. All discrimination complaints and their resolution will be reported annually (in addition to immediately) to COG/TPB.

Should any Title VI investigations be initiated by FTA or COG/TPB, or any Title VI lawsuits be filed against DATA the agency will follow these Nondiscrimination Complaint Procedures:

Overview

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964 (including its Disadvantaged Business Enterprises (DBE) and Equal Employment Opportunity (EEO) components), Section 504 of the Rehabilitation Act of 1973, the Civil Rights Restoration Act of 1987, and the Americans with Disabilities Act of 1990, relating to any program or activity administered by DATA or its sub-recipients, consultants, and/or contractors. They do not apply to complaints related to employment conditions, actions, or decisions reflecting DATA's status as employer. Such complaints should be initiated under policies administered by DATA.

These procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies, or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant.

Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and DATA will be available to all complainants.

Procedures

1. Any individual or group of individuals who believes he/she or they have been subjected to discrimination may file a written complaint with DATA's Executive Director using the form available at www.datatrans.org. A formal complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant. The complaint must meet the following requirements:

- a. Complaint shall be in writing and signed by the complainant(s).
 - b. Include the date of the alleged act of discrimination (date when the complainant(s) became aware of the alleged discrimination; or the date on which that conduct was discontinued or the latest instance of the conduct).
 - c. Present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the complained-of incident.
 - d. Allegations received by fax (866) 652-0847 or e-mail dpickford@datatrans.org will be acknowledged and processed, once the identity(ies) of the complainant(s) and the intent to proceed with the complaint have been established. For this, the complainant is required to mail a signed, original copy of the fax or e-mail transmittal for DATA to be able to process it.
 - e. Complaints received by telephone (703) 817-1307 will be entered into a log listing time, date, and complainant. Complainants will be informed to file a complaint in writing and will be directed to the website for forms and procedures.
2. In order to be accepted, a complaint must meet the following criteria:
- a. The complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant.
 - b. The allegation(s) must involve a covered basis such as race, color, natural origin, gender/sexual orientation, age or disability.
 - c. The allegation(s) must involve a program or activity of a Federal-aid recipient, sub-recipient, or contractor, or, in the case of ADA allegations, an entity open to the public.
 - d. The complainant(s) must accept reasonable resolution based on DATA's administrative authority (reasonableness to be determined by DATA.)
3. A complaint may be dismissed for the following reasons:
- a. The complainant requests the withdrawal of the complaint.
 - b. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
 - c. The complainant cannot be located after reasonable attempts.
4. Once DATA or a state or federal agency decides to accept the complaint for investigation, the complainant and the respondent will be notified in writing of such determination within five calendar days. The complaint will receive a case number and will then be logged in the records of DATA to identify its basis and alleged harm, and the race, color, national origin, and gender of the complainant.
5. In cases where DATA assumes the investigation of the complaint, DATA will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have 10 calendar days from the date of DATA's written notification of acceptance of the complaint to furnish his/her response to the allegations.

6. In cases where DATA assumes the investigation of the complaint, within 40 calendar days of the acceptance of the complaint, DATA will prepare an investigative report for review by its Executive Director. The report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition.
7. DATA will notify the parties of its findings within 60 days of receipt of a completed complaint form.

DULLES AREA TRANSPORTATION ASSOCIATION

COMBINED TITLE VI, ADA, EEO COMPLAINT STATUS REPORT

1. List of active investigations, lawsuits or complaints alleging discrimination with respect to service or other transit benefits.

	DATE	SUMMARY (Include basis, i.e. race, age, etc.)	STATUS	ACTION(S) TAKEN
INVESTIGATIONS				
1.				
2.				
3.				
LAWSUITS				
1.				
2.				
3.				
COMPLAINTS				
1.				
2.				
3.				

2. Description of all pending applications for financial assistance and all financial assistance currently provided by other Federal agencies to the grantee.
 - Contract 17-034, FTA/MWCOG, Onsite ridematching at Dulles Airport.
 - Pending, FTA/MWCOG, Bilingual Transportation Services for senior citizens and persons with disabilities.

3. Summary of all **civil rights compliance reviews** conducted by other local, state or Federal agencies in the last three (3) years.

	YEAR	AGENCY CONDUCTING REVIEW	RESULT	ACTION(S) TAKEN
REVIEW TYPE				
1.				
2.				
3.				

OR STATEMENT:

There has been no civil rights compliance review conducted of DATA in the last three (3) years.



Douglas Pickford

Date: January 15, 2018

Executive Director and CEO

Appendix D

Summary of Outreach Efforts – 2017

DATA participated in numerous outreach events during the year, including significant ones sponsored by the following:

George Mason University Health and Wellness Expo

Trinity House (Leesburg) First Night Event

Loudoun Workforce Center Job Fairs

Festival Latino

Reliant Hiring Solutions Job Fair

Loudoun Coupon for Hope Event

South Lakes High Back to School Bash

Clearview Elementary Back to School Night

Southgate Community Center Food Bank

Herndon Farmers Market

Centreville Immigration Reform Forum

Hispanic Reception – Frying Pan Park

Hispanic Business Network

Regularly Scheduled Onsite Ridematching – Dulles International Airport

Regularly Scheduled Onsite Ridematching – Reston Hospital Center

Appendix E

Language Assistance Plan

LANGUAGE ASSISTANCE PLAN FOR 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.

LEP persons can be a significant market for public transit and other alternative commuting options, and reaching out to these individuals can help increase their utilization of these options. Therefore, it also makes good business sense to translate vital information into languages that the larger LEP populations in the community can understand. DATA brochures produced for distribution at ride matching events are routinely printed in both English and Spanish.

DATA is committed to ensuring meaningful access to its programs and activities by LEP persons. DATA will provide On-Site Rideshare Coordinators who are multi-lingual, fluent in Spanish and English. DATA will also make appropriate provisions for translation of vital information in other languages on a case by case basis.

In addition, DATA employs consultants under its Live More Commute Less® brand who are fluent in Spanish as well as Amharic (Ethiopian).

Providing Notice to LEP Persons

LEP persons are notified of the availability of language assistance through the following approaches:

- Ensuring that our Title VI policy statement is included on our vital documents.
- on our website

This program will be updated on a periodic basis (at least every three years), based on feedback, updated demographic data, and resource availability.

A handwritten signature in black ink, appearing to read "D. P. [unclear]". The signature is written in a cursive style with a large initial letter.

Signature of Authorizing Official

Date: January 15, 2018

