

# Title VI Plan



## South East Texas Regional Planning Commission Transportation & Environmental Resources Department (South East Texas Transit)



May 22, 2017

## **INTRODUCTION**

South East Texas Transit is a demand response, curb-to-curb service operated by the South East Texas Regional Planning Commission (SETRPC) which provides public transportation to persons whose rides originate in the areas of Orange County, Hardin County and Rural Western Jefferson County. The service is also available in Mid-Jefferson County for seniors and persons with disabilities. SETRPC employees four transit related employees and has a total of twenty-six revenue service vehicles. SETRPC contracts with three agencies; Nutrition and Services for Seniors, Orange County Action Association, and Orange County Transportation, to provide transportation services. The purpose of this document is to ensure that transit services, operated by the South East Texas Regional Planning Commission, are in compliance with the FTA Circular 4702.1B and Title VI of the Civil Rights Act of 1964, which states:

“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 that receives Federal financial assistance.”

With specific regard to transit services, this document ensures that:

1. FTA assisted benefits and related services are made available and are equitably distributed without regard to race, color, or national origin;
2. The level and quality of FTA assisted transit services are sufficient to provide equal access and mobility for any person without regard to race, color, or national origin;
3. The opportunities to participate in the transit planning and decision-making processes are provided to persons without regard to race, color, or national origin;
4. Decisions on the location of transit services and facilities are made without regard to race, color, or national origin; and
5. Corrective and remedial action will be taken if necessary to prevent discriminatory treatment based on race, color, or national origin.

## **INFORMATION DISSEMINATION**

All information concerning Title VI policies, including the notice to the public, will be accessible on SETRPC's website, [www.setrpc.org](http://www.setrpc.org). The notice to the public shall be posted in the reception area and public meeting rooms. Posters shall be prominently and publicly displayed in the SETRPC facilities and in the facilities of subcontracting agencies.

## **PUBLIC PARTICIPATION**

Public participation procedures are established to allow and encourage participation in South East Texas Transit's service area and solicit participation from low income and minority individuals and those with limited English proficiency.

In February 2016, a public meeting was held at Effie and Wilton Hebert Public Library in Port Neches, Texas. The meeting focused on disseminating information and surveying residents about their knowledge and use of the transit system. In February 2017, outreach was done at senior centers located in Nederland, Port Neches, and Groves, Texas whose focus was spreading the word about transit as well as disseminating information about Title VI policies. South East Texas Transit also distributed surveys to

various community service agencies concerning the demographics and needs of their residents to obtain a better understanding of the gaps and barriers that must be addressed.

Outlined below are procedures used to provide opportunities for all residents to participate in the decision-making process regarding rural transportation:

- Survey community groups serving persons with limited English proficiency
- Hold focus groups to explain and disseminate information critical to rural transportation
- Survey current riders concerning use of service
- Hold public participation meetings to obtain input concerning transit barriers, needs, strengths and weaknesses
- Conduct presentation of services for medical, social, and professional service agencies
- Disseminate and gather information concerning rural transportation at local health fairs and outreach events
- Publish notice of public meetings in local newspapers and agency website

South East Texas Transit is represented on the MPO's Regional Public Transportation Coordination Steering Committee made up of local human services organizations, the three local transit systems, and other agencies. The committee meets at least twice annually. The committee members include:

- Jefferson County Commissioner
- Community Development – City of Beaumont
- Catholic Charities of South East Texas
- Texas Department of Transportation
- Workforce Solutions of Southeast Texas
- South East Texas Transit
- Area Agency on Aging
- Orange Community Action Association
- Port Arthur Transit
- Community Development – City of Orange
- Southeast Texas Food Bank
- Police Department – Lamar University
- Health & Human Services
- Orange County Transportation
- Beaumont Municipal Transit
- Nutrition & Services for Seniors
- Spindletop Center
- City of Sour Lake
- Department of Assistive and Rehabilitative Services
- MTM, Inc.
- Sun Travel
- Jefferson County Veteran
- Arc of Greater Beaumont
- RISE Center

#### **NOTICE OF RIGHTS UNDER TITLE VI**

- The South East Texas Regional Planning Commission 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 she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the South East Texas Regional Planning Commission.

- For more information on the South East Texas Regional Planning Commission's civil rights program and the procedures to file a complaint contact the Transportation Program Manager at 409-899-8444, email [dfowler@setrpc.org](mailto:dfowler@setrpc.org), or visit our administrative office at 2210 Eastex Freeway, Beaumont, Texas 77703. For more information, visit [www.setrpc.org](http://www.setrpc.org)
- If information is needed in another language, contact 409-899-8444.
- See Appendix for a copy of the Public Notice.

## **TITLE VI COMPLAINT PROCEDURES**

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by South East Texas Transit may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form. Complainant may file a signed, written, complaint up to 180 days from the date of the alleged incident. SETRPC will process complaints that are complete.

Once the complaint is received, the SETRPC will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing the filer whether the complaint will be investigated by our office. SETRPC will notify their Public Transportation Coordinator by email or fax of any Title VI related complaints received within 10 working days of the receipt of the complaint, including a paper or electronic copy of the complaint form.

The SETRPC has 14 business days to investigate the complaint. If more information is needed to resolve the case, the SETRPC may contact the complainant. The complainant has 7 business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 10 business days, the SETRPC can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue his/her case.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. A LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member or other action will occur. If the complainant wishes to appeal the decision, she/he has 14 business days after the date of the letter or the LOF to do so.

Complaint procedures and a copy of the complaint form can be found on SETRPC's website, [www.setrpc.org](http://www.setrpc.org). See Appendix for complaint form and listing of transit related investigations, complaints, and lawsuits.

## **MINORITY REPRESENTATION ON ADVISORY BOARD**

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." Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on

such committees. The chart below shows the racial breakdown of the Regional Public Transportation Coordination Steering Committee.

RACE	NUMBER
Black	8
Hispanic	1
White	22

Efforts made to encourage participation include communicating to the agencies which appoint members to serve on the committee that the SETRPC encourages a broad-based representation on the committee.

### **SUB-RECIPIENT MONITORING**

In accordance with 49 CFR 21.9(b) and in order to ensure that sub-recipients are complying with the Title VI regulations, SETRPC will periodically monitor sub-recipients for compliance. A list of subrecipients is as follows:

1. Nutrition and Services for Seniors  
4590 Concord Road  
Beaumont, Texas 77704  
409-892-4455
2. Orange County Transportation  
10928 FM 1442  
Orange, Texas 77630  
409-745-9511
3. Orange Community Action Association  
105 N. 5<sup>th</sup> Street  
Orange, Texas 77630  
409-886-8348

SETRPC will undertake the following activities:

1. Document process for ensuring that all sub-recipients are complying with the general reporting requirements of FTA Circular 4702.1B. Documentation may include email correspondence, onsite visitations with compliance checklist, and service test calls.
2. Collect Title VI programs from sub-recipients and review programs for compliance. SETRPC will maintain copies of all sub-recipients Title VI plans as required by FTA.
3. At the request of SETRPC, sub-recipients are to verify that their level and quality of transportation services are provided on an equitable basis.

## APPENDIX A

### Notifying the Public of Rights Under Title VI

#### South East Texas Regional Planning Commission South East Texas Transit

- The South East Texas Regional Planning Commission operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the South East Texas Regional Planning Commission.
- For more information on the South East Texas Regional Planning Commission's civil rights program and the procedures contact the Transportation Program Manager at 409-899-8444, email [dfowler@setrpc.org](mailto:dfowler@setrpc.org); or visit our administrative office at 2210 Eastex Freeway, Beaumont, Texas 77703. For more information, visit [www.setrpc.org](http://www.setrpc.org)
- Complaints may be filed at South East Texas Regional Planning Commission, Attn: D'Juana Fowler, 2210 Eastex Freeway, Beaumont, Texas, 77703; Texas Department of Transportation, Attn: TxDOT-PTN, 125 E. 11<sup>th</sup> Street, Austin, Texas 78701-2483; or Federal Transit Administration, Region VI, 819 Taylor Street, Room 8A36, Fort Worth, Texas 76102.
- If information is needed in another language, contact 409-899-8444.

**APPENDIX B**

**SOUTH EAST TEXAS REGIONAL PLANNING COMMISSION  
SOUTH EAST TEXAS TRANSIT**

**TITLE VI COMPLAINT FORM**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Contact Telephone Number: (\_\_\_\_) \_\_\_\_\_

Work Telephone Number: (\_\_\_\_) \_\_\_\_\_

Email Address: \_\_\_\_\_

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

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

\_\_\_\_\_

Please explain why you have filed for a third party \_\_\_\_\_

Please confirm you have obtained permission from the aggrieved party if you are filing on behalf of a third party.      Yes \_\_\_\_\_      No \_\_\_\_\_

I believe I experienced discrimination based on (check all that apply):

[ ] Race

[ ] National Origin

[ ] Color

Date of Alleged Incident: \_\_\_\_\_

Explain as clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include the names and contact information of any witnesses. If more space is needed, please use the back of the form.

\_\_\_\_\_

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Have you filed this complaint with any other federal, state, or local agency; or with any federal or state court? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, check all that apply:

\_\_\_\_\_ Federal Agency      \_\_\_\_\_ Federal Court      \_\_\_\_\_ State Agency  
\_\_\_\_\_ State Court      \_\_\_\_\_ Local Agency

Please provide information about a contact person at the agency/court where the complaint was filed.

Agency Name \_\_\_\_\_

Contact Name \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Telephone Number \_\_\_\_\_

Please sign below. You may attach any written materials or other information that you think is relevant to your complaint.

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Signature \_\_\_\_\_ Date \_\_\_\_\_

This form may be mailed to:

South East Texas Regional Planning Commission  
Transportation and Environmental Resources  
Attention: D'Juana Fowler  
2210 Eastex Freeway  
Beaumont, Texas 77703



## APPENDIX C

### South East Texas Regional Planning Commission

#### Title VI - Investigations/Complaints/Lawsuits Reporting Form

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	<b>Date (Month, Day, Year)</b>	<b>Summary (include basis of complaint: race, color, or national origin)</b>	<b>Status</b>	<b>Action(s) Taken</b>
<b>Investigations</b>				
1. None	3/31/2014			
2. None	3/23/17			
3.				
4.				
<b>Lawsuits</b>				
1. None	3/31/2014			
2. None	3/23/17			
3.				
4.				
<b>Complaints</b>				
1. None	3/31/2014			
2. None	3/23/17			
3.				
4.				

**UPDATED**

June 20, 2016  
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