

Effective:
July 31, 2016

Title VI Report of the Franklin Regional Transit Authority

Franklin Regional Transit Authority
12 Olive St.
Greenfield MA 01301
413-774-2262



Introduction

This update of Franklin Regional Transit Authority's Title VI Program has been prepared to ensure that the level and quality of the FRTA's fixed route and demand response services are provided in a manner that is nondiscriminatory and that the opportunity for a full and fair participation is offered to FRTA's passengers, consumers and community members. The FRTA wants to ensure that no person is excluded from participating in or denied the benefits of, or subjected to discrimination in the receipt of any of our services on the basis of race, color or national origin. The Title VI program, managed by the Department of Transportation (DOT) assures that the program requirements are fully met and that the FRTA is compliant with Federal guidelines and is responsive to the needs of Title VI beneficiaries.

Title VI of the Civil Rights Act of 1964 (Title VI) prohibits discrimination on the basis of race, color or national origin in all programs or activities that receive or benefit from federal financial assistance. In order to comply with this basic civil rights mandate, each federal agency that provides financial assistance for any program is authorized and directed by the United States Department of Justice to apply provisions of Title VI to each program by issuing applicable rules, requirements and regulations. The Federal Transit Administration (FTA) issued new guidance on Title VI (FTA Circular 4702.1B) on October 1, 2012 for FTA recipients and sub recipients. This circular describes the Title VI compliance programs to be maintained by recipients and sub recipients of FTA administered funds for transit programs.

The FRTA hereby states its policy to uphold and assure full compliance with Title VI of the Civil Rights Act of 1964 (Title VI), the Civil Rights Restoration Act of 1987, and related federal and state nondiscrimination statutes and regulations. Title VI requires that no person in the United States of America shall, on the grounds of race, color or nation 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. Individuals who feel they have been discriminated against in violation of Title VI, wishing to file a complaint with the FRTA Administration must do so in writing within 180 days of the alleged discriminatory conduct.

Massachusetts law (M.G.L. Chapter 272 §§92a, 98, 98a and Executive Order 526) also prohibits discrimination in public accommodations based on race, religion, color, national origin, ancestry, gender, age, handicap, sexual orientation, gender identity, veteran's status and any other protected classes. The FRTA assures compliance with these protections and also has an obligation to ensure:

1. A policy is in place for correcting any discrimination (whether intentional or otherwise);
2. The quality of bus services are sufficient to provide equal access to all passengers throughout its service area;
3. The decisions regarding service changes and/or facility changes are made without regard to race, color or national origin;
4. No consumer is excluded from participating in public hearings regarding service planning, changes and the development process;

Notice to the Public

To make our passengers aware of our commitment to the Title VI compliance and of their right to file a civil rights complaint, the following notice will be posted on our website (www.frta.org), at the transit facility and on our buses:

YOUR CIVIL RIGHTS

The Franklin Regional Transit Authority (FRTA) operates its transit services and programs without regard to race, color or national origin in accordance with Title VI of the Civil Rights Act. Any person who believes they have been aggrieved by any unlawful discrimination practice under Title VI may file a complaint with the FRTA. For more information on FRTA's civil rights program and the procedures to file a complaint, please contact 1-888-301-2262; tina@frta.org, michael@frta.org, or visit our administrative office at 12 Olive St, Greenfield, MA 01301 from 8:00 am to 4:00 pm Monday through Friday. For more information about FRTA services or programs, visit www.frta.org. If additional information is needed in another language, please contact 1-888-301-2262 TTY: 413-774-2262.

FRTA's Discrimination Complaint Procedures

The FRTA is committed to ensuring that no person is excluded from participation in, or denied benefits of its services on the basis of race, color or national origin as prohibited under Title VI of the Civil Rights Act of 1964. Anyone who believes there is an act of discrimination in an FRTA program or activity may file a Title VI complaint by completing and submitting our agency's Title VI complaint form available at our Administrative office or on our website, www.frta.org.

Procedure for filing a complaint

1. A complaint may be filed by completing the attached complaint form. FRTA offers assistance in understanding and completing the form to those who request it.
2. Civil Rights complaint should be filed immediately but can also be filed within one hundred eighty (180) days after the alleged discrimination. FRTA will review complaints that are complete and the complainant will receive an acknowledgement letter informing them whether the complaint will be investigated by the FRTA.
3. FRTA has up to thirty (30) days to investigate the complaint. If more information is needed to resolve the issue, we may contact you in writing. The complainant has thirty (30) days from the date of the letter to send the requested information to the investigator assigned to the case. If the FRTA does not receive the additional information requested, FRTA can administratively close the complaint. The complaint can also be closed if the complainant no longer wishes to pursue their case.

4. After a review of the complaint, one (1) of two (2) letters will be issued to the complainant: a letter of finding or a closure letter. The finding letter will summarize the allegations and any interview regarding the alleged incident. It will explain whether any disciplinary action, additional training or other action will occur as allowed by law. The closure letter will summarize the allegations presented and states that there was not a Title VI violation and that the complaint is now closed.
5. If the complainant wishes to appeal the decision, they have ten (10) days after the date of the closure letter or letter of finding to do so.
6. If the complainant is dissatisfied with the resolution made by the FRTA, the same complaint may then be submitted directly to FTA or the Massachusetts Department of Transportation.

Federal Transit Administration
Transportation Systems Center
Kendall Square
55 Broadway, Suite 920
Cambridge, MA 02142-1093
Phone: (617) 494-2055
Fax: (617) 494-2865

Massachusetts Department of Transportation
Office of Diversity and Civil Rights
10 Park Plaza
Suite 3800
Boston, MA 02116
Phone: 857-368-8580
TTY: 857-368-0603
Fax: 857-368-0602

Franklin Regional Transit Authority

Civil Rights Complaint Form

The FRTA is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of Title VI protected categories (race, color, or national origin). Title VI complaints must be filed within 180 calendar days from the date of the alleged discrimination.

Complainant Information:

Name:

Address:

Town, State, Zip Code:

Telephone: (h) _____ (cell) _____ (work) _____

Person allegedly discriminated against (if someone other than complainant):

Name:

Address:

Town, State, Zip Code:

Telephone: (h) _____ (cell) _____ (work) _____

Please indicate why you believe the alleged discrimination occurred:

Title VI Category:

Race ___ Color ___ National Origin ___ Other Category: _____

What was the date of Alleged Discrimination? _____

Where did the alleged discrimination take place? _____

Please provide a brief description of the alleged discrimination:

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Have you filed or do you intend to file a charge or complaint concerning the matters raised in this complaint with any other agencies (Federal, State or Local)? _____

Please list any and all witness's names and phone numbers:

What remedy are you requesting? Please be specific

As a complainant, I understand that FRTA may need to disclose my name, during the course of the complaint review process to persons other than those conducting the review, in order for the review to be thorough. I am also aware of the obligation of the FRTA to honor requests under the Freedom of Information Act: I understand that it may be necessary for FRTA to disclose information, including personally identifying details, which it has gathered as part of the investigation of my complaint. In addition, I understand that as a complainant I am protected by FRTA policies and practices from intimidation or retaliation in response to my having taken action or participated in action to secure rights protected by nondiscrimination statutes and regulations that are enforced by FRTA.

Please check one:

- I give consent
 I deny consent

Please attach any documents which support the allegation. Then, sign and date this form and send all materials to the FRTA Administrator at:

Franklin Regional Transit Authority
12 Olive St., Suite 1
Greenfield, MA 01301
tina@frta.org

Signature: _____ Date: _____

Record of Title VI investigations, complaints, or lawsuits

To our knowledge, The Franklin Regional Transit Authority has not had any Title VI investigations, complaints or lawsuits filed against them since the last submittal in July of 2013.

The FRTA will prepare and maintain a log of any Title VI complaints, investigations, and/or lawsuits conducted by entities other than FTA that allege discrimination in any FRTA program or activity on the basis of race, color or national origin. The log will include the date when the 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 to the investigation, lawsuit or complaint. This log will be prepared and maintained by FRTA's Administrator.

FRTA's Public Participation Plan

The FRTA ensures that no one is precluded from participating in our service planning and development process. The FRTA ensures that:

1. Potentially affected community members will have an appropriate opportunity to participate in discussions and in decisions surrounding the identification of economic, social and environmental impacts as they relate to our services and in any proposed changes affecting service to our member communities;
2. The public participation process can and will influence our decision making;
3. The FRTA will seek out and facilitate the involvement of those who could be affected; and
4. A program is in place for correcting any discrimination, whether intentional or unintentional.

Through an open public process, the FRTA has developed a public participation plan that encourages involvement efforts and enhances access to the transportation decision making process.

The FRTA has conducted numerous public meetings and hearings (now referred to as Community Conversations) on the subjects of fare structure changes, service changes, and general information since our last Title VI submission. The various Community Conversations that took place were (in part) because of our Comprehensive Service Analysis. In addition to the general public, included in these conversations were our Advisory Board, our Transit Advisory Committee, social service agencies, non-profits, our planning agency, management company and councils on aging.

The FRTA holds meetings at the JWO Transit Center, which is accessible to the general public, persons with disabilities and individuals with limited English proficiency. Upon an advance request of at least 10 days' notice, and free of charge, we will provide reasonable accommodations and/or language assistance for individuals needing assistance (including but not

limited to assistive devices, translated documents, documents in alternative formats such as Braille and large print and interpreters).

The FRTA will utilize its public participation plan when considering fare changes, modifications to routes, schedules and other transit projects when:

- A new route is being established;
- An existing route is proposed for elimination;
- An increase in fare or significant change in the method of fare payment is being considered;
- A system wide change that exceeds/reduces total service hours by 10% or more;
- Modifications to routes that affects more that 25% of our riders using said route; and
- Minor schedule or route changes will be posted on appropriate buses, at the transit facility, on our website and bus shelters sixty (60) days in advance of any change.

We promote the public's participations as follows:

- The FRTA coordinates with individuals, institutions and organizations in minority and low-income communities by providing outreach to our consumers in our service area. We have weekly management meetings with our General Manager and receive input as to what can be done to improve our existing service based on the daily interaction his drivers/dispatchers/staff encounter with our consumers. We meet with our Transit Advisory Committee, Educational institutes, Regional Coordinating Council, our planning agency, Councils on Aging/elder populations on a regular basis.
- The FRTA holds all of its regularly scheduled meetings at its transit facility. The building is handicap accessible and also in an area that is accessible to our low income and minority populations. Meetings are schedule during times that the majority of our fixed route buses operate.
- For special meetings or Community Conversations where fares, new routes, reduction of service etc. are to be discussed, it will require us to hold more than one meeting. Meetings are again scheduled during times that the majority of our fixed bus routes operate, but due to the rural nature of our service area, it is difficult to serve all of our communities. We will arrange meetings during the early evening hours to accommodate individuals working or in school.
- The FRTA uses community outreach (by attending various meetings; Community Coalition meetings, Transit Advisory Committee meetings, Regional Coordinating Council meetings etc.) and other methods (as they become available) to communicate with the public. We also post meetings on our website, social media page, at the transit

center, public television and on our buses. In addition we submit meeting notices to each town in our service area to be posted.

- If persons are unable to attend our meetings, we allow them to provide feedback to us via email, website, in person or in writing. This ensures participation at all levels which will contribute to more successful projects, decisions, and better plans for our transit system.
- The FRTA will make every reasonable effort to make sure that each issue is framed in such a way that the potential effect and significance of each project is understood by its participants. Their time is valuable and we want to make sure they feel that they have been heard by us so that they will continue to engage in this process.
- The FRTA will work with the LEP population to make sure that we implement DOT's policy guidance. We will explore different opportunities to overcome barriers within public transportation and refer to the FTA website for assistance.
- The FRTA continues to meet with their Transit Advisory Committee. This committee is made up of consumers who utilize and are interested in public transportation. The committee now includes the Regional Coordinating Council. They meet up to 6 (six) times per year to discuss transportation issues, voice their concerns regarding the future of transportation and to initiate change.

Language Assistance Plan

Improving Access for Persons with Limited English Proficiency

The FRTA is committed to having an open public participation process and wants to ensure that the transit service it provides is non-discriminatory.

Our planning agency, FCTPO (Franklin County Transportation Planning Organization) completed an LEP Program in May of 2012 in our main service area of Franklin County. They conducted a Four Factor Analysis using the factors identified in the U.S. Department of Transportation's (DOT) LEP guidance. The four factors they analyzed were:

Factor 1: The number and proportion of LEP persons eligible to be served or likely to be encountered in the eligible service population.

Factor 2: The frequency with which LEP individuals come into contact with programs, activities, and services.

Factor 3: The nature and importance of the program, activity, or service provided by the program to LEP persons.

Factor 4: The resources available to the recipient and costs related to the outreach.

Factor 1: The number of LEP persons in our Service Area

The FRTA provides service to twenty three of the twenty-six towns of Franklin County located in rural Western Massachusetts. The largest town in the county has 17,400 residents, but most of the towns are very small and sparsely populated – averaging approximately 1,400 people per town. In addition to its rural character, Franklin County also has a fairly homogenous population. In 2009, 94% of the county was White. According to the 2009 American Community Survey, only 2.5% of its residents moved to the county from another state in the last year and an even smaller 0.2% moved to the county from abroad within the last year. As a result of these demographic characteristics, the FRTA has had very limited experiences with the LEP population.

Identification of language minority populations that are eligible for program services or activities may be underserved because of existing language barriers within the program or activity. The 2005-2009 American Community Survey shows that the most significant non-English languages spoken in Franklin County are:

Table 1: Top Ten Languages Spoken in Franklin County, 2009

<i>Language</i>	<i>Number</i>	<i>Percentage</i>
Spanish	1,200	1.8%
French	685	1.0%
Russian	298	0.4%
Polish	232	0.3%
Cambodian	205	0.3%
Chinese	201	0.3%
German	156	0.2%
Italian	155	0.2%
Other Indo-European Lang.	102	0.1%
Japanese	73	0.1%

Source: 2005-2009 American Community Survey 5-Year Estimates

The above table shows the top ten most predominant non-English languages spoken in Franklin County. Of these languages, there are only a few in which a significant number of the speakers are not proficient in English. The same 2009 census data shows that a total of only 1,316 people or 1.9% in the county “speak English less than very well,” which this analysis defines as having limited English proficiency (LEP) ¹. Table 2 below shows the most common languages that the

LEP populations in Franklin County speak at home.

<i>Language</i>	<i>Number of LEP Persons</i>	<i>Percentage of LEP Persons</i>
Spanish	332	0.5%
Russian	173	0.3%
Cambodian	190	0.3%
Chinese	149	0.2%

Source: 2005-2009 American Community Survey 5-Year Estimates

The LEP individuals speaking the languages in Table 2 are concentrated in primarily four towns within the county. The Spanish-speaking individuals are located primarily in Greenfield (127 persons), but also have sizable populations in Montague (90) and Orange (43). The Russian speaking population can be found almost entirely in the town of Greenfield (116). The Cambodian speaking population is very concentrated in the town of Leverett (which the FRTA does not currently serve) and the Chinese-speaking population can be found also in Greenfield (105). Community Action, which is a local non-profit agency that provides social services to low income individuals in Franklin County, corroborates that the Spanish and Russian-speaking populations have a significant amount of LEP persons in the county through their Needs Assessment Survey that was just completed in 2011.

The Massachusetts Department of Education also corroborates that the LEP populations in Franklin County are concentrated in the locations as described above. The Greenfield and Turners Falls (located in the town of Montague) School Districts both have approximately 3% of the student population classified as LEP.

The FRTA interacts almost on a daily basis with community-based organizations, including but not limited to Franklin County Home Care Corp., our Local Councils on Aging, local Nursing Homes, various medical facilities, our Human Service Transportation Brokerage programs (DDS, DPH and MassHealth) that serve LEP persons.

¹ The American Community Survey only provides two categories of respondent's ability to speak English: 1) "Speaks English Very Well", and 2) "Speaks English Less than Very Well," compared to the four categories provided in the 2000 U.S. Census.

Factor 2: Frequency of LEP Use

As mentioned under Factor 1, there have been very limited experiences between LEP individuals and the FRTA. Most persons having difficulty with English as their first language speak Spanish. We have access to several staff members who speak fluent Spanish and are able to translate if necessary but we have yet to encounter this situation. We are able to rely on two Community based organizations in our area to assist us in translations as needed for the LEP population as well as our planning organization who leases space in our building.

The FRTA conducts internal surveys of our customer call center staff, our Management team, Administrative staff, drivers and dispatchers to better understand the frequency in which we communicate and come into contact with the LEP population. We also have plans to conduct on board bus surveys and rider surveys at the transit facility.

Factor 3: The Importance of FRTA services to LEP persons

The importance of being able to provide transportation and having access to our services in the LEP population is critical. Many are often dependent on these services and without them they would face limitations in accessibility when it comes to medical care, nutritional needs, social service necessities, employment and educational opportunities. It is important that we work with local resources to ensure that we are not contributing toward any barriers that would prevent the LEP population from utilizing our services.

Factor 4: Resources and costs for LEP Outreach

The Federal Transit Administration recommends that a “Safe Harbor” threshold for providing translation services is 5% or 1,000 people with LEP in the service area. Franklin County has much less than this threshold – the largest LEP language group is Spanish-speaking with a total of 332 people or 0.5% of the county population. Because this population is so small and the resources of the FRTA are limited; it is difficult to justify the cost of translation services. We will use the following resources to provide language based assistance:

- Free online translation resources, such as Google Translate, can be used for translation of written documents and webpages.
- Contact will be made with local organizations that serve LEP persons for oral translation services. A database will be created with a list of language translation persons that may be available for assistance in translating for the FRTA.

Employee Training

FRTA staff will be made aware of the LEP guidance and this TITLE VI plan and asked to refer to it on an annual basis. In addition, each employee will be required to view “Providing Language Access for Persons with Limited English Proficiency”, a power point presentation produced by the FTA Office of Civil Rights and available at http://www.fta.dot.gov/civilrights/title6/civil_rights_5102.html. Should the LEP population for

our area change or we see the need to provide more training in this area, we will develop a more inclusive plan for employees.

Decision Making Bodies

Racial Breakdown of Non-Elected Advisory Councils

FRTA Advisory Board:

FRTA is comprised of 41 towns within Franklin, Hamden, Hampshire, and Worcester Counties. Each town has one representative and is allowed one alternate. In addition, there is now one voting member which represents the disabled commuter population. The FRTA Advisory Board is scheduled to meet quarterly, typically on the third Thursday in the months of March, May, September and November and may also call special meetings as needed. All meetings are open to the public, held at the John W. Olver Transit Center, posted at each Town, on our website, at the Transit Center and on our calendar dashboard of events located at the transit facility.

This Board is comprised of individuals that are appointed by their respective towns on an annual basis. The FRTA does not elect, appoint or choose these members of the Board.

FRTA Transit Advisory Committee:

The FRTA Transit Advisory Committee is comprised of members of the public including transit riders, and other local community stakeholders, including local officials, businesses, transportation providers, and human service organizations. This committee holds meetings open to the public to provide a communication link between FRTA and its customers for advisement regarding customer service practices and public transportation issues within FRTA's service area and also to work with the committee in developing, promoting, and implementing a community transportation network that meets the needs of all people. This committee meets every other month. This is an advisory body only and cannot set or establish policy, contracts, or affect personnel matters. All meetings are open to the public, held at the John W. Olver Transit Center, on our website, at the Transit Center and on our calendar dashboard of events located at the transit facility.

This Committee members are appointed to 2 year terms by the FRTA.

Service Standards and Policies

FRTA has developed a set of transit operation performance measures. The measures establish quantifiable service standards and policies for its transit operations. Each quarter, the FRTA posts its performance measures on our website. They can be found at www.frta.org under FRTA – About & Contact Us (Serving you – Performance Measurements).

These performance measures include:

Vehicle load

Vehicle Headway

On Time Performance

Service Availability

Transit Amenities

Vehicle Assignment

Vehicle Load Information:

Vehicle load is expressed as the ratio of passengers to the total number of seats on a vehicle. The FRTA currently has a fleet of 40 vehicles (as of February 2016) to operate its entire operation (including Demand Response, ADA and Fixed Route).

Vehicle Type	Quantity of Vehicle	Seated Capacity	Standing Capacity	Total Capacity	Preferred	Maximum Load
35' International	4	36	14	50	1	1.4
30' International	1	33	13	46	1	1.4
30' Gillig	2	29	11	40	1	1.4
Ford E-450 Mini Bus	9	18	4	22	1	1.25
Ford E-350 Van	14	12	0	12	1	N/A
Ford E-350 Van	10	14	0	14	1	N/A

Vehicle Headway (Frequency):

The vehicle headway is the amount of time between two buses traveling in the same direction on a given route. FRTA buses are scheduled with a variety of headways ranging from 1.25 hours all the way to every 8 hours. The FRTA will consider more frequent headways in the future as additional service is added and if weekend service is ever restored.

Route	Weekday Service	Saturday	Sunday
Route 21 Greenfield	Averages 1.25 hours (runs 18 times per day)	No Service	No Service
Route 22	Averages every 1.5 hours (runs	No Service	No Service

Montague	8 times per day)		
Route23 Amherst	Every 8 hours (runs twice per day)	No Service	No Service
Route 31 Northampton	Averages every 2.25 hours (runs 6 times per day)	No Service	No Service
Route 32 Orange	Averages every 2 hours (runs 7 times per day)	No Service	No Service
Route 41 Charlemont	Averages every 3 hours (runs 4 times per day)	No Service	No Service
GCC Shuttle	Runs once per day	No Service	No Service
Corporate Shuttle	Averages every 1.5 hours (runs 5 times per day)	No Service	No Service

On Time Performance:

One of the most important performance measures for our passengers is adherence to our published schedules.

- A vehicle is considered on time if it departs from a scheduled time point no more than two (2) minutes early and no more than five (5) minutes late.
- FRTA's on-time performance objective is 90% or greater.

Service Availability:

Because the FRTA is so rural and covers over 1,100 square miles, service availability varies depending on the town. Out of the 41 towns that we serve, only 10 have some form of fixed route service, while the other towns have demand responsive service, varying from volunteer service to service provided by COA's or FRTA's management company.

Transit Amenities:

The FRTA has eleven (11) bus shelters at various bus stops (including the two park and rides served along our routes). We are adding additional shelters along our routes based on feedback received through our community conversations, other public meetings, requests made at our office, via our Advisory Board or through our website. All of our shelters were recently updated to add ADA seating, solar lighting and map/schedule holders.

FRTA Bus Stop signs have been placed along the majority of our fixed route stops. Passengers also have access to our Route Shout automated system which will allow them to text the location of their stop to an app and find out when the next available bus will reach their location.

Vehicle Assignment:

Several considerations are made with vehicle assignment, generally, we anticipate the ridership, road condition (i.e. bridges, weight restrictions for road etc.) to determine which vehicle is best suited for the route. We take into account the operating characteristics of the buses which are then matched with the various characteristics of the routes we operate in our rural setting.

Summary of Changes

Since FRTA's 2013 Title VI Plan submission, there has been a recent change in our fare structure. These changes took place in January 2016 after much public participation and Board approval.

Conducting an Analysis of Construction Projects

Over the course of the next three (3) years, the FRTA will be exploring its options to construct a new maintenance facility. This is still in the early stages and we have yet to determine what types of funding will be used to finance this project. We will work with MassDOT to develop a strategy for the planning, design, and acquisition of land. We have a preliminary site chosen for this project but acquisition has yet to take place. We will apply the same principles to this project as we did when we constructed the John W. Olver Transit Center (which was completed in 2012) to ensure fair and equitable practices as they relate to FTA and the Title VI program.

Effective Practices for Fulfilling Program Specific Requirements

Upon the approval of our Title VI program, the FRTA will disseminate the full document on its bulletin boards within our office and make it available to review at our Administrative office and on our website. The Title VI Notice will continue to be available on our buses at our facility and on our website.

The FRTA will plan on all sub recipients adopting the Title VI program of the FRTA.

The FRTA will translate its Title VI program or relevant portions thereof upon request so that it is available to our consumers in the LEP population.

Board Action on Title VI Program

The FRTA Advisory Board voted to approve the Title VI Program at its meeting on March 17, 2016.

Tina M. Cote, Administrator

Date

FRTA Title VI Program 2016