



## The Franklin Transit Authority Title VI Plan

This plan was developed to guide Franklin Transit in its administration and management of Title VI related activities. It is a working plan and is not codified within the City of Franklin Charter, or its ordinances.

As with any other City of Franklin activity, the public is invited to review and submit comments and suggestions at any time regarding the Title VI Program.

**Comments and/or suggestions regarding this Title VI Program may be  
submitted to:**

**Franklin Transit Authority  
Attn: Title VI Coordinator  
708 Columbia Avenue  
Franklin, TN 37064**

# Table of Contents

Policy Statement .....	1
Overview of Title VI Compliance .....	2
General Reporting Requirements and Guidelines .....	3
Notice to Beneficiaries .....	3
Complaints of Discrimination Procedure .....	4
Record Keeping Requirements .....	6
Education and Training .....	6
Program Administration .....	7
Subrecipient Assistance and Monitoring .....	7
Public Participation .....	8
LEP Plan .....	8
Minority Representation on Boards, Planning Committees and Advisory Boards .....	9
Equity Analysis .....	9
Attachment A: LEP Plan .....	10
Attachment B: Fare Increase and/or Major Service Change Policy ...	11
Attachment C: Racial Breakdown of Franklin Transit Board .....	12
Attachment D: Title VI Complaint Forms and Complaint Log .....	13
Attachment E: Title VI Non-Discrimination Statement .....	14
Attachment F: Subrecipient Title VI Plan – Williamson County, TN ..	15

## Section 1: Policy Statement

Franklin Transit Authority assures that no person on the grounds of race, color, or national origin as provided by Title VI of the Civil Rights Act of 1964 be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal funding.

In the event that Franklin Transit distributes federal funds to another governmental entity or contractor, Franklin Transit will include Title VI language in all written agreements and will monitor compliance.

Franklin Transit assures that:

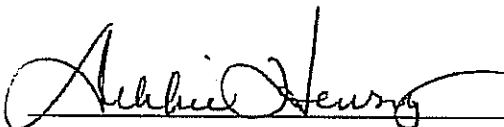
1. No person on the basis of race, color or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.
2. Franklin Transit will compile, maintain, and submit in a timely manner Title VI information required by FTA Circular 4702.1B and in compliance with the Department of Transportation's Title VI regulations, 49 CFR Part 21.9.
3. Franklin Transit will make it known to the public that those person or persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation service and transit-related benefits may file a complaint with the Federal Transit Administration (FTA) and/or the U.S. Department of Transportation (USDOT).

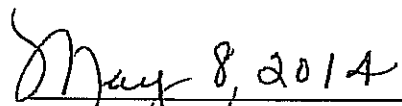
The Executive Director for Franklin Transit shall be the Title VI Director and will have the ultimate authority and responsibility for the agency's adherence to the Title VI policy.

The Title VI Coordinator is responsible for managing and implementing all aspects of the Title VI Program.

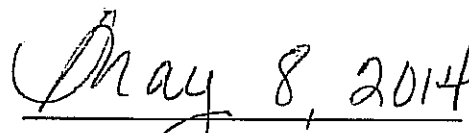
*Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance from the Department of Transportation. (49 CFR 21.1)*

*Federal Circular FTA 4702.1B details the requirements necessary for compliance and administration of a Title VI Program.*

  
Debbie Henry, Executive Director

  
Date

  
MiMi Lee, Title VI Coordinator

  
Date

## Section 2: Overview of Title VI Compliance

### A. General Requirements and Guidelines

Requirements and guidelines for general reporting are contained in FTA Circular 4702.1B – Chapter III.

Requirements include:

- Title VI plan must be received and approved by FTA prior to the approval of any grant application or, at minimum; it must be updated once every three (3) years.
- Signed Department of Transportation Title VI assurances.
- List of any active lawsuits and complaints which allege discrimination.
- Description of all pending and current federal financial assistance.
- Summary of all civil rights compliance review activities conducted by FTA.
- Special requirements for federally funded construction projects.
- Information of changes in service features which effect minority communities and transit users.
- Description of methods used to inform minority communities of service changes.

### B. Public Information Requirement

Franklin Transit is required to ensure that the public and any interested party is informed of our Title VI obligations. Franklin Transit must display posters and inform the public in languages other than English if necessary.

### C. Complaints of Discrimination Procedure

Requirements and guidelines for developing and implementing a complaints procedure is contained in FTA Circular 4702.1B – Chapter III (7).

Procedure will:

- Inform the public as to Franklin Transit's Title VI obligations.
- Inform the public how to enter a complaint of discrimination.
- Implement and maintain a method for receiving, administering, investigating and resolving complaints.

### D. Record Keeping Requirements

Records must be maintained in all areas of the Title VI program. Documents must be available for compliance review audits.

### E. Compliance Review/Audits

After a grant has been awarded, FTA may conduct reviews as part of its ongoing monitoring responsibilities, pursuant to its authority under 49 CFR 21.9. These reviews exist separate from and may be in addition to the Triennial Review or Tennessee Department of Transportation Review and will be conducted either as a desk audit or an on-site visit. Such reviews are at the discretion of FTA, and their scope is defined on a case-by-case basis.

### **Section 3: General Reporting Requirements**

At least once every three (3) years Franklin Transit must submit a Title VI Program report to FTA. It must include:

1. A copy of the agency's notice to the public that complies with Title VI and instructions to the public on how to file a discrimination complaint.
2. A list of any Title VI investigations, complaints, or lawsuits filed with the agency since the time of the last submission. This list should include only those investigations, complaints or lawsuits that pertain to allegations of discrimination on basis of race, color and/or national origin. A copy of the agency's procedures for investigating and tracking Title VI complaints must be included in the report.
3. A summary of public outreach involvement undertaken since the last report submission and a description of steps taken to ensure that minority and low-income people have meaningful access to transit programs and activities.
4. A copy of the agency's plan for providing language assistance to persons with limited English proficiency (LEP), based on the USDOT guidance.
5. Provide a table depicting the racial/ethnic composition of non-elected boards, councils or committees and a description of efforts made to encourage minority participation.
6. A narrative describing the agency's plan for assisting subrecipients with general reporting requirements and monitoring for compliance with USDOT Title VI regulations.
7. Title VI Program (including subrecipients) must be approved by the Franklin Transit Authority's board of directors prior to submission to FTA.

### **Section 4: Notice to Beneficiaries**

Franklin Transit will distribute Title VI Program information to transit employees, contractors, subcontractors and subrecipients as well as the general public. Public dissemination will include the posting of the protections against discrimination afforded to them by Title VI. Notices will be posted throughout the Franklin Transit facilities, revenue vehicles, shelters, route map/schedule and on the agency website. Title VI language will be included in all contracts.

1. Triennial reports sent to FTA, Franklin Transit's Title VI Policy and any other related information will be available to the public upon request.

2. Signage shall be displayed which include at least the following:
  - Franklin Transit Operates Programs and activities that are subject to the non-discrimination requirements under Title VI;
  - A summary of the requirements of Title VI;
  - An explanation that Title VI information is available from Franklin Transit;
  - A brief explanation regarding procedures for filing a complaint.

#### Attachment E: Title VI Non-Discrimination Statement

3. More detailed information regarding Franklin Transit's Title VI Program and complaint procedure will be available to the public upon request.
4. All documents are available for translation, upon request, at no additional charge.

### **Section 5: Complaints of Discrimination Procedure**

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. Every effort will be made to obtain early resolution of complaint at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and the Title VI Coordinator may be utilized for resolution.

#### **Complaint Procedure**

1. Any individual, group of individuals or entity that believes they have been subjected to discrimination or prohibited by discrimination requirements may file a complaint with Franklin Transit or the Federal Transit Administration Office of Civil Rights Attention: Complaint Team East Building, 5<sup>th</sup> Floor – TCR 1200 New Jersey Avenue, SE Washington, DC 20590. A formal complaint must be filed within one hundred and eighty (180) days of the alleged occurrence.
2. In Cases where the complainant is unable or incapable of providing a written statement, a verbal complaint may be made. The Title VI Coordinator will interview the complainant and if necessary assist the person in converting verbal complaints into writing. All Complaints must, however, be signed by the complainant or his/her representative.
3. Complaints shall state, as fully as possible, the circumstances and facts surrounding the alleged discrimination.
4. Franklin Transit will provide the complaint or his/her representative and any respondent with a written acknowledgement, within five (5) working days of receipt, that Franklin Transit has received the complaint.

5. A copy of the complaint will be forwarded to Franklin Transit's legal counsel for review.
6. The Executive Director will assign an Investigator to the complaint.
7. The Investigator will determine if the complaint has investigative merit:
  - a. It was received within 180 days of the alleged occurrence.
  - b. It does not appear it be frivolous or trivial.
  - c. It involves Franklin Transit or a subrecipient.
  - d. Any complaint against a contractor that involves a Franklin Transit federally funded contract.
8. The complainant will be notified of the status of the complaint within ten (10) days of receipt of the complaint, by registered mail.
  - a. The complaint will not be investigated and the reasons why the complaint does not have investigative merit.
  - b. The complaint will be investigated and a request for additional information needed to assist the Investigator.
9. The complainant must submit the requested information within sixty (60) working days from the date of the original request. Failure of the complainant to submit additional information within the designated timeframe may be considered good cause for a determination of no investigative merit. Failure of the contractor to submit additional information within the designated timeframe may be considered good cause for a determination of noncompliance under the contract.
10. The internal Investigator must, within fifteen (15) working days, supply the Executive Director with a status report of their investigation and/or resolution of the complaint.
11. Within sixty (60) days of the receipt of the complaint, the Investigator will prepare a written report for the Executive Director that shall include:
  - a. A description of the incident, including persons or entities involved.
  - b. A statement of the issues raised by the complainant and the respondents reply to each of the allegations.
  - c. Description of the investigation, including list of persons contacted and summary of the interviews conducted.
  - d. A statement of the Investigators findings and recommendations for disposition.
12. The investigative report and findings for the complaint will be sent to legal counsel for review.

13. The Executive Director shall, based on the information before him/her and in consult with legal counsel, make a determination on the disposition for the complaint. Determination shall be made within ten (10) days from Executive Director's receipt of the Investigator's report.
14. Notice of the Executive Director's determination will be mailed to all parties involved in the complaint. Notice shall include information regarding appeal rights of complainant and instructions for initiating such an appeal.
  - If the complainant is dissatisfied with the determination and/or resolution the complaint may be submitted to the Federal Transit Administration (FTA) for investigation. For more information, please contact the Federal Transit Administration, Office of Civil Rights, 230 Peachtree NW, Suite 800, Atlanta, GA 30303 / (404) 865-5600.
15. A copy of the complaint and Franklin Transit's investigation report/letter of finding will be issued to FTA within ninety (90) days of the receipt of the complaint.
16. A summary of the complaint and its resolution must be included in the annual report to FTA.

*Attachment D: Title VI Complaint Forms and Complaint Log*

## **Section 6: Record Keeping Requirements**

The Title VI Coordinator will ensure that all records relating to Franklin Transit's compliance to Title VI are maintained for a minimum of seven (7) years. Records may include, but are not limited to, compliance assessment surveys, documentation regarding complaints and annual reports.

These records must be available for compliance review audits.

Copies of the following material will be kept available by the Title VI Coordinator for dissemination to the public upon request:

- Franklin Transit's Title VI Policy
- Title VI Discrimination Complaint Form
- Complaint Log with a summary of their disposition

## **Section 7: Education and Training**

Transit Staff: Training will be conducted within the ninety (90) day initial review period for newly hired employees and on an annual basis for existing staff. Training will include:

- a. Requirements of Title VI.



- b. Methods for gathering, analyzing and maintaining required data.
- c. Procedures for engaging LEP customers.
- d. Summary of Complaint procedures.

Contractors: Training is available to contractors upon request. Training will include:

- a) Standard Title VI notices and information in bid packages and contracts.
- b) Contractor's obligations under Title VI and its application to the work necessary under the contract.
- c) Contractor's obligations when subcontracting work.
- d) Processes for indentifying Title VI issues and resolution of complaints.

## **Section 8: Program Administration**

### **I. Title VI Director Duties:**

- a) The Executive Director shall also be the Title VI Director.
- b) The Title VI Director shall have the final authority and responsibility for compliance with Title VI provisions.

### **II. Title VI Coordinator Duties:**

- a) Gather information necessary for general reporting and report to FTA.
- b) Process, record and distribute Title VI complaints received by Franklin Transit.
- c) Monitor and ensure that public information is available for Franklin Transit's Title VI Program.
- d) Develop Title VI information for dissemination to the general public and where appropriate, in languages other than English.
- e) Conduct training sessions for all transit employees regarding Title VI policies and procedures.

## **Section 9: Subrecipient Assistance and Monitoring**

As outlined under Title 49 CFR, Section 21.9 (b) and FTA Circular 4702.1B, Chapter III, Parts 11 and 12, Franklin Transit will provide assistance and monitor its subrecipients to ensure they are complying with Title VI regulations.

A subrecipient may opt to adopt Franklin Transit's Title VI Program which includes notice to beneficiaries, complaint procedures and complaint form, public participation plan, and language assistance plan.

*Attachment F: Subrecipient Title VI Plan – Williamson County, Tennessee*

To ensure subrecipients are in compliance under Title VI regulations, Franklin Transit shall:

- a) Collect and maintain subrecipient's Title VI Program documents.
- b) Document that subrecipients are complying with the general requirements of Title VI.
- c) Conduct an on-site visit to verify services are provided without regard to race, color or national origin.
- d) Submit additional Title VI information to FTA as requested.

***If a subrecipient is not in compliance with Title VI requirements, then Franklin Transit is not in compliance.***

## **Section 10: Public Participation**

Franklin Transit's public participation plan will engage limited English proficient (LEP) and minority persons when warranted. The transit agency will reach out more broadly to include other residents that are traditionally underserved, such as people with disabilities and low-income populations.

Every effort will be made to involve LEP and minority populations in Franklin Transit's public participation activities. Public notices will be placed in the Transit facilities public areas, in the bus shelters and posted in the transit vehicles. Measures will be taken to address linguistic, cultural and economic barriers that may prevent LEP and minority persons from effectively participating in Franklin Transit's decision making process.

Franklin Transit's decision making process will include:

1. Scheduling public meetings at vary times, dates and locations that are convenient and accessible for LEP and minority communities.
2. Establish relations with community and faith-based organizations, to engage in strategies that reach out to LEP and minority communities.
3. Disseminate public meeting information through local government access television, radio, local and cultural newspapers, social media and the Franklin Transit website.

***Attachment B: Fare Increase and/or Major Service Change Policy for additional information related to Public Participation***

## **Section 11: LEP Plan**

***Attachment A: LEP Plan***

## **Section 12: Minority Representation on Boards, Planning Committees and Advisory Boards**

The Franklin Transit Authority is the governing body of Franklin's Transit system. Members are appointed by the City of Franklin's mayor and confirmed by the Board of Mayor and Alderman (BOMA). Board members serve a staggered four-year term, beginning July 1, and no member serves more than three (3) consecutive terms. The Franklin Transit Authority meets at least once every two months to address the latest issues of importance concerning ridership, safety, funding and more.

*Attachment C: Racial Breakdown of Franklin Transit Authority Board*

## **Section 13: Title VI Equity Analysis to Determine Site or Location of Facilities**

*N/A – Franklin Transit Authority had no projects requiring land acquisition in the past three (3) years.*

**Franklin Transit Authority  
Title VI Policy**

**Attachment A:  
LEP Plan**

# **Franklin Transit Authority**

## **Limited English Proficiency (LEP) Plan**

This limited English Proficiency (LEP) Plan has been prepared to address Franklin Transit's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964; Federal Transit Administration Circular 4702.1B, dated October 1, 2012, which states that the level and quality of transportation service is provided without regard to race, color, or national origin.

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

Franklin Transit is the provider of public transportation in the City of Franklin, TN. Franklin Transit has developed this LEP Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services provided by Franklin Transit. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance and the ways in which assistance may be provided.

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

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

The Franklin Transit Authority provides public transportation services within the City of Franklin, TN. Based on 2010 Census most people in the service area are proficient in the English language. The Franklin Transit service area consists of 426 Spanish speakers who speak English less than "very well" making up only 1.1% of all Spanish speakers.

LANGUAGE SPOKEN AT HOME				
Population 5 years and over	38,718	+/-97	38,718	(X)
English only	37,556	+/-168	97.0%	+/-0.5
Language other than English	1,162	+/-178	3.0%	+/-0.5
Speak English less than "very well"	500	+/-136	1.3%	+/-0.4
Spanish	804	+/-131	2.1%	+/-0.3
Speak English less than "very well"	426	+/-127	1.1%	+/-0.3
Other Indo-European languages	237	+/-93	0.6%	+/-0.2
Speak English less than "very well"	44	+/-39	0.1%	+/-0.1
Asian and Pacific Islander languages	87	+/-41	0.2%	+/-0.1
Speak English less than "very well"	30	+/-28	0.1%	+/-0.1
Other languages	34	+/-41	0.1%	+/-0.1
Speak English less than "very well"	0	+/-26	0.0%	+/-0.1

**Factor 2: Frequency of contact by LEP persons with Franklin Transit services**

Franklin Transit staff reviewed the frequency with which administrative staff, dispatchers and drivers have, or could have, contact with LEP persons. To date, no request for an interpreter or translation of documents has been submitted.

**Factor 3: Importance of the program, activities, or services provided by Franklin Transit**

Franklin Transit provides a deviated fixed route and a paratransit service. Paratransit provides transportation for critical needs that transcend all rider types. These rides provide critical access to medical appointments, health and human service organizations, employment, pharmacies, and education. Additionally, paratransit services provide transportation to places that improve the quality of life including friends, family and entertainment.

#### **Factor 4: Resources available to the recipient and costs**

Franklin Transit currently contracts with *Avaza Language Services Corp* for translation and interpreter. This service was made available and affordable through the Tennessee Department of Transportation Office of General Services. All language assistance services are provided to the public at no cost.

#### **Language Assistance Plan**

Based on the four-factor analysis, Franklin Transit developed its Language Assistance Plan as outlined in this section.

How transit staff may identify a person who needs language assistance:

1. Examine records to see if requests for language assistance have been received in the past, either at meetings or over the phone to determine whether language assistance might be needed at future events or meetings.
2. Have staff greet participants as they arrive to transit sponsored events. By informally engaging participants in conversation it is possible to gauge each attendee's ability to speak and understand English.
3. Have Language Identification Cards available at transit meetings. These will assist in identifying language assistance needs for future events and meetings.
4. Have Language Identification Cards available on all transit vehicles to assist transit operators in identifying specific language assistance needs of passengers.

#### **Language Assistance Measures**

There are various ways in which Franklin Transit staff responds to LEP persons, whether in person, by telephone or in writing.

- Post the Title VI Policy and LEP Plan on the transit website, [www.franklintransit.org](http://www.franklintransit.org)
- Survey transit operators, administrative staff, dispatchers and supervisors annually regarding their experience and contact with LEP persons during the previous year.

#### **Staff Training**

The following training will be provided to transit staff:

1. Information on Title VI procedures and LEP responsibilities
2. Description of language assistance services offered to the public.
3. Use of the Language Identification Cards,
4. Documentation of language assistance requests.

## **Providing Notice to LEP Persons/Outreach Techniques**

When transit staff prepares a document or schedules a meeting, for which the target audience is expected to include LEP individuals, documents, meetings notices, flyers and agendas will be printed in an alternate language based on the known LEP population. Flyers shall be put in the transit station, buses and other main transfer points in our service area. Announcements will be posted on the Franklin Transit website and in the local newspaper.

## **Monitoring and Updating the LEP Plan**

Franklin Transit will update the LEP plan as required by Federal regulations. At minimum, the plan will be reviewed and updated when it is clear that higher concentrations of LEP persons are present in the service area. Updates include the following:

- Determine the current LEP population in the service area.
- How the needs of LEP persons have been addressed.
- Determine as to whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet the needs.
- Determine whether Franklin Transit has complied with the goals of this LEP Plan.
- Determine whether complaints have been received concerning Franklin Transit's failure to meet the needs of LEP Persons.



**Franklin Transit Authority  
Title VI Policy**

**Attachment B:  
System-Wide Service Standards and Policies**

# Franklin Transit Authority

## FARE INCREASE and/or MAJOR SERVICE CHANGE with DISPARATE IMPACT ASSESSMENT POLICY

### **Public Participation Process**

Franklin Transit Authority, here in referred to as (“FTA”) will hold a public hearing prior to:

- 1) any fare increase; and/or
- 2) a major service change, defined as:
  - service reduction which directly affects over ten percent (10%) or more of the number of transit hours operated within the system on a monthly basis;
  - the elimination of a transit route; or
  - the establishment of a new transit route.

A notice in both English and Spanish versions, announcing FTA’s intent to hold the public hearing regarding a proposed fare increase and/or major service change, will be published in the Williamson Herald (daily newspaper in the Franklin service area) at least fifteen (15) days prior to the hearing. The notice will also be posted on the FTA website, FTA social media sites, City of Franklin website on FTA revenue vehicles, FTA transit center and Franklin City Hall at least 15 days prior to the hearing. The notice will state:

- 1) the proposed service/fare change, will include the time/location of the hearing;
- 2) that written comments will be accepted until a specified date, for those unable to attend the hearing who wish to make a comment; and
- 3) that special services such as interpreters or translators will be made available to those requiring such service, upon 5 day written request to FTA, with FTA contact information provided.

Comments received during the hearing or which are submitted to FTA by commenter’s in written form, as a result of the above-described public hearing process, will be fully evaluated by the FTA Board, TMA Director and transit management staff. Responses will be provided to the FTA Board to commenter questions. The FTA Board– TMA Director and/or transit management staff may conduct further discussion with any commenter regarding proposed fare increase/major service change, to discuss options, provide additional explanation to the commenter, and/or to receive additional information from the commenter. Alterations to FTA’s proposed fare increase/major service change, based on FTA consideration of comments received, will be made if determined to be feasible and/or appropriate. FTA will maintain written records for a period of 3 years from occurrence of the following: public hearing attendees, any comments received (oral or written), FTA response(s) and/or determination(s).

Exceptions to this public hearing policy include:

- 1) standard seasonal variations;
- 2) emergency situations, where FTA will immediately implement a service change, notify the FTA Board concerning the change within five working days of its implementation, and hold a public hearing on the change within 60 days of its implementation (unless the change is to be for 90 days or less); or
- 3) experimental, temporary additions or changes of less than a one-year duration.

*All service changes and/or fare changes require the directive and action of the FTA Board. Proposed changes must be presented to the FTA Board at least 60 days in advance of the date on which the change is proposed to take effect. FTA Board shall either approve or disapprove the request by Board action within 30 days after it receives the request. (Service Contract Section 3.2 A)*

### **Potential Disparate Impact Assessment**

FTA Disparate Impact Threshold – FTA will consider a disparate impact to exist if there is at least a twenty percent (25%) difference, plus or minus, between minority ridership and system ridership, or between minority population of the affected service area and the entire service area population which adversely impacts the minority population.

In addition to conducting the above-described public participation during the planning period for a fare change or a major service change, FTA will also take steps to ensure that the proposed fare/service change does not result in disparate impacts on the basis of race, color, or national origin.

#### **A. Fare Change**

Any FTA fare increase will be made so that it results in the most equivalent possible percentage increases across all FTA fare types (one-way base-fare, one-way half-fare senior, one-way half-fare disabled, one-way half-fare Medicare and FTA Fast Pass.

During the fare increase planning period, FTA will conduct a comparison, between the proportion of the persons in the protected class (minority and/or low income population) who are adversely affected and the percentage of persons not in the protected class who are adversely affected. This comparison will be done by analyzing the data results of a current on-board ridership survey. The ridership survey will enable FTA to determine the current usage by group (minority, income, and overall) of all FTA fare types. The data obtained from this survey will be charted to assist with comparing fare payment patterns for minority riders and low-income riders versus non-minority and higher income riders. See Chart 1, (page 6), for an example of the chart type which will be used.

If there is a disparate impact based on FTA Disparate Impact Threshold (as defined in paragraph 1, page 2, herein), FTA will either:

- Modify the fare increase proposal to remove or alleviate the disparate impact; or
- Clearly demonstrate that FTA has a legitimate justification for the proposed fare increase, and
- Analyze the alternatives to ensure that the proposed fare increase is the least discriminatory alternative, including timing and mitigation of the proposed fare increase.
- Mitigation efforts: FTA will make available free (or discounted) one- way or monthly fixed route passes to non-profit, not-for-profit, and governmental agencies that assist low-income persons and families, under a FTA Community Pass Program. Qualifying agencies may provide passes received under this program to agency clients at no more than the free or discounted amount the agency was charged by FTA. FTA will also maintain records of discounted and/or free passes for three years after such passes are provided to non-profit, not-for-profit, and governmental agencies that assist low-income persons and families.

## **B. Major Service Change**

### **1. Route revision or elimination**

A proposed route elimination or route change which meets the above- defined threshold will be assessed by one of the two following methods:

- A. A comparison of current ridership survey data: Minority ridership of the affected route(s) will be compared with the ridership of the entire system. This comparison will be based on analyzing the data obtained from a recent on-board ridership survey(s). The data obtained from this survey will be charted to assist with comparing the impact of the route elimination/change for minority and low-income versus non-minority and higher income riders. See Chart 2, (page 7), for an example of the chart type which will be used.
- B. A comparison of current population data: U.S. Census blocks of the minority population along the route(s) in question will be compared with the average population in the service area of the route(s) in question. The most current available U.S. Census data will be obtained to provide the information required for this comparison, and the data will be charted. See Chart 3 (page 8), for an example of the chart type which will be used.

If the proposed major service change will result in a disparate impact, FTA will review alternatives to determine if the major service change can be minimized, avoided, or mitigated. If FTA determines that the major service change cannot be minimized or avoided, FTA will:

- A. analyze alternatives to determine whether the proposed service change is the least discriminatory alternative; and
- B. document legitimate justification for the proposed service change.

### **2. Addition of New Route**

- A. A proposed new route will be assessed by creating a map of the existing FTA routes, as well as the proposed new route, which is overlaid on a map of the entire FTA service area which includes the U.S. Census minority and low-income information. (Most current U.S. Census data available will be used.) New routes that extend connectivity through transfer operations will be given special consideration if they promote essential services to include but not limited to employment centers, medical and social services. A comparison of the area the proposed new route will serve with both the entire FTA service area and any areas unserved by FTA (in the FTA service area) will be made of the following two factors: the population density in the proposed area of the new route versus the population density of both the entire service area and any areas not served by FTA; and
- B. the percentage of minority and/or low-income population along the area where the new route is proposed versus the minority and/or low-income population of both the entire service area population and any areas not served by FTA. Additional favorable consideration will be given to new routes which connect system routes and serve as continued service to essential services of the population not limited to but including employment centers, medical and social services.

## **Service Standards**

### **Vehicle Load**

The number of passengers, or load, carried per hour, measures the efficiency of service. Franklin Transit system-wide efficiency goal or Load Standard for buses is 6 passengers or more per trip. The Load Factor, measured as a percent of a fully seated load, varies with service type. Load Factors for individual service types are shown in the table below:

Service Type	Peak	Off-Peak
Major Hub Radial	120%	100%
Circulator/Connector	120%	120%
Demand Response	100%	100%

To ensure service quality, any service consistently operating at more than 120% of its seating capacity (load factor) will be evaluated to reduce overcrowding.

### **Vehicle Headway**

Generally, routes operating in urban areas have 15 to 30 minute headways during the peak, and one hour during the non-peak. Currently Franklin Transit is operating 60 minute headways throughout the day. Planning efforts by Franklin Transit and operational changes are underway to create vehicle headways that meet at minimum 30 minute headway.

### **On-Time Performance**

On time performance for Franklin Transit fixed route service is measured against the published schedule and actual bus arrival times at 20 designated time points throughout the system. A bus is considered "on time" if not more than 5 minutes late at each scheduled time point. Actual bus arrival times will be determined by Route Match Software. Route Match is a transit dispatch system and automatic vehicle location (AVL) system which uses Global Positioning System (GPS) technology. Franklin Transit is fully operational with Route Match for on time performance with its Demand Response service and plan on having the fixed route on time performance fully functional in 2014. Bus on time performance can be impacted by traffic congestion, detours, weather, a larger than anticipated number of boarding's, and boarding's of passengers with accessibility needs. Transportation on Demand service is by reservation only and on time performance is tracked by each individual appointment. System wide on time performance goal for Franklin Transit is 80%.

## **Service Availability**

Franklin Transit has a service standard goal of having fixed routes within ½ mile distance within high density minority and low income census tracts and connecting service corridors giving our customers access to employment, medical, retail and social services. Franklin Transit bus stop standard distance within the densely populated census tracts and connecting employment, medical, retail and social service areas is ¼ mile. Service standards for bus stops in other areas will be at 1 mile. The exception to the 1 mile standard for low density areas will be handled on a case by case basis, where Franklin Transit receives written request from the general public, public or private development or the implementation of Express service.

## **Transit Amenities**

Transit amenities refer to fixed items of comfort and convenience available to the general riding public such as bus stop benches, shelters, lighting and bike racks. Title VI requires that such amenities be distributed equitably among minority, non-minority, and low- income households. Policies or standards in this area address how these amenities are distributed throughout the transit system.

Bus stop amenities are provided by a myriad of sources including local governments, private developers, citizens groups, as well as funds flowing to Franklin Transit. At times these facilities are put in place without direction or control of the transit agency.

Franklin Transit inventories existing amenities within Franklin Transit's control, and determines where new or replacement facilities should be located based on bus stop boarding's, waiting times, other nearby shelters and amenities, and minority/non-minority tract distribution. Transit Amenities are distributed system wide. It is the policy of Franklin Transit that at least 50% of shelters and amenities be located in Census Tracts on routes associated with urbanized areas including high density population and high density services areas. All FTA transit amenities must meet ADA standards.

## **Vehicle Assignment**

Vehicle assignment refers to the allocation of transit vehicles to ensure that all communities receive the same quality of rolling stock benefits. Benefits include the vehicle age and on-board amenities.

Currently buses differ primarily by seat capacity of vehicle and age. Amenities such as air conditioning, heat, bike racks, wheel chair accessibility and upholstery are standard. Number of seats per vehicle is determined by the type of service, leaving age the primary variable to consider in equitable vehicle assignments. To distribute the age of vehicles evenly, each bus line is assigned a proportional number of buses by age. These are then distributed throughout the day, as maintenance and repair needs permit.

Chart 1  
FTA Fare Increase  
Disparate Impact Comparison (Ridership)

Count	Cost		Change		Usage by Group -- Number of Passengers			Usage by Group -- Percentages		
	Existing	Proposed	Absolute	Percentage	Low Income	Minority	Overall	Low Income	Minority	Overall
Fare Type										
Base (cash)	\$1.00									
Senior	\$0.50									
Disabled	\$0.50									
Medicare	\$0.50									
Student (K-5)	\$0.50									
1/2 Fare Fast	\$12.50									
Fast Pass 30 Ride	\$25.00									
Age 5 and Under	Free									
Transfers	Free									
TODD	\$3.00									
Total										

**Chart 2**  
**FTA Route(s) Elimination or Major Change**  
**Disparate Impact Comparison (using Population per U.S. Census Data) Type of Service Change:**

	Minority Proportion of Population		Low-Income Proportion of Population	
	Census Blocks along Route(s)	Average Population in Service Area	Census Blocks along Route(s)	Average Population in Service Area
Changes in Route Headway (Frequency)				
Changes in Route Span of Service Hours				
Route Discontinuation				



**Chart 3**  
**FTA Route(s) Elimination or Major Change Disparate Impact Comparison (using Ridership)**  
**Type of Service Change:**

	Ridership of Affected Route			Ridership of System	
	Total Boardings	% Minority	% Low- Income	% Minority	% Low-Income
Service Span (reduction of entire trips)					

[SH1]

**Franklin Transit Authority  
Title VI Policy**

**Attachment C:  
Racial Breakdown of Franklin Transit Authority Board**

	Caucasian	African American	Latino	Asian American	Native American
Population	5	1	1		
Committee 1					
Committee 2					
Committee 3					

Franklin Transit Authority's board members are appointed by the city mayor and confirmed by the Board of Mayor and Alderman (BOMA).

**Franklin Transit Authority  
Title VI Policy**

**Attachment D:  
Title VI Complaint Forms and Complaint Log**

## Title VI Discrimination Complaint Form

Case Number \_\_\_\_\_

Note: We are asking for the following information to assist us in processing your complaint. If you need help in completing this form, please let us know. If you are not able to complete the form personally, the Title VI Coordinator will assist you to do so at a mutually convenient time. Simply call 615-790-4005 to make your request. If the Title VI Coordinator assists you in completing the form, you will still need to sign it to validate the information provided.

1.

Complainant's Name \_\_\_\_\_

Street Address \_\_\_\_\_

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

Telephone Number – home (\_\_\_\_) \_\_\_\_\_

business (\_\_\_\_) \_\_\_\_\_

2. Person discriminated against (if someone other than the complainant)

Name \_\_\_\_\_

Street Address \_\_\_\_\_

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

Telephone Number (\_\_\_\_) \_\_\_\_\_

3. What is the name and location of the person/entity that you believe discriminated against you?

Name \_\_\_\_\_

Location \_\_\_\_\_

\_\_\_\_\_

4. Which of the following best describes the reason you believe discrimination took place? Was it because of your:

a. Race (specify why)

\_\_\_\_\_

b. Color (specify why)

\_\_\_\_\_

c. National Origin (specify why)

\_\_\_\_\_

d. What date did the alleged discrimination take place?

\_\_\_\_\_

(Must be within the past 180 days)

5. In your own words, describe the alleged discrimination. Explain what happened, and whom you believe was responsible.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Use more sheets or the back of this page, if needed)

6. Have you tried to resolve this complaint through internal grievance procedures elsewhere? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, what is the status of the grievance?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name and title of the person who is handling the grievance procedure.

Name \_\_\_\_\_ Title \_\_\_\_\_

7. 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 \_\_\_\_\_

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

Name \_\_\_\_\_

Street Address \_\_\_\_\_

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

Telephone Number (\_\_\_\_) \_\_\_\_\_

9. Do you intend to file this complaint with another agency?

\_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, when and where do you plan to file the complaint?

Date \_\_\_\_\_

Agency \_\_\_\_\_

Street Address \_\_\_\_\_

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

Telephone Number (\_\_\_\_) \_\_\_\_\_

10. Has the complaint been filed with the Franklin Transit before?

\_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, when? Date \_\_\_\_\_

11. Have you filed any other discrimination complaints with The Franklin Transit Authority?

\_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, when and against whom were they filed?

Date

\_\_\_\_\_

Agency

\_\_\_\_\_

Street Address

\_\_\_\_\_

City, State, and Zip Code

\_\_\_\_\_

Telephone Number (\_\_\_\_)

\_\_\_\_\_

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

\_\_\_\_\_  
Complainant's Signature

\_\_\_\_\_  
Date

If this form was completed by someone other than the complainant, please provide information about who assisted the citizen with this document:



## **APPENDIX D Letter Acknowledging Receipt of Complaint**

Today's Date

Ms. Jo Doe  
1234 Main St.  
Franklin, Tennessee 37064

Dear Ms. Doe:

This letter is to acknowledge receipt of your complaint against The Franklin Transit Authority alleging \_\_\_\_\_ in the \_\_\_\_\_ program.

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by telephoning \_\_\_\_\_ or writing to me at this address.

Sincerely,

MiMi Lee,  
Title VI Coordinator

**APPENDIX E Letter Notifying Complainant That Complaint is Substantiated**

Today's Date

Ms. Jo Doe  
1234 Main St.  
Franklin, Tennessee 37064

Dear Ms. Doe:

The matter referenced in your letter of \_\_\_\_\_ (date) against The Franklin Transit Authority alleging denial of participation of minorities in the \_\_\_\_\_ program has been investigated.

(An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program. ***(If a hearing is requested, the following sentence may be appropriate.)*** You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

MiMi Lee  
Title VI Coordinator

**APPENDIX F Letter Notifying Complainant that the Complaint Is Not Substantiated**

Today's Date

Ms. Jo Doe  
1234 Main St.  
Franklin, Tennessee 37064

Dear Ms. Doe:

The matter referenced in your complaint of \_\_\_\_\_ (date) against The Franklin Transit Authority alleging \_\_\_\_\_ in the \_\_\_\_\_ program has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964, had in fact been violated. As you know, Title VI prohibits discrimination based on race, color, or national origin in any program receiving federal financial assistance.

The Executive Director has analyzed the materials and facts pertaining to your case for evidence of The Franklin Transit Authority failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated.

I therefore advise you that your complaint has not been substantiated, and that I am closing this matter in our files.

Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to call me.


Sincerely,

MiMi Lee  
Title VI Coordinator

[illegible]

**Franklin Transit Authority  
Title VI Policy**

**Attachment E:  
Title VI Non-Discrimination Statement**



**The Franklin Transit Authority programs without regard to race, color or national origin, in accordance with the Right under Title VI of the Civil Rights Act—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.**

**For more information on the Title VI Act and your Rights please visit: <http://www.justice.gov/crt/cor/index.php>**



**Los programas de la Autoridad de Tránsito de Franklin sin consideración de raza, color u origen nacional, de conformidad con el derecho del Título VI de la Ley de Derechos Civiles — Ninguna persona en los Estados Unidos quedará excluida por motivos de raza, color u origen nacional, de la participación en, negar los beneficios de o ser objeto de discriminación en cualquier programa o actividad que reciba asistencia financiera Federal.**

**Para obtener más información sobre sus derechos y el título VI Ley, visite: <http://www.justice.gov/crt/cor/index.php>**

**Franklin Transit Authority  
Title VI Policy**

**Attachment F:  
Subrecipient Title VI Plan – Williamson County, TN**

**WILLIAMSON COUNTY, TENNESSEE**

**TITLE VI PLAN**



#### **Title VI Plan Policy Statement**

Williamson County assures that no person shall on the grounds of race, color, sex, age, disability or national origin, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The County further assures every reasonable effort will be made to ensure nondiscrimination in all of its programs activities, whether those programs and activities are federally funded or not.

In the event that the County distributes federal aid funds to another entity, the County will include Title VI language in all written agreements and will monitor for compliance.

The Title VI Coordinator for Civil Rights is responsible for initiating and monitoring Title VI activities, preparing required reports and other responsibilities as required by 42 Code of Federal Regulation (CFR) 2000 and TN Code Ann. 4-21-904.

Rogers C. Anderson 3-16-05  
Mayor of Williamson County *MA* 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 (please refer to 23 CFR 200.9 and 49 CFR 21).

Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of 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 (Public Law 100259 [2.557] March 22, 1988).

Additional Authorities and Citations Include:

Title VI of the Civil Rights Act of 1964, 42 United States Code 2000d to 2000-4; 42 United States Code 4601 to 4655; 23 United States Code 109(h); 23 United States Code 324; Department of Transportation Order 1050.2; Executive Order 12250; Executive Order 12898; 29 Code of Federal Regulations 50.3.

#### **Title VI Delegation Chart**

##### **WILLIAMSON COUNTY**

Rogers Anderson

Mayor

Telephone: (615) 790-5701

**H. R. OFFICER**

Mike Weber

Director

Telephone: (615) 591-8529

Title VI Coordinator: Mike Weber

Telephone: (615) 591-8529

**Organization and Staffing – General**

The Mayor of Williamson County is responsible for ensuring the implementation of the Title VI program. The Human Resource Director of Williamson County, on behalf of the Mayor, is responsible for the overall management of the Title VI programs, and serves as the Title VI Coordinator.

The day-to-day administration of the program lies with the Title VI Coordinator (hereafter referred to as "Coordinator") under the direct supervision of the Mayor.

**Title VI Coordinator Responsibilities**

The Title VI Coordinator is charged with the responsibility for implementing, monitoring, and ensuring the County's compliance with Title VI regulations. Title VI responsibilities are as follows:

1. Process the disposition of Title VI complaints received by the County.
2. Collect statistical data (race, color, sex, age, disability or national origin) of participants in and beneficiaries of state highway programs.
3. Conduct Title VI reviews of construction contractors, consultant contractors, suppliers, and other recipients of federal-aid highway fund contracts administered through the County.
4. Conduct training programs on Title VI and other related statutes for County employees and recipients of federal highway funds.
5. Prepare a yearly report of Title VI accomplishments and goals, as required.
6. Develop Title VI information for dissemination to the general public.
7. Conduct post-grant approval reviews of County programs and applicants for compliance with Title VI requirements.
8. Identify and eliminate discrimination.
9. Establish procedures for promptly resolving deficiency status and reducing to writing the remedial action agreed to be necessary, all within a period not to exceed 90 days.

## **Program Administration - General**

The Title VI Coordinator shall be responsible for coordinating the overall administration of the Title VI program. The Title VI Coordinator serves under the direct supervision of the Mayor, and is responsible for the program's day-to-day administration.

### **A. Complaints**

If any individual believes that s/he or any other program beneficiaries have been subjected to unequal treatment or discrimination in their receipt of benefits and/or services, or on the grounds of race, color, national origin, sex disability or age, s/he may exercise their right to file a complaint with the County. Every reasonable effort will be made to resolve complaints informally at the County and contractor level. A copy of the Complaint Policy is available upon request from the Title VI Coordinator.

### **B. Data Collection**

Statistical data on race, color, national origin and sex of participants in, and beneficiaries of the federally funded program (e.g., relocatees, impacted citizens, and affected communities), will be gathered and maintained by the Title VI Coordinator.

### **C. Title VI Program Reviews**

The County's Title VI Program reviews will be performed by the Title VI Coordinator to assess the office's administrative procedures, staffing, and resources available for Title VI compliance. The Title VI Coordinator will conduct reviews of contractors, subcontractors, consultants, suppliers and all other sub-recipients of TDOT's federal funds to ensure compliance with Title VI provisions.

### **D. Training Program**

Title VI training will be made available at least annually to employees and contractors. The training will provide comprehensive information on Title VI provisions, application to program operations, and identification of Title VI issues and resolution of complaints.

### **E. Annual Reports**

An annual executive summary will be submitted to the Mayor's Office for reviewing Title VI accomplishments achieved during the year. The Title VI Coordinator will be responsible for coordination and preparation of the report.

### **F. Title VI Plan Update**

A Title VI Plan Update will be submitted to TDOT during annual on-site reviews by the Title VI Specialist of each year. The update will report on accomplishments and changes to the program occurring during the preceding year, and will also include goals and objectives for the upcoming year.

### **G. Public Dissemination**

The Title VI Coordinator will disseminate Title VI Program information to County employees, subrecipients, contractors, and beneficiaries as well as the general public. Public dissemination will include the posting of policy statements, inclusion of Title VI language in contracts, and publishing of the Title VI Policy Statement on the public access channel.

## **H. Post-grant Reviews**

Review post-grant approval procedures (e.g. highway location design, relocation and individuals seeking contracts, etc.) to ensure compliance with Title VI requirements.

## **I. Elimination of Discrimination**

Implement procedures to identify and eliminate discrimination when found to exist, related to Minority/Women/Disadvantaged Business Enterprises (DBE) contractors, public involvement, and property acquisition.

## **J. Remedial Action**

The County will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements. When irregularities occur in the administration of the program's operation, corrective action will be taken to resolve Title VI issues, and reducing to writing a remedial action agreed upon to be necessary, all within a period not to exceed 90 days.

- 1) Sub-recipients placed in a deficiency status will be given a reasonable time, (not to exceed 90 days after receipt of the deficiency letter), to voluntarily correct deficiencies.
- 2) The County will seek the cooperation of the sub-recipient in correcting deficiencies found during the review.
- 3) When a sub-recipient fails or refuses to voluntarily comply with requirements within the time frame allotted, the County will submit to TDOT's Civil Rights Office or the FHWA two copies of the case file and a recommendation that the sub-recipient be found in noncompliance.
- 4) A follow-up review will be conducted within 180 days of the initial review to ensure that the sub-recipient has complied with the Title VI Program requirements in correcting deficiencies previously identified.

## **Limited English Proficiency**

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be limited English proficient, or "LEP." These individuals may be entitled to language assistance with respect to a particular type or service, benefit, or encounter. Federal laws particularly applicable to language access include Title VI of the Civil Rights Act of 1964, and the Title VI regulations, prohibiting discrimination based on national origin, and Executive Order 13166 issued in 2000. Many individual federal programs, states, and localities also have provisions requiring language services for LEP individuals. An Executive Order is an order given by the President to federal agencies. The LEP Executive Order (Executive Order 13166) says that people who are LEP should have meaningful access to federally conduct and federally funded programs and activities.

Executive Order 13166 requires all agencies that provide federal financial assistance to issue guidance on how recipients of that assistance can take reasonable steps to provide meaningful access consistent with Title VI and the Title VI regulations. The Order also

requires that federal agencies create plans for ensuring that their own activities also provide meaningful access for persons who are LEP.

#### **Addendum I – WILLIAMSON COUNTY Title VI Assurances**

Williamson County (hereinafter referred to as the "Recipient"), HEREBY AGREES THAT as a condition to receiving any federal financial assistance from the Tennessee Department of Transportation (TDOT) it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d-42 USC 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations), and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives federal financial assistance from TDOT, including the Federal Highway Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This Assurance is required by Subsection 21.7(a) (1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances to its Federal Aid Highway Program.

1. That the Recipient agrees that each "program" and each "facility" as defined in Subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.

2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations made in connection with the Federal Aid Highway Program, and in adapted form in all proposals for negotiated agreements:

Williamson County in accordance with Title VI of the Civil Rights Act of 1964 and 78 Stat. 252, 42 USC 2000d-d4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, or national origin in consideration for an award.

3. That where the Recipient receives federal financial assistance to construct a facility, or part of a facility, the Assurance shall extend to the entire facility and facilities operated in connection therewith.

4. That where the Recipient receives federal financial assistance in the form of real property, or for the acquisition of real property, or an interest in real property, the Assurance shall extend rights to space on, over or under such property.

5. That this Assurance obligates the Recipient for the period during which federal financial assistance is extended to the program, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the Assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.

6. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation, or the official to whom s/he delegates specific authority to give reasonable guarantee that it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants of federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this Assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts, property, discounts or other federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the Federal Aid Highway Program and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal Aid Highway Program. The person or persons whose signatures appear below are authorized to sign the Assurance on behalf of the Recipient.

Rogers Anderson

Rogers Anderson

Mayor of Williamson County Date 3-16-05

M

#### **Addendum II – Complaint and Hearing Procedure/Log**

See Attached.

#### **Addendum III – County Demographics**

See Attached.

**TITLE VI COMPLIANCE**  
**WILLIAMSON COUNTY, TENNESSEE**  
**ATTACHMENT D**  
**TITLE VI COMPLAINT PROCEDURE**

**WILLIAMSON COUNTY, TENNESSEE**  
**TITLE VI COMPLAINT PROCEDURE**

The complainant calls or comes in with a complaint. The complaint should include the name, address, phone number and signature of complainant. A formal complaint should describe the alleged discriminatory act that violates Title VI in detail. The complaint must be filed within 180 calendar days of the alleged incident.

**Complaints filed against Williamson County: Log and forward to the Tennessee Department of Transportation (TDOT) or the agency having jurisdiction within three (3) business days.**

Complaints filed against a contractor or sub-contractor of Williamson County will be processed and investigated by Williamson County.

**WILLIAMSON COUNTY GUIDELINES FOR PROCESSING COMPLAINTS**

1. Maintain a log of all complaints and appeals.
2. Forward an initial report to TDOT within seven (7) working days.
3. A copy of the complaint will also be forwarded to the alleged discriminatory contractor or sub-contractor, including the name and telephone number of the Title VI officer assigned to investigate the complaint.
4. The investigating officer will initiate the investigation by first contacting the complainant by telephone within three (3) work days of receiving the assignment to set up an interview.
  - a. The complainant will be informed that they have a right to have a witness or representative present during the interview.
  - b. The complainant may submit any documentation he/she perceives as relevant to proving his/her complaint.
5. The alleged discriminatory contractor or sub-contractor will be given the opportunity to respond to the complainant's allegations.
6. The investigating officer will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned.
7. The investigating officer 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.
8. The investigation will be completed and a final report will be sent to TDOT, the alleged discriminatory contractor or sub-contractor, and the complainant within sixty (60) calendar days of the date the complaint was received. The final report will include the following:
  - a. the written complaint containing the allegation, basis, and date of filing.
  - b. Summarized statements taken from witnesses



**TITLE VI COMPLIANCE**  
**WILLIAMSON COUNTY, TENNESSEE**  
**ATTACHMENT E**  
**TITLE VI COMPLAINT LOG**



## LIMITED ENGLISH PROFICIENCY (LEP) PROCEDURE

### Williamson County Government

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be limited English proficient, or "LEP." These individuals may be entitled to language assistance with respect to a particular type or service, benefit, or encounter. Williamson County Government does not discriminate against anyone with "Limited English Proficiency who seeks to participate in those County programs and/or services that are available to all citizens. Those County Offices involved with the Courts, Public Safety and Public Health have specific procedures in place to meet the needs of LEP individuals as determined by public policy, law or the delivery of services. The following procedures will be used by all other County Departments and Offices to ensure adequate and accurate communication with LEP citizens.

1. At each work location that serves as a point of contact for the public, employees will have access to a "language card" to help identify the language of individual with LEP who are seeking services or information. Attached to the language card will be a toll free phone number for the interpreter service and the department's account number to be used for billing purposes.
2. Once the individual has identified a language, the employee will contact the language service, identify the selected language, provide the departments account number and proceed as directed by the representative of the language service.
3. Once communication has been established, the employee will proceed to handle the matter as he/she has been instructed to do as part of his/her ordinary job responsibilities, ensuring that all citizens are treated in a professional, respectful manner that is in compliance with the County's policies on discrimination.

***Any employee or citizen who has a question about these procedures or feels they have been discriminated against due to their limited English proficiency should contact Mike Weber, Title VI Coordinator at (615) 591-8529.***

## **Title VI of the Civil Rights Act of 1964**

**Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color and national origin in programs and activities receiving federal financial assistance.**

**President John F. Kennedy stated ""Simple justice requires that public funds, to which all taxpayers of all races (color or national origin) contribute, not be spend in any fashion which encourages, entrenches, subsidizes, or results in racial (color or national origin) discrimination."**

**Williamson County Government receives federal financial assistance and is therefore subject to the requirements of Title VI.**

**All services, support, programs and local regulation enforcement are provided to all citizens equally and in the same manner without regard to race, color or national origin.**

**All citizens are treated and addressed in a respectful manner.**

**No decision made or action taken will be based on the citizen's race, color or national origin.**

# DISCRIMINATION IS PROHIBITED

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 REQUIRES THAT FEDERALLY ASSISTED PROGRAMS BE FREE OF DISCRIMINATION. THE TENNESSEE DEPARTMENT OF FINANCE AND ADMINISTRATION, DIVISION OF MENTAL RETARDATION SERVICES ALSO REQUIRES THAT ITS ACTIVITIES BE CONDUCTED WITHOUT REGARD TO RACE, COLOR, OR NATIONAL ORIGIN.

## Prohibited Practices Include:

- Denying any individual any services, opportunity, or other benefit for which he or she is otherwise qualified;
- Providing any individual with any service or other benefit, which is different or is provided in a different manner from that which is provided to others under the program;
- Subjecting any individual to segregated or separate treatment in any manner related to his or her receipt of service;
- Restricting any individual in any way in the enjoyment of services; facilities; or any other advantage, privilege, or benefit provided to others under the program;
- Adopting methods of administration that would limit participation by any group of recipients or subject them to discrimination;
- Addressing an individual in a manner that denotes inferiority because of race, color, or national origin;
- Subjecting any individual to incidents of racial or ethnic harassment, the creation of a hostile racial or ethnic environment, and a disproportionate burden of environmental health risks on minority communities.

Should you feel you have been discriminated against, please contact the local Title VI coordinator.

**Name:** Mike Weber

**Title:** Director of Human Resources

**Address:** 1320 West Main St., Suite 112, Franklin, TN 37064

**Phone Number:** (615) 591-8529

**FAX:** (615) 591-8520

- Any individual may file a Title VI complaint with the below listed entities. It is preferable that complaints be registered at the local level first.

DIVISION OF MENTAL RETARDATION SERVICES  
TITLE VI COMPLIANCE COORDINATOR  
**BRENDA D. CLARK**  
500 DEADERICK STREET NORTH  
ANDREW JACKSON BUILDING, 15<sup>TH</sup> FLOOR  
NASHVILLE, TN 37243  
(615)253-6811 OR 1-800-535-9725

OR

U.S. DEPARTMENT OF HEALTH AND HUMAN  
SERVICE  
REGIONAL MANAGER, OFFICE FOR CIVIL  
RIGHTS - REGION IV  
ATLANTA FEDERAL CENTER, SUITE 3B70  
61 FORSYTH STREET, S.W.  
ATLANTA, GA 30303 (404) 562-7886



TENNESSEE DEPARTMENT OF TRANSPORTATION

Affirmative Action  
Small Business Development  
Title VI

Tennessee Department of Transportation  
Civil Rights Office Title VI Program  
Compliance Assessment

**I. Agency Information**

Rogers Anderson

County Mayor

Administrative Head

Title

Grant Recipient: Williamson County Government Parks & Recreation Department

Address: 1320 West Main Street

City/State: Franklin / TN Zip Code /County: 37064 / Williamson

Phone/Fax: (615) 591-8520 Email: MikeW@williamson-tn.org

Name and Title of designated Title VI Coordinator

Mike Weber  
Name

Director of Human Resources  
Title

Address: 1320 West Main Street

City: Franklin / TN Zip Code/County: 37064 / Williamson

Phone: (615) 591-8529 Email: MikeW@williamson-tn.org

**\* If your Title VI Coordinator changes, please contact the Title VI Program.**

Name of Provider and date of most recent Title VI training

TDOT  
Provider

May12, 2010  
Date

**II. General**

**Project Description**

**Dollar Amount**

Development of Passive Park on Natchez

\$627,124

Trace Parkway

**City/County Population: Based on 2010 Census**

	Number	%		Number	%
Female	93,846	51.23	Male	89,336	48.77
White	163,728	89.38	Black or African American	7,941	4.34
American Indian/ Alaska Native	396	0.22	Native Hawaiian/ other Pacific Islander	82	0.04
Asian	5,517	3.01	Hispanic	8,166	4.46
Other	2,784	1.52			

**Demographics of service area where grant to be used:**

	Number	%		Number	%
Minority	0	0	Non Minority	0	0
Low-Income	0	0	Non Low - Income	0	0

Property is located within boundaries of lands owned by the US National Park Service

**III. Title VI Information**

Are all posters regarding Title VI visible and accessible to staff and service beneficiaries?

Yes   X   No       

Do the posters show the name of the Title VI Coordinator to whom complaints should be referred?

Yes   X   No       

Is Title VI information disseminated to your employees, clients and constituents?

Yes   X   No       

If "yes" explain how disseminated:

Posters, Brochures, Employee orientation and training, Local Access TV

**IV. Limited English Proficiency (LEP)**

Does your organization have a Limited English Proficiency (LEP) plan? Yes   X   No         
(If "yes" provide documentation)

How does the agency ensure persons with LEP access to services? Procedures are attached.  
All departments have access to 24 hour language lines, some department have interpreters and  
bi lingual staff

## V. Transportation- related boards or commissions

List transportation-related **appointed** board(s), commission(s), or advisory bodies, if any:

The Parks and Recreation Committee, which oversees and approves all Parks projects, consists of 6 members of the Williamson County Commission. Each is elected by the citizens of Williamson County

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Ethnic/racial/gender breakdown of the transportation-related boards(s)/or commission(s):

Female	2	Male	4
White	6	Black or African American	
American Indian/ Alaska Native		Native Hawaiian/ other Pacific Islander	
Asian		Hispanic	
Other			

How are the members of the boards(s)/or commissions(s) selected? (**attach by-laws**)  
Elected by the citizens of the Williamson County to 4 year terms.

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## VI. Procurement of Contracts

Describe methods used to solicit Certified Disadvantaged Business Enterprises and other small, minority, and women-owned businesses.

All bids are published in the local newspaper and on the county's website. TDOT DBE listing is reviewed for potential vendors.

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Are contractees clearly aware of their commitment to Title VI compliance?

Yes   X   No       

How are consultants/contractors monitored for Title VI compliance?

All consultants sign affidavits. See attached Furthermore, Contractors will receive monitoring form (also attached) to be submitted at completion of project.



Indicate the number of bids/proposals submitted by Certified Disadvantaged Business Enterprises and other small, minority and women-owned businesses for each transportation-related federally funded contract awarded for the past 2 years.

Ownership	Dollar Amount	Ownership	Dollar Amount
Caucasian		African American	
American Indian/ Alaskan Native		Native Hawaiian/ Other Pacific Islander	
Asian		Hispanic	
Female Owned Companies		Certified DBEs	

Do contracts contain non-discrimination assurance language? Yes X No       
(If "yes" provide documentation)

## VII. Public Involvement

Provide documentation describing efforts to identify and involve minority and low – income residents and communities within your service area in the development of this project and other decision making processes:

This project is located on property next to the Natchez Trace Parkway on property donated to the county by the National Park Service. It The funding is to be used to create a passive park with walking trails. Since this is land next to the protected Natchez Trace Parkway, there are no residential areas or communities impacted. This park will be open to all visitors.

Provide a description of the methods used to inform low-income and minority communities of planning efforts for this Enhancement grant and other transportation related services and/or improvements:

N/A

List minority and/or community media sources utilized to ensure notification of public meetings or public review of agency documents for residents in minority and low-income communities:

N/A

List any adverse social, environmental, economic or demographic impacts identified on any planned or programmed transportation-related projects during the last two years:

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### **VIII. Complaint Information**

Provide complaint procedure and log form. (attach copy)

List any Title VI complaints on the basis of race, color, and national origin in your agency during the past three years?

\_\_\_\_\_ None \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Were the complaints, if any, investigated? Yes\_\_\_\_ No\_\_\_\_  
By whom? \_\_\_\_\_

1. If "yes" provide a summary of the findings of the investigation, include a copy of the complaint and corrective action taken.
2. If "no" provide a reason for not investigating the complaint.

### **IX. Title VI Assurance**

Please provide a Title VI Assurance on **your letterhead**. A sample Title VI Assurance follows:

Signed copy of Title VI Assurance on official letterhead is attached.

As required by the contractual agreement, \_\_\_\_\_ will comply with  
(Agency)

the applicable laws and regulations relative to nondiscrimination in federally or state assisted programs of the Tennessee Department of Transportation.

### **X. DECLARATION OF RESPONDENT**

I declare that I have completed this Title VI Assessment to the best of my knowledge and believe it to be true and correct.

\_\_\_\_\_  
Title VI Coordinator

\_\_\_\_\_  
Date

### **XI. DECLARATION OF Administrative Head**

I declare that I have reviewed and approved the information provided in this assessment and to the best of my knowledge and believe it is true, correct and complete.

\_\_\_\_\_  
**Administrative Head**

\_\_\_\_\_  
**Date**