

Yankton Transit

Title VI Program

April 15, 2017

901 E 7th St

Yankton, SD

605-665-4610

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1. General Information

Yankton Transit is the public transit provider for the Yankton, SD area. Yankton Transit operates a pre-scheduled transit service. Yankton Transit also provides out of town medical trips that coordinate with other transit systems to out of town medical facilities.

Yankton Transit Title VI coordinator is Terry Kirchner. He was appointed on April 20, 2017.

2. Title VI Notice to the Public

The Notice to the Public is displayed on our website and in poster form located in our facility, along with stickers in all YT vehicles. The Notice to the Public can also be found in YT Title VI Program attached to this document.

3. Title VI Complaint Procedures

The Title VI Complaint Procedure can be found in YT Title VI Program attached to this document.

4. Title VI Complaint Form

The Title VI Complaint Form can be found in YT Title VI Program attached to this document.

5. List of Title VI investigations, complaints, or lawsuits.

There are no current Title VI investigations, complaints, or lawsuits. The log is attached.

6. Language Assistance Plan

YT has determined that there is a need for language assistance and has taken several steps to help aid the language barrier. Yankton Transit uses interpreters to assist non-English speaking individuals.

Table of Membership

Body	Caucasian	Native American	Latino	African American	Asian American
Population	100%	0%	0%	0%	0%
Executive Board	100%	0%	0%	0%	0%
Advisory Board	100%	0%	0%	0%	0%

1. Title VI Equity Analysis

Yankton Transit has not constructed a facility in the last three years

This Title VI Program Plan was adopted by Yankton Transit on April 20, 2017.

Signature

Date

Yankton Transit AGENCY POLICY AND PROCEDURE	EFFECTIVE DATE 06/01/2017	NUMBER OF PAGES 3	SECTION YT
SUBJECT: Title VI Plan	AUTHORIZATION SIGNATURE		REVIEWED

POLICY:

I. Plan Statement

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, age, sex, religion, disability, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title Vi provides that "no person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42

U.S.C. Section 2000d). Yankton Transit is committed to ensuring that no person is excluded from participation in, or denied benefits of its transit services on the basis of race, color, age, sex, religion, disability, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B.

This plan was developed to guide Yankton Transit in its administration and management of Title VI- related activities.

Title VI Coordinator Contact

Terry Kirchner
901 E 7th St
Yankton, SD 57078

II. Title VI Information Dissemination

Title VI information posters shall be prominently and publicly displayed in the Administrative Offices of Yankton Transit, 901 E 7th St, Yankton SD, 57078. The name of the Title VI coordinator will be displayed on the poster. Additional information relating to nondiscrimination obligation can be obtained from the Yankton Transit Title VI Coordinator.

During new employee orientation and subsequent employee trainings, information relative to the provisions of Title VI, and Yankton Transit's expectations to perform their duties accordingly will be reviewed and discussed. All employees shall be provided a copy of the Title VI Plan and are required to sign the Acknowledgement of Receipt (Appendix A & B).

Yankton Transit will ensure that all riders are provided with a copy of the Title VI Plan upon request. The plan will be translated upon request.

The Title VI Plan will be posted on the Yankton Transit website for reference.

III. Subcontractor and Vendors

All subcontractors and vendors who receive payments from YT where funds originate from any federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended.

Written contracts shall contain non-discrimination language, either directly or through bid specification package which becomes an associated component of the contract.

IV. Record Keeping

The Title VI Coordinator will maintain permanent records, which include, but are not limited to, signed acknowledgements of receipt from employees indicating the receipt of the YT Title VI Plan, copies of Title VI complaints or lawsuits and related documentation, and records of correspondence to and from complainants, and Title VI investigations.

V. Title VI Complaint Procedure

Filing a complaint

Any person can file a signed, written complaint up to one hundred and eighty (180) days from the date of the alleged discrimination. The complaint should include the following information (Appendix C):

- Complainant's name, mailing address and viable contact information
- How, when, where and why the complainant believes that they were discriminated against. Include the location, names and contact information of any witnesses
- Other information that is deemed significant

The Title VI Complaint Form (Attached) may be used to submit the complaint information. The complaint may be filed in writing with YT at the following address:

Yankton Transit

901 E 7th St

Yankton, SD

YT encourages all complainants to certify all mail that is sent through the U. S. Postal Service and/or ensure that all written correspondence can be tracked easily. For complaints originally submitted by facsimile, an original, signed copy of the complaint must be mailed to the Title VI Coordinator as soon as possible, but no later than 180 days from the alleged dates of discrimination.

Complaint process

All complainants alleging discrimination based on race, color or national origin in a service or benefit provided by YT will be directly addressed by YT. YT shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, YT shall make every effort to address all complaints in an expeditious and thorough manner.

A letter acknowledging receipt of the complaint will be mailed within seven days (Appendix D). Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.

Notification of Complaint

YT will send a final written response letter (Appendix E & F) to the complainant. This written response may be drafted subject to review by the Yankton Transit attorney. In the

letter

notifying complainant that the complaint is not substantiated, the complainant is also advised of his or her right to 1) appeal within seven calendar days of receipt of the final written decision from YT, and/or 2) file a complaint externally with the Department of Transportation, and/or the Federal Transit Administration. Every effort will be made to respond to Title VI complaints within 60 working days of receipt of such complaints, if not sooner.

In addition to the complaint process described above, a complainant may file a Title VI complaint with the following offices:

June Hansen, Civil Rights Compliance Officer/ADA Coordinator
 SDDOT -Office of Legal Counsel/Civil Rights Program
 700 E. Broadway Ave.
 Pierre, SD 57501
 Phone: 605-773-3540
 Fax: 605-773-4442
 Email: june.hansen@state.sd.us

Title VI Investigations, Complaint & Lawsuits Log				
	DATE (Month, Day, Year)	SUMMARY (include basis of complaint: race, color, or national origin or other protected class)	STATUS	ACTION(S) TAKEN
Investigations				
1				
2				
Lawsuits				
1				
2				
Complaints				
1				
2				

VI. Limited English Proficiency (LEP) Plan

Considering the demographics and language barriers within the ridership of Yankton Transit (YT), many steps have been taken to bridge the gap with LEP individuals. YT uses interpreters to understand non-English speaking individuals. YT makes sure that any and all people have the opportunity to use YT services without any discrimination.

Call Center Information:

Language Services Associates
 INTERPRETALK
 800-305-9673

VII. Community Outreach

As an agency receiving federal financial assistance, we have made the following community outreach efforts:

- YT will ensure all riders are provided with a copy of the Title VI Plan upon request. The plan will be posted on the Yankton Transit website. Any questions or concerns may be forwarded to the Title VI Coordinator through the transit operator or an appointment may be made in person to discuss questions or concerns with the Title VI Coordinator.
- A satisfaction survey is provided to all transit riders on a yearly basis. This survey is reviewed by the Director, Title VI Coordinator and YT, Executive Director.

Customers' complaints are forwarded to the Director for review and investigation

Public Participation Plan

Why Public Involvement is Necessary

The Federal and State government mandate public involvement. Public involvement helps to guide department decisions in providing public transportation services. It is a benefit to the department and the public, because it allows the development of service that meets the needs of the citizens.

Federal mandates require public involvement prior to raising fares, implementing major reductions in service, or applying for grants/loans to finance transportation improvement projects.

How the Public is Included in the Process

The public is included in the process through public comment and discussion received through customer information meetings, public hearings, advisory board meetings, and other community meetings. Public comment is ongoing and is received through these hearings, as well as through letters, phone calls and e-mails.

When holding a community meeting that is open to everyone, accessible and not limited in any manner; a public notice is provided through radio, paper ads, and/or direct mail.

What Level of Participation/Involvement is Appropriate

There are two basic forms of public involvement. 1) Public Participation – where public input/feedback is sought, and 2) Public Information/education – where information is disseminated to the public.

Yankton Transit seeks public input not only because of required regulation, but to offer the best services possible to our customers. There are times when it is necessary to only provide information, because of administrative decisions that are made.

What Public Should be Involved

- Non-riders
- Riders
- Business and community leaders/groups
- Government officials
- Faith based community
- Academia and educational institutions
- City Council
- Other City Departments

It is important to involve as many individuals as possible to gain the support and development of public transportation.

Notifying the Public of Rights under Title VI

Yankton Transit

- *Yankton Transit operates its programs and services without regard to race, color, age, sex, religion, disability, or national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with Yankton Transit.*
- *For more information on Yankton Transit civil rights program, and the procedures to file a complaint, contact 605-665-4610, email terry.yanktontransit@iw.net or visit our transit office at 901 7th Street, Yankton, SD 57078*
- *A complainant may be filed with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington DC 20590*
- *If information is needed in another language 605-665-4610.*

Appendix A

Employee Annual Education Form

Title VI Policy

No person shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

All employees of Yankton Transit are expected to consider, respect and observe this policy in their daily work and duties. If a citizen approaches you with a question or complaint, direct him or her to the Title VI Coordinator and Director of Yankton Transit.

Notification of Complaint

YT will send a final written response letter (Appendix E & F) to the complainant. This written response may be drafted subject to review by the Yankton Transit attorney. In the letter notifying complainant that the complaint is not substantiated, the complainant is also advised of his or her right to 1) appeal within seven calendar days of receipt of the final written decision from YT, and/or 2) file a complaint externally with the Department of Transportation, and/or the Federal Transit Administration. Every effort will be made to respond to Title VI complaints within 60 working days of receipt of such complaints, if not sooner.

In addition to the complaint process described above, a complainant may file a Title VI complaint with the following offices:

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SDDOT -Office of Legal Counsel/Civil Rights Program
700 E. Broadway Ave.
Pierre, SD 57501
Phone: 605-773-3540
Fax: 605-773-4442
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Language Services Associates
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operator or an appointment may be made in person to discuss questions or concerns with the Title VI Coordinator.

- A satisfaction survey is provided to all transit riders on a yearly basis. This survey is reviewed by the Director, Title VI Coordinator and Y.T., Executive Director.
- Customers' complaints are forwarded to the Director for review and investigation.

Appendix B
Acknowledgement of Receipt of the Title VI Plan

I hereby acknowledge the receipt of the Yankton Transit Title VI Plan. I have read the plan and am committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color or national origin, as protected by Title VI in the Federal Transit Administration (FTA) Circular 4702.1.B.

Employee Signature

Print Name

Date

Appendix C
TITLE VI COMPLAINT FORM

Title VI of the 1964 Civil Rights Act Requires that "No person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." If you feel you have been discriminated against in transit services, please provide the following information in order to assist us in processing your complaint.

Please print clearly:

Name: _____

Address: _____

City, State, Zip Code: _____

Telephone Number: Home: _____ Cell: _____

Message: _____

Person discriminated against: _____

Address of person discriminated against: _____

City, State, Zip Code: _____

Please indicate why you believe the discrimination occurred:

_____ race or color
_____ national origin

What was the date of the alleged discrimination? _____

Where did the alleged discrimination take place? _____

Please describe the circumstances as you saw it: _____

Please list any and all witnesses' names and phone numbers:

What type of corrective action would you like to see taken?

Please attach any documents you have which support the allegation. Then date and sign this form and send it to the Title VI Coordinator at:

Terry Kirchner
901 E 7th St
Yankton, SD 57078

Signature

Print Name

Date

Appendix D
Letter Acknowledging Receipt of a Complaint

Today's Date

Complainant's Name and address

Dear _____

This letter is to acknowledge receipt of your complaint against Yankton Transit alleging_

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 605-665-4610 or write to me at this address: 901 E 7th St
Yankton, SD 57078

Sincerely,

Terry Kirchner
Title VI Coordinator

Appendix E
Letter Notifying Complainant that the Complaint is Substantiated

Today's date

Complainant's Name and Address

Dear _____

The matter referenced in your letter of _____ (date) against Yankton Transit, alleging Title VI violation 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,

Terry Kirchner
Title VI Coordinator

Appendix F
Letter Notifying Complainant that the Complaint is not Substantiated

Today's Date

Complainant's Name and address

Dear _____

The matter referenced in your complaint of _____ (date) against Yankton Transit, alleging _____ 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.

YT has analyzed the materials and facts pertaining to your case for evidence of the agency's 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.

You have the right to 1) appeal within seven calendar days of receipt of this final written decision from YT, and/or 2) file a complaint externally with the South Dakota Department of Transportation:

June Hansen, Civil Rights Compliance Officer/ADA Coordinator
SDDOT -Office of Legal Counsel/Civil Rights Program
700 E. Broadway Ave.
Pierre, SD 57501
Phone: 605-773-3540
Fax: 605-773-4442
Email: june.hansen@state.sd.us

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,

Terry Kirchner
Title VI Coordinator

Appendix G

Samples of Narrative to be included in Posters to be Displayed in Revenue Vehicles and Facilities

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

Specifically, Title VI provides that "no person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

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

Yankton Transit

Terry Kirchner

901 E. 7th St

Yankton, SD 57078