



Policy #	T0001
Approved by BOD on::	9.24.2024
Approved by others on:	n/a
Revision Date:	9.16.2024
Revised by:	Donna Zdanis
Department Name:	Transportation

Downeast Community Partners Agency Title VI Plan
Non-Discrimination in the Federal Transit Program
(Adopted 9.24/2024)

Introduction

Title VI was enacted as part of the landmark Civil Rights Act of 1964. It prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. All recipients and subrecipients of Federal Transit Administration (FTA) funds must ensure that programs, policies and activities comply with FTA Title VI regulations. To provide recipients with specific guidance, FTA published Circular 4702.1B, October, 2012 (http://www.fta.dot.gov/legislation_law/12349_14792.html) The instruction provided in the circular is intended to ensure recipients meet the Title VI requirements and appropriately integrate them into FTA-funded programs throughout each state.

To meet all Title VI requirements, FTA-Funded programs must submit to the Maine Department of Transportation (MaineDOT) a Title VI plan that exhibits policy adoption, public outreach and involvement procedures and complaint procedures. Pursuant to MaineDOT’s Title VI Plan, Subrecipients of FTA dollars through MaineDOT are required to provide a Title VI Plan to MaineDOT by October 1, 2015. Following that submission, Title VI plans will be due every three years on the first of October. Plans will include or reference the following information:

- New signed Title VI Assurances
- A designated Title VI Coordinator responsible for Title VI compliance
- FTA Standard Assurances Appendix A & E included in contracts
- Title VI Complaint Process
- Four Factor Analysis
- LEP Plan
- Public Participation Plan

Downeast Community Partners

Title VI Plan

Non-Discrimination in the Federal Transit Program

“Simple justice requires that public funds to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes or results in racial discrimination.”

—John F. Kennedy

Downeast Community Partners

Title VI Assurances

Downeast Community Partners (DCP) affirms:

1. Title VI of the Civil Rights Act of 1964 prohibits discrimination in federally assisted programs. Title VI was amended by the Civil Rights Restoration Act of 1987 (P.L. 100-259), effective March 22, 1988, which added Section 606, expanding the definition of the terms "programs or activities" to include all the operations of an educational institution, governmental entity, or private employer that receives federal funds if any one operation receives federal funds.
2. DCP is a Non-profit entity. It is the policy of DCP to ensure compliance with Title VI of the Civil Rights Act of 1964 and all related statutes or regulations in all programs and activities so administered.
3. The DCP Title VI Coordinator is granted the authority to administer and monitor the Title VI Plan as promulgated under Title VI of the Civil Rights Act of 1964 and any subsequent legislation. The Title VI Coordinator will provide assistance as needed.
4. DCP will take all steps to ensure that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, or be denied the benefits of, or be subjected to discrimination under any program or activity of the Agency.
5. The Agency recognizes the need for annual Title VI training for Agency personnel.



Name: Rota Knott

Title: Chief Executive Officer

9.25.2024

Date

MaineDOT Compliance/Monitoring Review and Training

DCP agrees to participate in on-site reviews and cooperate with Compliance Staff throughout the review process.

DCP agrees to participate in training that includes Title VI and its requirements.

Certification and Assurance Submission

DCP agrees to submit the annual Title VI assurance to MaineDOT as part of the annual Certification and Assurance submission. (Sample assurances are found at

<http://www.maine.gov/mdot/civilrights/title6/> Under FTA Title VI Information.)

Title VI Complaint Procedures

MaineDOT investigates and tracks Title VI complaints filed with MaineDOT against subrecipients.

Title VI Complaint Procedure and Investigation Guidelines

DCP has developed procedures for investigating and tracking Title VI complaints filed against them and has made those procedures for filing a complaint available to the public. DCP's complaint procedure is outlined below:

DCP Complaint Procedure

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by DCP may file a Title VI complaint by completing and submitting the Agency's Title VI Complaint Form (see Appendix C). DCP investigates complaints received no more than 180 calendar days after the alleged incident. DCP will process complaints that have completed all elements of the complaint form.

Once the complaint is received, DCP will review it to determine DCP has jurisdiction. The complainant will receive an acknowledgment letter informing her/him whether the complaint will be investigated by DCP.

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

After the investigator reviews the complaint, DCP will issue one of two letters to the complainant:

1. A closure letter that summarizes the allegations and states there was not a Title VI violation and that the case will be closed.

2. A Letter of Finding (LOF) that summarizes the allegations and the interviews regarding the alleged incident, and explains if any disciplinary action, additional training of the staff member or other action will occur.

If the complainant wishes to appeal the decision, they have 10 calendar days after the date of the closure letter or the LOF to do so. If an appeal has been submitted, DCP will forward appeals to the MaineDOT Civil Rights Title VI Coordinator within 10 days.

When a complaint has been directly filed with another state or federal agency, the Agency is to inform the Title VI Coordinator where the complaint has been filed and coordinate any action needed by MaineDOT to resolve the complaint.

A person may also file a complaint directly with the Maine Department of Transportation at:

Maine Department of Transportation
Attn: Title VI Coordinator
24 Child Street
Augusta, Maine 04330

A person may also file a complaint directly with the Federal Transit Administration at:

FTA Office of Civil Rights
1200 New Jersey Avenue SE
Washington, DC 20590

If information is needed in another language, contact the DCP Transportation Director, at 207.610.5939.

Title VI Informal Complaint Policy

Title VI complaints may be resolved by informal means. When informal means are utilized, the complainant must be informed of their right to file a formal written complaint. Such informal attempts and their results will be summarized by DCP's identified Title VI Coordinator. The coordinator will log the complaint in the required complaint log (see Appendix D for a sample). If the complaint cannot be resolved informally, DCP's identified Title VI Coordinator must inform the complainant of the formal process outlined above and instruct the complainant on how to proceed.

1.1 Title VI Log of Complaints/Lawsuits, etc.

DCP will prepare and maintain a list of any alleged discrimination on the basis of race, color, or national origin, including any active investigations conducted by entities other than FTA, lawsuits, and complaints naming the Agency. The list will include the date that the investigation, lawsuit or

complaint was filed; a summary of the allegation(s) and date resolved. See Appendix D for sample complaint log.

Title VI Notice to Beneficiaries

DCP will provide information to the public regarding DCP's obligations under FTA's Title VI regulations and apprise members of the public of the protection against discrimination afforded to them by Title VI. At a minimum, DCP shall disseminate this information to the public by posting the notice on its website (if available) and in local media. DCP will document where and when this information is posted.

DCP will widely distribute its Title VI plan. The Title VI notifications are also included with all newly printed or revised agency publications, brochures and pamphlets meant for public consumption. The following notice is standard wording for publications, brochures, flyers, etc.:

DCP is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and relevant guidance. The Agency assures that no person in the United States shall, on the grounds of race, color, or nation 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.

To request additional information on DCP's Title VI policy, or to file a discrimination complaint, please contact DCP at 1-207-664-2424.

The Complaint Procedure is located at 248 Bucksport Road, Ellsworth, ME 04605 and online at www.downeastcommunitypartners.org.

Title VI Poster Requirements

DCP will provide a poster to meet the requirements listed below and will provide updates as required. DCP will also keep a database of the location of all Title VI posters and ensure they are clearly posted in the appropriate public places. Posters will include the following information:

- Description of agency Title VI commitment
- Information for more of Agency's Title VI program and the procedures to file a complaint, contact information, email, and address
- For more information, visit www.downeastcommunitypartners.org
- FTA and MaineDOT Office of Civil Rights, Attention Title VI Program Coordinators, address to file a complaint directly with either the state or federal agency directly
- Additional information if another language is needed 1-800-752-6096 or at www.LanguageLine.com.
- Ensure the sentence inserted on the poster is also provided in any language(s) spoken by LEP populations that meet the Safe Harbor Threshold.

***A sample Title VI Poster is located in Appendix B.**

Public Participation Plan

DCP will work with MaineDOT staff to identify targeted minorities within the service area. MaineDOT staff will supply demographic information to the lowest census level possible within the region to identify specifically what minority populations exist within the DCP service area. DCP will identify the appropriate locations to disseminate information to the identified populations (e.g., church, neighborhood gathering space) to seek comment, interest in new service or service revisions and/or extensions. DCP will document and maintain on file all activities related to Title VI outreach. This plan and documentation will be made available at MaineDOT's request.

DCP will coordinate with the regional mobility manager to ensure that DCP is included in regional planning efforts and that regional planning efforts include outreach to targeted populations within the DCP service area.

DCP will provide a summary to MaineDOT of all outreach efforts upon request or prior to future plan submittals and review.

DCP recognizes that future funding for new or revised service requires documentation of the above efforts.

Limited English Proficiency

The LEP Safe Harbor Threshold provision of Title VI stipulates that written translation of vital documents must be provided for each LEP group that speaks English "less than very well" that constitutes either 5% of the total population to be served or 1,000 individuals (whichever is less).

As documented in the 2023 Maine DOT LEP Assessment, Maine has a relatively low percentage of people who speak English less than very well. The Table 1 & 2 analysis of estimates reflected in the American Community Survey (ACS) for 2022 (below) here are zero languages in which the numbers of persons who speak English less than very well exceed the 1,000 person/5% threshold in Washington and Hancock counties.

Four Factor Analysis

- A. **DCP** is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives. By completing the Four Factor Analysis below, **DCP** assures that no person 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 FTA service, program, or activity.

1. Indicate the number or proportion of LEP persons eligible to be served or likely to be encountered by the program.
 - a. Based on information contained in MaineDOT's FTA Title VI Plan, dated 2023, and the US Census dated 2020, Maine has a relatively low percentage of people who don't speak English very well. There are zero languages in which the numbers of persons who speak English less than very well exceed the 1,000 person/5% threshold in Washington and Hancock counties.
 - b. LEP persons can potentially interact with **DCP** when they telephone the agency, when they board or exit a transit vehicle, or when they attend a meeting sponsored by **DCP**.
 - c. There is no LEP Community in **DCP's** service area.
 - d. **DCP** has no data that suggests that LEP populations are underserved in our programs and services.
2. Indicate the frequency with which LEP persons come into contact with the program through the following methods:
 - a. **DCP** has no data that suggests that LEP populations are using its buses.
 - b. **DCP** has no data that suggests that LEP populations are using its meetings.
 - c. There have been no customer service interactions with LEP persons during the past three years.
 - d. **DCP** has no data that suggests LEP populations have participated in any customer surveys during the past three years.
3. Describe the service and the nature of importance of the service (narrative).
 - a. **DCP's** buses are accessible to persons with disabilities, but **DCP** has no data that suggests that seniors and people with disabilities are part of Maine's LEP population.
 - b. **DCP** has "I Speak" language identification cards available on its buses and at public meetings. Should the need arise; **DCP** can utilize translation services identified in MaineDOT's FTA Title VI Plan. However, during the past three years, there have been no LEP persons requesting the use of these services.
4. **DCP** has "I Speak" language identification cards available on its buses and at public meetings, and language translation poster and services at its office. If the need for translation services arise, **DCP** can utilize one or more of the translation services identified in MaineDOT's FTA Title VI plan at a cost of approximately \$50-\$65/hour.

- B. Following completion of the Four Factor Analysis, **DCP** assures that based on the results of the Analysis, a Language Assistance Plan will be created. The **DCP** Language Assistance Plan includes the following:
1. Based on information contained in MaineDOT's FTA Title VI Plan, dated 2023, Maine has relatively low percentage of people who don't speak English very well. There are only 5 languages in which the number of persons who speak English less than very well exceed the 1,000 person/5% threshold: French (incl. Cajun), Spanish, Chinese (incl. Mandarin, Cantonese), Arabic and Amharic, Somali or other Afro-Asiatic languages. There are no known LEP communities in **DCP's** service area.
 2. **DCP** has "I Speak" language identification cards available on its buses and at public meetings, and language translation poster and services at its office. If the need for translation services arise, **DCP** can utilize one or more of the translation services identified in MaineDOT's FTA Title VI plan.
 - a. Within the past three years, there have been no requests by LEP persons to have these documents provided in another language.
 3. **DCP** has "I Speak" language identification cards available on its buses and at public meetings, and language translation poster and services at its office. **DCP** also posts Title VI posters in its offices and at other prominent places.
 - a. Vital written documents include Title VI Complaint Form, Notice to Beneficiaries, and other documents that provide access to services.
 4. On a yearly basis, **DCP's** Title VI Coordinator will review the Title VI plan in conjunction with Census data, FTA requirements, and any developments that would impact the plan including complaints and requests for language assistance services. Based on this review, **DCP's** Language Assistance Plan will be updated accordingly.
 5. **DCP** will participate in LEP training sessions provided by Maine DOT at Maine Transit Association meetings and will also review on an annual basis MaineDOT's training document titled "How to Work with a Telephone Interpreter" and any other Title VI documents on MaineDOT's website.

Staff Ongoing Title VI Training Process/Description

All **DCP** staff and volunteers will be trained on Title VI. Training will include the following documents:

- Non-discrimination poster
- Title VI Complaint form (Appendix C)
- Title VI Complaint log (Appendix D)
- LEP (Four Factor Analysis and Language Assistance Plan)
- Title VI brochure

DCP will utilize MaineDOT staff to assist with trainings. Affidavits will be signed when training is completed and filed as part of the Title VI program documentation.

Table 1 American Community Survey: Language spoken at Home by Ability to Speak English for the Population 5 Years and Over, Maine 2022:

	Washington County, Maine			
Label	Estimate	Speak English "very well"	Speak English less than "very well"	Percentage of total population
Speak only English	28530			
Spanish	465	265	200	1.5%
Other Indo-European languages	507	426	81	1.7%
Other Asian and Pacific Island languages	93	62	31	.3%
Other and unspecified languages	695	645	50	2.3%

	Hancock County, ME			
Label	Number of speakers	Speak English "very well"	Speak English less than "very well"	Percentage of total population
Speak only English	52196			
Spanish	285	215	43	.5%
Other Indo-European languages	692	543	149	1.3%
Other Asian and Pacific Island languages	296	210	86	.6%
Other and unspecified languages	776	656	120	1.7%

Public Participation Plan

DCP will work with MaineDOT staff to identify targeted minorities within the service area. MaineDOT staff will supply demographic information to the lowest census level possible within the region to identify specifically what minority populations exist within the DCP service area. DCP will identify the appropriate locations to disseminate information to the identified populations (e.g., church, neighborhood gathering space) to seek comment, interest in new service or service revisions and/or extensions. DCP will document and maintain on file all activities related to Title VI outreach. This plan and documentation will be made available at MaineDOT's request.

DCP will coordinate with the regional mobility manager to ensure that DCP is included in regional planning efforts and that regional planning efforts include outreach to targeted populations within the DCP service area.

DCP will provide a summary to the MaineDOT of all outreach efforts upon request or prior to future plan submittals and review.

DCP recognizes that future funding for new or revised service requires documentation of the above efforts.

APPENDIX A:

Table Depicting Minority Representation on Committees and Councils Selected by the Recipient

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

Body	Caucasian	Latino	African American	Asian American	Native American
Board of Directors	17	0	0	0	0
At Home Downeast Blue Hill Steering Committee	5	0	0	0	0

Appendix B:

Public Notice/Poster Sample

In accordance with the Civil Rights Act of 1964, DCP operates its programs and services without regard to race, color or national origin. Any person who believes she or he has been aggrieved by any unlawful discriminatory practices under Title VI may file a complaint with the Maine Department of Transportation or the Federal Transit Administration.

For more information on the DCP civil rights program and the procedures to file a complaint, visit our website at: www.downeastcommunitypartners.org

Downeast Community Partners
Chief Human Resources Officer
248 Bucksport Road
Ellsworth, ME 04605

Language translation services available upon request.
Services de traduction langue disponibles sur demande

Servicios de traducción disponibles bajo petición.

要求提供的语言翻译服务。

Lugha ya tafsiri huduma inapatikana juu ya ombi.

Ladenan panarjamahan Basa aya kana paménta.

خدمات الترجمة اللغة متاحة عند الطلب

Appendix C:



Transportation Complaint Form

ADA Complaint – ADA prohibits discrimination based on disability

Title VI Complaint – Title VI prohibits discrimination based on race, color, or national origin

Other Complaint

Please identify your complaint and check all that apply:

- Race Color Sex National Origin Age Religion Limited English Proficiency
 Other

Name: _____ Date: _____

Mailing Address: _____

Home or Cell Phone: _____

1. Date(s) or happenings related to this complaint: _____

2. Persons on our staff that you dealt with: _____

3. Describe what happened (continue on the back of this form or attach additional sheets if needed):

4. Name(s) and contact information of witnesses or those who have knowledge of your reason for this complaint:

I, the undersigned, give the Transportation Department permission to review and investigate the above information relevant to this complaint. I swear that the above statement(s) are true and correct to the best of my knowledge and information.

Signature: _____ Date: _____

You may submit this form online at Transportation@DCPCAP.org or by mailing it to:

Transportation Director
Downeast Community Partners
248 Bucksport Road
Ellsworth, ME 04605

Appendix D:

DCP Discrimination Complaint Log

Sample

Date of complaint	Summary of allegation	Date resolved