

**RESOLUTION**

**MID-COUNTY TRANSIT AUTHORITY**

At the regular meeting of the Board of Directors of Mid-County Transit Authority dba Town and Country Transit held on the 14<sup>th</sup> day of June 2023, the following resolution was duly adopted:


RESOLVED, that Mid-County Transit Authority dba Town and Country Transit, has adopted the following:

All TACT policies for graphical and minor changes.

Mid-County Transit Authority dba  
Town and Country Transit

  
Henry A. Mares, Board - President

ATTEST

  
Dave Stewart, Board – Vice President

Date: June 14, 2023



## TACT 148: Title VI Policy and Complaint Process

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- Policy:** Mid-County Transit Authority dba Town and Country Transit (TACT) (hereinafter "the Authority") grants equal access to its programs and services to all citizens. The Authority shall comply with all applicable state and federal legislation and regulations as defined in Title VI of the Civil Rights Act of 1964.
- Purpose:** To make citizens aware of their rights and such access and serves to educate citizens so that they may understand the civil rights laws that protect their receipt and benefit of such services as defined by Title VI of the Civil Rights Act of 1964.
- Scope:** This policy applies to the equal access of all Authority programs and services to citizens as defined in Title VI of the Civil Rights Act of 1964.
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### 1.0 - General

#### What is Title VI?

Title VI is a section of the Civil Rights Act of 1964 requiring 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" Note that Title VI does not address gender discrimination. It only covers race, color and national origin. Other Civil Rights laws prohibit gender discrimination.

### 2.0 – Complaint and Investigation Procedures

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 for alleged discrimination in any program or activity administered by the Authority.

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 complaints at the

lowest level possible. The option of informal mediation meeting(s) between the affected parties and the Authority may be utilized for resolution. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited under Title VI and related statutes may file separate complaints.

1. A formal complaint must be filed within 180 days of the alleged occurrence. Complaints shall be in writing and signed by the individual or his/her representative, and will include the complainant's name, address and telephone number; name of alleged discriminating official, basis of complaint (race, color, national origin), and the date of alleged act(s). A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints. The Authority Title VI complaint form can be found at the end of this document. The Authority encourages individuals to submit Title VI complaints in writing using this form and mailing it to:

Title VI Coordinator  
Town and Country Transit  
220 North Grant Avenue  
Kittanning, PA 16201

2. In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the Authority's Title VI Coordinator. Under these circumstances, the complainant will be interviewed, and the Authority's Title VI Coordinator will assist the complainant in completing a written statement.
3. When a complaint is received, the Title VI Coordinator will provide written acknowledgment to the Complainant, within ten (10) business days by registered mail or hand delivery.
4. If a complaint is deemed incomplete, additional information will be requested, and the Complainant will be provided 60 business days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.

5. Within 15 business days from receipt of a complete complaint, the Authority will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five (5) days of this decision, the General Manager or his/her authorized designee will notify the Complainant and Respondent, by registered mail or hand delivery informing them of the disposition.
  - a. If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.
  - b. If the complaint is to be investigated, the notification shall state the grounds of the Authority's jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
6. When the Authority does not have sufficient jurisdiction, the General Manager or his/her authorized designee will refer the complaint to the appropriate State or Federal agency holding such jurisdiction.
7. If the complaint has investigative merit, the General Manager or his/her authorized designee will instruct the Title VI Coordinator to fully investigate the complaint. A complete investigation will be conducted, and an investigative report will be submitted to the General Manager within 60 days from receipt of the complaint. The report will include a description of the incident, summaries of all persons interviewed, and a finding with recommendations and proposed resolution where appropriate. If the investigation is delayed for any reason, the Title VI Coordinator will notify the appropriate authorities, and an extension will be requested.
8. The General Manager or his/her authorized designee will issue letters of finding to the Complainant and Respondent within 90 days from receipt of the complaint.
9. If the Complainant is dissatisfied with the Authority's resolution of the complaint, he/she has the right to file a complaint in the time allotted by law with:



Federal Transit Administration Region 3  
1760 Market Street Suite 500  
Philadelphia, PA 19103-4124  
(215)656-7100 (telephone)  
(215) 656-7260 (fax)



### Title VI Complaint Form

Instructions: If you would like to submit a Title VI Complaint to Town and Country Transit, please complete the form below and return to:

Town and Country Transit  
 Attention: Title VI Coordinator  
 220 North Grant Avenue  
 Kittanning, PA 16201.

For questions, please contact TACT at 724-548-8696 or email to [tandctransit@tandctransit.com](mailto:tandctransit@tandctransit.com).

1. Name (Complainant):		
2. Phone:	3. Home Address (street #, city, state, zip code):	
4. If applicable, the name of the person(s) who you believe discriminated against you:	5. Date of the incident:	
6. Discrimination based on (please circle all that apply):		
Race	Color	National Origin
7. Briefly explain what happened and how you feel you were discriminated against. Please include how you feel that others were treated differently than you.		

8. Why do you believe these events occurred?

9. Is there any other information that you feel may be relevant to this investigation?

10. How can these issues be resolved to your satisfaction?

11. Please list any person(s) who we can contact for additional information or to support/clarify your complaint:

Name:

Address:

Phone Number:

12. Have you filed this complaint with any other federal, state, or local agency, or with any federal or state court? Circle your answer below:

Yes

No

If yes, circle all that apply:

Federal Agency

Federal Court

State Court

State Agency

Local Agency

If filed at an agency and/or court, please provide information on a contact person at that Agency/Court:

Agency/Court

Contact's Name:

Address:

Phone Number:

Signature (Complainant):

Date of Filing:

### **3.0 – Limited English Proficiency Policy Guidance**

#### **3.1 - Introduction**

The purpose of this Limited English Proficiency policy guidance is to clarify the responsibilities of recipients of federal financial assistance from the U.S. Department of Transportation (DOT) and assist them in fulfilling their responsibilities to Limited English Proficient (LEP) persons, pursuant to Title VI of the Civil Rights Act of 1964 and implementing regulations. It was prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance, and Executive Order 13166.

Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000), directs each Federal agency that is subject to the requirements of Title VI to publish guidance for its respective recipients clarifying that obligation. Executive Order 13166 further directs that all such guidance documents be consistent with the compliance standards and framework detailed in the Department of Justice's (DOJ's) Policy Guidance entitled "Enforcement of Title VI of the Civil Rights Act of 1964-National Origin Discrimination against Persons with Limited English Proficiency." (See 65 FR 50123, August 16, 2000 DOJ's General LEP Guidance). Different treatment based upon a person's inability to speak, read, write, or understand English may be a type of national origin discrimination. Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies such as the Authority, and governments, private and non-profit entities, and sub recipients.

### **3.2 – Limited English Proficiency Plan Summary**

The Authority has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to the Authority's services as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English. This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates. In developing the plan while determining the Authority's extent of obligation to provide LEP services, the Authority conducted a U.S. Department of Transportation four factor LEP analysis which considers the following: 1) The number or proportion of LEP persons eligible in the Authority's service area who may be served or likely to encounter an Authority program, activity, or service; 2) the frequency with which LEP individuals come in contact with Authority services; 3) the nature and importance of the program, activity or service provided by the Authority to the LEP population; and 4) the resources available to the Authority and overall costs to provide LEP assistance. A brief description of these considerations is provided in the following section.

#### **3.2.1 - Four Factor Analysis**

- 1. The number or proportion of LEP persons eligible in the Authority's service area who may be served or likely to encounter an Authority program, activity, or service.*

For the purpose of this four-factor analysis the Authority defines its service area as Armstrong County, Pennsylvania. The Authority examined the 2021 US Census report and, using Census data for the Authority's service area, was able to determine that 156 of 65,093 people within the Authority's service area age 5 and older spoke English less than "very well". This translates to 2.4 percent of the service area population and indicates that there is currently not a need to develop a language implementation plan. (<https://www.census.gov/quickfacts/fact/table/armstrongcountypennsylvania/POP8152>)



21).

*2. The frequency with which LEP individuals come in contact with an Authority program, activity, or service.*

The Authority assesses the frequency at which staff and drivers have or could possibly have contact with LEP persons. This includes documenting phone inquiries and surveying drivers and customer service personnel. The Authority has had no requests for interpreters and no requests for translated Authority documents. Authority staff and drivers have had very little to no contact with LEP individuals.

*3. The nature and importance of the program, activity, or service provided by the Authority to the LEP community.*

There is no large geographic concentration of any one type of LEP individuals in the Authority's service area. The overwhelming majority of the population, 99.7% of residents, speak English "very well". Therefore, for the most part, LEP individuals do not use the Authority's services.

*4. The resources available to the Authority and overall costs.*

The Authority assessed its available resources that could be used for providing LEP assistance. This included identifying costs associated with subscription to the Language Line service ([www.language.com](http://www.language.com)), the costs of additional translation services such as a professional interpreter on an as needed basis, which documents would be the most valuable to be translated if and when the populations supports, taking an inventory of available organizations with which the Authority could partner for outreach and translation efforts, and what level of staff training is needed. After analyzing the four factors, the Authority developed the plan outlined in the following section for assisting persons of limited English proficiency at a low cost.

### **3.3 – Limited English Proficiency Plan Outline**

#### **3.3.1 – How to Identify an LEP Person Who Needs Language Assistance**

1. Below are tools to help identify persons who may need language assistance:
  - a. Examine records requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings;
  - b. When the Authority sponsored workshops or conferences are held, set up a sign-in sheet table, have a staff member greet and briefly speak to each attendee. To informally gauge the attendee's ability to speak and understand English, ask a question that requires a full sentence reply;
  - c. Have the Census Bureau's "I Speak" cards at the workshop or conference sign-in sheet table. While staff may not be able to provide translation assistance at this meeting, the cards are an excellent tool to identify language needs for future meetings. Also, have the cards available the Authority's Terminal; and
  - d. Survey drivers and other first line staff on an annual basis at the beginning of each fiscal year regarding their experience on having any direct or indirect contact with LEP individuals.

#### **3.3.2 – Language Assistance Measures**

1. The Authority has implemented the following LEP procedures. The creation of these steps is based on the very low percentage of persons speaking other languages or not speaking English at least "well," and the lack of resources available in the Authority's service area:
  - a. Census Bureau's "I Speak" cards are located in the Terminal and distributed to all drivers and staff.
  - b. The Authority's Website has been redesigned to include a translator at the bottom of the page (Google translate).

#### **3.3.3 – Authority Staff Training**

1. All Authority staff will be provided with the LEP Plan and will be educated on

procedures to follow. This information will also be part of Authority staff orientation process for new hires. Training topics are listed below:

- a. Understanding the Title VI policy and LEP responsibilities;
- b. What language assistance services the Authority offers;
- c. Use of LEP "I Speak" cards;
- d. How to use the Language Line interpretation and translation services;
- e. Documentation of language assistance requests;
- f. How to handle a Title VI and/or LEP complaint

### **3.3.4 – Outreach Techniques**

1. The Authority does not have a formal practice of outreach techniques due to the lack of LEP population and resources available in the service area. However, the following are a few options that the Authority will incorporate when and/or if the need arises for LEP outreach:
  - a. If staff knows that they will be presenting a topic that could be of potential importance to an LEP person or if staff will be hosting a meeting or a workshop in a geographic location with a known concentration of LEP persons, meeting notices, fliers, advertisements, and agendas will be printed in an alternative language, based on known LEP population in the area.
  - b. When running a general public meeting notice, staff will insert the clause, based on the LEP population and when relevant, that translates as "A *[insert language(s)]* translator will be available".
  - c. Key print materials will be translated and made available at the Authority's Terminal, onboard vehicles and in communities when a specific and concentrated LEP population is identified.

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

1. This plan is designed to be flexible and is one that can be easily updated. At a minimum, the Authority will follow the Title VI Program update schedule for the LEP Plan.
2. Each update should examine all plan components such as:

- a. How many LEP persons were encountered?
  - b. Were their needs met?
  - c. What is the current LEP population in the Authority's service area?
  - d. Has there been a change in the types of languages where translation services are needed?
  - e. Is there still a need for continued language assistance for previously identified Authority programs?
  - f. Are there other programs that should be included?
  - g. Have the Authority's available resources, such as technology, staff, and financial costs changed?
  - h. Has the Authority fulfilled the goals of the LEP Plan?
  - i. Were any complaints received?
3. As part of the monitoring and update plan, the Authority will track the activity of usage of its services by LEP persons and requests for assistance from office and driver staff, and record information from annual passenger surveys which will identify the language spoken by passengers and their need for assistance. The Authority will also maintain communication with municipalities in its service area at a minimum on an annual basis to identify LEP individuals who may have moved into a part of the Authority's service area and may require assistance. These municipalities will also be instructed to contact the Authority with any requests that they may receive for language assistance.

### **3.3.6 – Dissemination of the Authority's Limited English Proficiency Plan**

The Authority includes the LEP plan on the Authority's website ([www.tandctransit.com](http://www.tandctransit.com)) together with its Title VI Policy and Complaint Procedures. The Authority's Notice of Rights under Title VI to the public is available at the Authority's Terminal and on all vehicles. Any person, including social service, non-profit, and law enforcement agencies, along with other community partners with Internet access will be able to access the plan. Copies of the LEP Plan will be provided upon request. LEP persons may obtain copies/translations of the plan upon request.

Any questions or comments regarding this plan should be directed to the Authority's Title VI Coordinator.

Title VI Coordinator  
Town and Country Transit  
220 North Grant Avenue  
Kittanning, PA 16201  
724-548-8696 voice  
724-545-3356 fax  
Email: [info@tactbus.com](mailto:info@tactbus.com)

#### **4.0 – Monitoring Sub-Recipients for Title Vi Compliance**

The Authority does not have sub-recipients.

#### **5.0 – Non-Elected Committees and Councils**

The Authority is governed by a volunteer Board of Directors comprised of seven individuals appointed to unlimited rotating three-year terms by member municipalities of the Municipal Authority including the Boroughs of Applewold, Ford City, Kittanning, Manorville, and West Kittanning, and East Franklin and Manor Townships. The Authority does not appoint its own Board members.

#### **6.0 - Title VI Equity Analysis for Construction Projects**

There have been no facilities constructed since 1980.

#### **7.0 – Documentation of Review and Approval of Title VI Program**

The Title VI Program has been reviewed and approved by the Authority's Board of Directors at its **February 8, 2023** meeting. A copy of the resolution is provided at the end of this document.

#### **8.0 – Title VI Posted Locations**

The Authority has copies of the Title VI Notice (Appendix A) posted in the following locations:

1. Terminal
2. Driver's Break Room



3. All Fixed-Route Vehicles
4. All Shared-Ride Vehicles
5. Authority's Website

## 9.0 – Title VI Service Standards

It is the intent of the Authority to ensure full compliance with Title VI Regulations. The information below has been reviewed and adopted as part of the Title VI program by the Authority's Board of Directors.

### 9.1 – Vehicle Load Standard

The load factor is generally defined as how crowded a public transit vehicle must be before additional service is considered. Load factors are monitored to determine whether additional service or vehicles are needed on routes that regularly meet or exceed vehicle load factors. The following vehicle load calculations will be used for vehicles assigned to fixed route service:

Bus #	Year	Make / Model	Seating Capacity	Load Factor	Max Capacity
114	2017	Ford E450 BOC – 25'	15	1.1	16.5
115	2017	Ford E450 BOC – 25'	15	1.1	16.5
116	2019	Ford E450 Low Floor – 27'	14	1.1	15.4
117	2019	Ford E450 Low Floor – 27'	14	1.1	15.4
118	2019	Ford E450 Low Floor – 27'	12	1.1	13.2

### 9.2 – Service Standards for Vehicle Headway

Vehicle headway is the amount of time between two vehicles traveling in the same direction on a given line or combination of lines. Headways and frequency of service are general indications of the level of service provided along a route. Vehicle headway is one component of the amount of travel time expended by a passenger to reach his/her destination. The Authority's headways are one hour on all routes.

### 9.3 – Service Standards for On-Time Performance

Dependability is examined in terms of schedule adherence, which measures the difference between scheduled time and actual time that a transit vehicle passes a particular location.

The schedule adherence standard ("on-time performance") consists of two parts: the definition of "on-time"; and the proportion of trip that operate within the "on-time" range. For the purpose of assessing dependability, "on-time" is established as zero (0) minutes early to ten (10) minutes late for fixed route service.

The standard for schedule adherence is that ninety (90) percent of trips throughout the service day operate on-time.

#### **9.4 – Service Standard for Service Availability**

The Authority provides service that is within  $\frac{3}{4}$ -mile of all residents of Kittanning, West Kittanning, Applewold, Manorville and Ford City boroughs. The Authority provides service that is within  $\frac{3}{4}$ -mile of the population centers of Manor and East Franklin townships, which are largely rural in character.

#### **9.5 – Service Standards for Transit Amenities**

There is at least one public or private transit wait shelter on each of the Authority's fixed routes. A trash receptacle is located in the Terminal for our passengers' convenience. Fixed-Route schedules are available to print online, at the Authority's offices, at community outreach events, at the Terminal and other participating locations along the Fixed-Route. Schedules can also be accessed online using mobile devices through the Authority's website.

#### **9.6 – Service Standards for Vehicle Assignment**

The Authority's fixed route fleet consists of two body-on-chassis small transit vehicles and three low floor small transit vehicles. Vehicles are rotated between runs, and each run provides service on all routes.

## **10.0 – List of Title VI Investigations/Complaints/Lawsuits**

FY 2012-13	None
FY 2013-14	None
FY 2014-15	None
FY 2015-16	None
FY 2016-17	None
FY 2017-18	None
FY 2018-19	None
FY 2019-20	None
FY 2020-21	None
FY 2021-22	None

**11.0 – FEDERAL TRANSIT ADMINISTRATION CIVIL RIGHTS ASSURANCE**

Mid-County Transit Authority dba Town and Country Transit (hereinafter “the Authority”) hereby certifies that, as a condition of receiving Federal financial assistance under the Federal Transit Act of 1964, as amended, it will ensure 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. The Authority will compile, maintain, and submit in a timely manner Title VI information required by FTA Circular 41702.1 and in compliance with the Department of Transportation’s Title VI regulation, 49CFR Part 21.9.
3. The Authority will make it known to the public that those persons alleging discrimination on the basis of race, color or national origin as it relates to the provision or transportation services and transit-related benefits may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.

The person whose signature appears below is authorized to sign this assurance on behalf of the grant applicant or recipient.

Tiffany Chaffee  
Tiffany Chaffee, Assistant Executive Director

06/14/2023  
Date



# Town and Country Transit

## PUBLIC NOTICE

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### Town and Country Transit

#### Title VI Statement of Policy and Public Notice

Town and Country Transit assures full compliance with Title VI of the Civil Rights Act of 1964, as amended and its related statutes. No person is excluded from participation in, denied the benefits of its services, or otherwise subjected to discrimination on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, as amended.

Any person who believes that he or she has been unlawfully discriminated against may file a formal complaint with Town and Country Transit within 180 days following the date of the alleged incident.

For more information regarding civil rights complaints, please contact:

**Mid-County Transit Authority dba Town and Country Transit**

**220 North Grant Avenue**

**Kittanning, PA 16201**

**724.548.8696 or 800.245.8588**