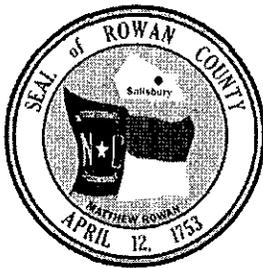


# RTS Rowan Transit System

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## Title VI Plan



Adoption Date: July 1, 2007

Amended: April 9, 2008

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Rowan Transit System  
2722 Old Concord Road  
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## **Introduction**

Rowan County is located in the vastly growing Piedmont region of North Carolina. We are also lucky enough to be located along Interstate 85. Strategically located between the exploding Charlotte metro and the dynamic Winston-Salem, Greensboro, and High Point markets, we can meet all of your transportation needs.

Rowan County has easy access to two international airports. Charlotte Douglas International Airport is approximately 45 miles away and the Triad International Airport in Greensboro is approximately 55 miles away.

Rowan population is about 130,000 people. Approximately 20% of the residents live in the City of Salisbury, 13% in the other towns and the rest in unincorporated sections of the County.

**Source:** U.S. Bureau of the Census, 2000 Census of Population and Housing & 2005 American Community Survey. ESRI forecast for 2010

Population by Race/ Ethnicity	2000	2005	Annual Growth Rate	2010 (estimated)
White Alone	80.0%	81.01%	0.25%	77.7%
Black Alone	15.8%	14.81%	-1.25%	16.0%
American Indian Alone	0.3%	0.17%	-8.76%	0.4%
Asian or Pacific Islander Alone	0.9%	0.96%	1.22%	1.3%
Some Other Race Alone	2.0%	2.11%	1.14%	3.3%
Two or More Races	1.0%	0.94%	-1.13%	1.3%
Hispanic Origin	4.1%	5.75%	8.07%	6.1%
Diversity Index	38.7	41.4	1.40%	44.3

## **Federal Highway Administration**

### **Title VI Plan**

It has been The Federal Highway Administration's (FHWA's) and the Federal Transit Administration's (FTA's) longstanding policy to actively ensure nondiscrimination under Title VI of the 1964 Civil Rights Act in Federally funded activities. Under Title VI and related statutes, each Federal agency is required to ensure that no person is excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving Federal financial assistance on the basis of race, color, national origin, age, sex, disability, or religion. The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all program and activities of Federal-aid recipients, sub-recipients, and contractors whether those programs and activities are Federally funded or not.” (Source: US Department of Transportation)

**Governance**

The official applicant for all NCDOT funding is the Rowan County Board of Commissioners. The Rowan County Senior Services Department is the designated Department that is responsible for the administration of the Rowan Transit System [RTS].

The Board of Commissioners also appointed a 12 member RTS Advisory Committee. It meets every third Wednesday of the month. There are representatives from human service agencies, general public, Finance Department and the County Manager.

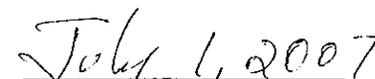
The County also employees a private transportation management company to manage system operations. They interview, employ and train the staff. In the lease of the vehicles they have the responsibility for organizing routes, dispatch and communicate with the drivers, insure, fuel and maintain the vehicles. They collect a large amount of data to prepare monthly and cumulative system reports for each fiscal year.

**ROWAN TRANSIT SYSTEM**

**Title VI CIVIL RIGHTS Policy**

The Rowan Transit System [RTS] assures that no person shall, on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. RTS further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. In the event RTS distributes federal aid funds to another governmental entity, RTS will include Title VI language in all written agreements and will monitor for compliance. RTS's Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing required reports, and other RTS responsibilities as required by Title 23 Code of Federal Regulations (CFR) Part 200, and Title 49 CFR Part 21.

  
Clyde Fahnestock, RTS Director

  
Date

## **Authority of Civil Rights Coordinator**

The RTS Director, is responsible for coordinating the overall administration of the Title VI program, plan, and Assurances.

### **Civil Rights Coordinator Responsibilities**

The Title VI Coordinator is responsible for ensuring all elements of the plan are appropriately implemented and maintained according to adopted policy.

1. *Data collection:* Statistical data on race, color, national origin, income level, language spoken, and gender of participants in, and beneficiaries of, federally funded programs is to be gathered and maintained in compliance with the requirements of the Title VI program.
  2. *Annual Report and Update:* An Annual Report and Update is to be submitted by the end of October each year, to the RTS Advisory Committee. Upon request, reports may also be made to the Office of Equal Opportunity, the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA).
  3. *Annual review of Title VI program:* Each year, in preparing for the Annual Report the Coordinator will review the agency's Title VI program to assure compliance with Title VI. In addition, they will review agency operational guidelines and publications, including those for contractors, to ensure that Title VI language and provisions are incorporated, as appropriate.
  4. *Dissemination of information:* Information on RTS's Title VI program will be disseminated to agency employees, contractors, beneficiaries, and the public in appropriate venues.
  5. *Resolution of complaints:* Any individual may exercise his or her right to file a complaint with RTS if that person believes that s/he or any other program beneficiaries have been subjected to unequal treatment or discrimination in their receipt of benefits/services or prohibited by non-discrimination requirements. RTS will make a concerted effort to resolve complaints informally at the lowest level, using the agency's Nondiscrimination Complaint Procedures, as described in Appendix documents.
5. Title VI Coordinator will perform the following duties:
- a) Identify, investigate, and eliminate discrimination when found to exist.
  - b) Process Title VI complaints received by RTS, as described in the Appendix.
  - c) Meet with the Human Resources Director to periodically monitor and discuss progress, implementation, and compliance issues.
  - d) Periodically review the agency's Title VI program to assess if administrative procedures are effective, staffing is appropriate, and adequate resources are available to ensure compliance.
  - e) Develop and submit the Annual Title VI Report and Update to FTA by the end of October each year.

### **General Communications and Public Involvement Goal:**

The goal of RTS's general Communications and Public Involvement policy is to ensure early and continuous public notification about, and participation in, major actions and decisions by RTS. In seeking public comment and review, RTS makes a concerted effort to reach all segments of the population, including people from minority and low-income communities, and organizations representing these and other protected classes. RTS utilizes a broad range of public information and participation opportunities, process for written comments, public meetings after effective notice, settings for open discussion, information services, and consideration of and response to public comments.

### **Title VI Notice to the Public**

The paragraph below will be inserted in all significant publications that RTS distributes to the public.

*The Rowan Transit System [RTS] hereby gives public notice that it is the policy of the Rowan County to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, sex, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which Rowan County receives federal financial assistance. Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with Rowan County. Any such complaint must be in writing and filed with the RTS Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence.*

### **Principals of the Communications and Public Involvement Plan:**

Principles of RTS's Communications & Public Involvement Program are:

1. Equal access is an essential part of the public involvement process.
2. No major public policy decision is reached or large project implemented without significantly affecting someone.
3. Professionals do not have a monopoly on good solutions.
4. People are much more willing to live with a decision that affects different interests unequally if the decision-making process is open, objective, and considers all viewpoints.
5. If staff doesn't provide all relevant information necessary for an informed decision, the public will rely on, and trust, others.
6. Interacting with an official representative of an organization or group is no substitute for interacting directly with that organization or group.
7. Effective public notification and participation takes time and effort, and can be expensive, yet is essential to sound decision-making.

8. Elements of RTS's Communications & Public Involvement Program include a web site, public speaking programs, brochures, radio, posters, newspaper and public hearings.
9. RTS participates in events such as workshops, open houses, and forums.

### **Opportunities for Public Comments**

RTS offers several ways for people to comment on activities, programs, and decisions.

1. Comments are accepted at any time by phone, fax, email, US Mail, visiting directors office and meetings of the RTS Advisory Committee. The phone number is listed under County Government in the phone book, heavily promoted on the side of vehicles, brochures, posters and Information & Referral hot line.
2. The monthly RTS Advisory Committee meetings are always held on the third Wednesday of every month and are open to the public. No advance notice is required to speak during any of the meetings and comments are reflected in the minutes.
3. The Board of Commissioners hold Public Hearings for all Administrative, Capital and Operating grants submitted to NCDOT. Legal Advertisements are published in the local newspaper to describe applications and invite public comment.

### **Limited English Proficiency [LEP]**

LEP is defined as those individuals for whom English is not their primary language and who have limited ability to read, write, speak, or understand English. RTS has reviewed census data that relates to the number of potential LEP individuals in our service area, and should consider the number of contacts with such individuals, as well as the available resources for meeting their needs. The following should be considered for action:

5. On an ongoing basis RTS should attempt to identify those individuals with LEP, and report these persons to management for effective action geared toward meeting the individuals needs.
6. Determine the best possible measure for assistance, such as staff training or using personnel in other county departments who are qualified to assist.
7. Translation of vital documents to overcome language barriers.
8. When possible use aids such as signage or interpreters for those with hearing or visual impairments.

### **Nondiscrimination Complaint Procedures**

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, the Civil Rights Restoration Act of 1987, and the Americans with Disabilities Act of 1990, relating to any program or activity administered by RTS, as well as to sub-recipients, consultants, and/or contractors.

Intimidation or retaliation of any kind is prohibited by law. 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. These procedures are part of an administrative

process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant.

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 Title VI Coordinator may be utilized for resolution. The Title VI Coordinator will make every effort to pursue a resolution to the complaint. Initial interviews with the complainant and the respondent will request information regarding specifically requested relief and settlement opportunities.

## Procedures

Any individual, group of individuals, or entity that believes they have been subjected to discrimination prohibited by Title VI nondiscrimination provisions may file a written complaint with RTS's Title VI Coordinator. A formal complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant. The complaint must meet the following requirements:

1. Complaint shall be in writing and signed by the complainant(s).
  - a. Include the date of the alleged act of discrimination (date when the complainant(s) became aware of the alleged discrimination; or the date on which that conduct was discontinued or the latest instance of the conduct).
  - b. Present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the complained-of incident.
  - c. Allegations received by fax or e-mail will be acknowledged and processed, once the identity(ies) of the complainant(s) and the intent to proceed with the complaint have been established. For this, the complainant is required to mail a signed, original copy of the fax or e-mail transmittal for RTS to be able to process it.
  - d. Allegations received by telephone will be reduced to writing and provided to the complainant for confirmation or revision before processing. A complaint form will be forwarded to the complainant for him/her to complete, sign, and return to RTS for processing.
2. Upon receipt of the complaint, the Title VI Coordinator will determine its jurisdiction, acceptability, and need for additional information, as well as investigate the merit of the complaint. In cases where the complaint is against one of RTS's sub-recipients of federal funds, RTS will assume jurisdiction and will investigate and adjudicate the case. Complaints against RTS will be referred to the Federal Highway Administration or the Federal Transit Administration, as appropriate, for proper disposition pursuant to their procedures. In special cases warranting intervention to ensure equity, these agencies may assume jurisdiction and either complete or obtain services to review or investigate matters.
3. In order to be accepted, a complaint must meet the following criteria: RTS Title VI Plan
  - a. The complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant.
  - b. The allegation(s) must involve a covered basis such as race, color, national origin, gender, disability, or retaliation.
  - c. The allegation(s) must involve a program or activity of a Federal-aid recipient, sub-recipient, or contractor, or, in the case of ADA allegations, an entity open to the public.
  - d. The complainant(s) must accept reasonable resolution based on RTS's administrative

authority (reasonability to be determined by RTS).

4. A complaint may be dismissed for the following reasons:
  - a. The complainant requests the withdrawal of the complaint.
  - b. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
  - c. The complainant cannot be located after reasonable attempts.
5. Once RTS decides to accept the complaint for investigation, the complainant and the respondent will be notified in writing of such determination within fourteen (14) calendar days. The complaint will receive a case number and will then be logged in to RTS's records identifying its basis and alleged harm, and the race, color, national origin, and gender of the complainant.
6. In cases where RTS assumes the investigation of the complaint, RTS will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have 10 calendar days from the date of RTS's written notification of acceptance of the complaint to furnish his/her response to the allegations.
7. In cases where RTS assumes the investigation of the complaint, within 40 calendar days of the acceptance of the complaint, RTS's Investigator\* will prepare an investigative report for review by the agency's Legal Counsel. The report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition.
8. The investigative report and its findings will be sent to RTS's Legal Counsel for review. The Counsel will review the report and associated documentation and will provide input to the Investigator within 10 calendar days.
9. Any comments or recommendations from RTS's Legal Counsel will be reviewed by RTS's Investigator. The Investigator will discuss the report and recommendations with the Executive Director within 10 calendar days. The report will be modified as needed and made final for its release.
10. RTS's final investigative report and a copy of the complaint will be forwarded to the Rowan County Board of Commissioners for their review, comment and resolution.

**APPENDIX Forms: available upon request: 704-216-7700**  
Rowan Transit System Discrimination Complaint Form  
Rowan Transit Public Transit Complaint Log