



## TITLE VI PROGRAM POLICY

The Butte County Association of Governments (BCAG) and Butte Regional Transit (BRT) grants all citizens equal access to its transportation services and are committed to providing public transportation in an environment that is free from discrimination on the basis of race, color or national origin. All persons, regardless of their citizenship, are covered under this regulation. In addition, BCAG and BRT prohibits discrimination on the basis of race, color or national origin in its employment and business opportunities.

As a Federal Transit Administration (FTA) fund recipient, Butte Regional Transit will ensure that its programs, policies and activities comply with Title VI of the Civil Rights Act of 1964, as amended, and Department of Transportation regulations. BRT will ensure that the level and quality of its transportation service is provided without regard to race, color or national origin.

BRT will not condone retaliation against an individual for his/her involvement in asserting his/her rights pursuant to Title VI or because he/she filed a complaint or participated in an investigation under Title VI, and /or this regulation. BRT will promote the full and fair participation of all affected populations in the transportation decision-making process.

BRT will make good faith efforts to achieve environmental justice as part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, activities, and services on minority populations and low-income populations within BRT's service area as provided herein.

### Title VI Policy Statement – Notice to the Public

BRT will ensure that Limited English Proficient (LEP) individuals have access to BRT's programs, activities, and services.

The BRT Title VI Policy Statement is posted on the agency websites, in the administrative offices, transit centers, within all transit vehicles and at high demand stops throughout the system.

This Regulation shall be maintained in English, Spanish and Hmong. If information is needed in another language, contact BRT at 530-809-4616.

## APPLICABILITY

This policy is applicable to all BRT employees, members of the public and all contractors hired by BRT.

Failure of a BRT employee to follow this policy and procedure may subject such employee to disciplinary action up to and including employment termination.

## DEFINITIONS

**Adverse Effect means** having a harmful or undesired effect.

**Discrimination** refers to any act or inaction, whether intentional or unintentional, in any program or activity of a Federal aid recipient, subrecipient, or contractor that results in disparate treatment, disparate impact, or perpetuates the effects of prior discrimination based on race, color, or national origin.

**Limited English Proficient (LEP) Persons are** individuals for whom English is not their primary language and who have a limited ability to speak, understand, read, or write English. It includes people who reported to the U.S. Census that they do not speak English well or do not speak English at all.

**Low-Income Population** means any readily identifiable groups of low-income individuals who live in geographic proximity, and if circumstances warrant, geographically dispersed transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy, or activity.

### **Minority Individuals**

1. American Indian and Alaska Native, which refers to people having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.
2. Asian, which refers to people having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent.
3. Black or African American, which refers to people having origins in any of the Black racial groups of Africa.
4. Hispanic or Latino, which includes people of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
5. Native Hawaiian and Other Pacific Islanders, which refers to people having origins in any of the original people of Hawaii, Guam, Samoa, or other Pacific Islands.

**National Origin** means the particular nation in which a person was born, or where the person's parents or ancestors were born.

**Race** means a group of people united or classified together on the basis of common history, nationality, or geographic distribution.

**Recipient** means one that has received or is receiving Federal financial assistance. The term includes subrecipients of a recipient and subrecipients in FTA State administered programs.

**Retaliation** Any adverse action taken against another individual because of his/her participation in the complaint, investigation, or hearing relating to this policy or the provision of federal or state law.

**Vital Documents** are documents that convey information that critically affects the ability of the customer to make informed decisions about his/her participation in the program (e.g., public notices, consent forms, complaint forms, eligibility rules, notices pertaining to the reduction, denial or termination of services or benefits, right to appeal, and notices informing customers of the availability of free language assistance).

## GENERAL REQUIREMENTS AND GUIDELINES

BRT will carry out its programs, activities, and services in compliance with Title VI of the Civil Rights Act of 1964. BRT or any of its employees will not, on the grounds of race, color, national origin, age, sex, sexual orientation, or gender identity, exclude any person from participating in, deny the benefits of, or subject him/her to discrimination under any BRT programs, services, or activities.

BRT nor any of its employees will not, on the grounds of race, color or national origin:

- a) Provide any service, financial aid, or benefit that is different from that provided to others;
- b) Subject an individual to segregation or separate treatment;
- c) Restrict an individual in the enjoyment of any advantage or privilege enjoyed by others;
- d) Deny any individual service, financial aid, or benefits under any BRT programs, services, or activities;
- e) Treat individuals differently in terms of whether they satisfy admission or eligibility requirements;
- f) Deny an individual the opportunity to participate as a member of a planning or advisory body.

BRT shall evaluate significant system-wide service and fare changes and proposed improvements at the planning and programming stages to determine whether these changes have a discriminatory impact on low-income and Limited English Proficiency individuals. This applies to major service changes that affect 25% of service hours of a route.

BRT schedules at least one Board Meeting every month to ensure that all individuals are afforded an opportunity to participate in transportation decisions.

BRT maintains a list (a minimum of four years in active status) of any Title VI investigations, complaints, or lawsuits filed which allege BRT discriminated against a person or group on the basis of race, color, or national origin. This list will include:

- a) The date the investigation, complaint, or lawsuit was filed;
- b) A summary of the allegation(s);
- c) The status of the investigation, complaint, or lawsuit; and
- d) Any actions or corrective actions taken by BRT in response to the investigation, complaint or lawsuit.

BRT will keep the public informed of the protections against discrimination afforded to them by Title VI and BRT's obligations under Title VI by posting a *Title VI Policy Statement* (Attachment A) and associated English and Spanish *Complaint Forms* (via *Google Translator*), on BRT's website at [www.blinetransit.com](http://www.blinetransit.com), [www.bcag.org](http://www.bcag.org) and at the BRT administrative offices.

BRT will take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs, activities and services for individuals who are Limited English Proficient (LEP).

BRT will provide information, upon request from FTA, in order to investigate complaints of discrimination, or to resolve concerns about possible noncompliance with Title VI.

BRT will submit its Title VI Program to the FTA's regional civil rights officer once every three years to ensure compliance with Title VI Requirements.

BRT will ensure that minority and low-income individuals have meaningful access to BRT programs, activities and services.

## **ENVIRONMENTAL JUSTICE REQUIREMENTS**

BRT shall integrate an environmental justice analysis into its National Environmental Protection Act (NEPA) documentation of construction projects. BRT is not required to conduct environmental justice analyses of projects where NEPA documentation is not required. BRT will consider preparing an environmental assessment (EA) or

environmental impact statement (EIS) to integrate into its documents the following components:

- a) A description of the low-income and minority population within the study area affected by the project, and a discussion of the method used to identify this population (e.g., analysis of Census data, direct observation, or a public involvement process);
- b) A discussion of all adverse effects of the project both during and after construction that would affect the identified minority and low-income populations;
- c) A discussion of all positive effects of the project that would affect the identified minority and low-income populations, such as improvements in transit service, mobility, or accessibility;
- d) A description of all mitigation and environmental enhancement actions incorporated into the project to address the adverse effects, including, but not limited to, any special features of the relocation program that go beyond the requirements of the Uniform Relocation Act and address adverse community effects such as separation or cohesion issues; and the replacement of the community resources destroyed by the project;
- e) A discussion of the remaining effects, if any, and why further mitigation is not proposed; and
- f) For projects that traverse predominantly minority and low-income and predominantly non-minority and non-low-income areas, a comparison of mitigation and environmental enhancement actions that affect predominantly low-income and minority areas with mitigation implemented in predominantly non-minority or non-low-income areas.

## **LIMITED ENGLISH PROFICIENT (LEP) INDIVIDUALS AND PUBLIC PARTICIPATION REQUIREMENTS**

BRT will seek out and consider the viewpoints of minority, low-income and Limited English Proficient (LEP) populations in the course of conducting public outreach and involvement activities. BRT's public participation strategy will offer early and continuous opportunities for the public to be involved in the identification of social, economic and environmental impacts of proposed transportation decisions.

BRT will ensure that individuals have access to its programs, activities and services by developing and carrying out the language plan herein. BRT will continually assess the language assistance needs of the population to be served.

BRT will use the following four (4) factors to determine what measures must be undertaken to provide reasonable and meaningful access to LEP individuals.

- a) Languages likely to be encountered and the number or proportion of LEP persons in the eligible service population likely to be affected by the program, activity, or service.
- b) Frequency with which LEP individuals come into contact with BRT programs, activities, and services.
- c) Importance of the program, activity, or service provided by BRT to LEP individual's lives.
- d) Resources needed to provide effective language assistance and costs.

## **ORAL LANGUAGE ASSISTANCE**

BRT will make every effort to employ bilingual staff to provide Spanish-speaking interpretation at its Administrative office and within its Customer Service for basis transit questions and trip planning assistance.