

TITLE VI SUBRECIPIENT PLAN
Non-Discrimination in the Federal Transit Program

May 2021

Contents

1. Introduction	1
2. Title Page	2
3. Policy on Title VI	3
4. UTA Compliance/Monitoring Review and Training.....	4
4.1 In conducting on-site reviews, the UTA Compliance Officer looks for the following:	4
4.2 Certification and Assurance Submission.....	5
4.3 Title VI Complaint Procedures	5
4.4 Procedure for Investigations, Complaints and Lawsuits.....	5
5. Title VI Complaint Procedure and Investigation Guidelines	6
5.1 Complaint Procedure	6
5.2 Title VI Informal Complaint Policy	7
5.3 Title VI Log of Complaints/Lawsuits, etc.....	7
6. Title VI Notice to Beneficiaries.....	8
7. Title VI Poster Requirements	9
8. Public Participation Plan.....	10
9. Limited English Proficiency	11
10. Staff Ongoing Title VI Training Process/Description.....	13
APPENDIX A:.....	14
Table Depicting Minority Representation on Committees and Councils Selected by the Recipient	14
Table Depicting Minority Representation on Committees and Councils Selected by the Recipient	15
APPENDIX C:	16
Title VI Complaint Forms.....	16
APPENDIX D:.....	21
Title VI Complaint Log	21
Title VI Complaint Log	22
APPENDIX E:.....	23

United Way of Salt Lake Title VI Plan

Sample Notice to the Public23

Sample Notice to the Public24

APPENDIX F:.....25

Title VI Poster.....25

Title VI Poster.....26

1. 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 Utah Transit Authority (UTA) a Title VI plan that exhibits policy adoption, public outreach and involvement procedures and complaint procedures. FTA Circular 4702.1B, October, 2012 requires that ALL recipients and subrecipients submit the following plan elements before they are eligible for funding:

- ✓ Adoption of Policy Affirming Intention to Meet All Title VI Requirements
- ✓ Compliance Monitoring and Review
- ✓ Complaint Procedures
- ✓ Notice to Beneficiaries
- ✓ Poster Requirements
- ✓ Public Participation Plan
- ✓ Limited English Proficiency (LEP)
- ✓ Ongoing Staff Training

The following document provides an overview of these requirements and includes sample documents and procedures that may be utilized and adopted in a Title VI plan. Information contained in the gray text box in each section generally describes the requirement, while any text or items not included in the gray text boxes, including appendices, are available to be utilized and/or inserted into plan documents.

Fixed-route providers and metropolitan planning organizations (MPOs) must meet additional requirements, which are not addressed in this document. Information regarding those requirements can be found at http://www.fta.dot.gov/legislation_law/12349_14792.html

2. Title Page

United Way of Salt Lake

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

3. Policy on Title VI

An agency/entity must adopt a policy stating its intent to ensure that no person shall be subject to discrimination on the basis of race, color or national origin. Below is a template that must be signed by the governing body or assigned signatory representing the agency/entity. If a board/commission in charge of implementing transit related policy is a non-elected board, a table of the racial breakdown of the board and description of outreach to encourage minority participation is required. (A sample Commission/Board Matrix is included in Appendix A.)

United Way of Salt Lake

UWSL 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 of the operations of an educational institution, governmental entity, or private employer that receives federal funds if any one operation receives federal funds.
2. United Way of Salt Lake (UWSL) is a Public Non-profit entity. It is the policy of UWSL 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 UWSL 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. UWSL 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.

4. Compliance/Monitoring Review and Training

UTA works closely with agencies/entities to ensure that Title VI requirements are being met and all parties are in compliance. The UTA Compliance Officer, UTA 5310 Manager and Civil Rights Title VI staff will conduct biennial compliance on-site reviews. They will document the process and results to ensure that agencies/entities are in compliance with the DOT Title VI regulations.

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

4.1 In conducting on-site reviews, the UTA Compliance Officer looks for the following:

1. Clearly displayed Title VI posters with the required information (in vehicles and in public spaces)
 - a. Description of Title VI
 - b. Explanation of how to obtain Title VI information
 - c. Explanation of how to file a complaint
 - d. Available complaint forms
2. Current file containing complaints
3. UTA conducts periodic on-site monitor assessments to determine the subrecipient's compliance with the FTA Title VI regulations. These reviews include service measurements, location of transit service and facilities, participation opportunities in the transit planning and decision-making processes, and communication needs of persons with limited English proficiency (LEP).

UWSL agrees to participate in training that includes Title VI and its requirements. The UTA Compliance Officer presents the following:

1. Introduces Title VI and its requirements for compliance
 - a. Provides information regarding outreach opportunities to minority populations and demographic information
2. Provides sample Title VI posters (including required signatures and contact information)
 - a. Discusses required poster locations
3. Discusses LEP and provides the sample UTA LEP tools
4. Discusses Title VI complaint forms
5. Provides sample Title VI complaint forms

6. Discusses the required maintenance of a Title VI file readily available for review
7. Discusses the reporting requirements and the annual Certification and Assurances
 - a. Discusses the required Title VI verification, including a description of lawsuits and complaints for the past year

In addition to new subrecipients, training by the UTA Compliance Officer and UTA Civil Rights staff is also conducted as requested and as changes in the law occur, as needed. Both the Compliance Officer and the Civil Rights staff are also available any time as a technical resource for questions or concerns regarding Title VI and its requirements.

4.2 Certification and Assurance Submission

UWSL agrees to submit the annual Title VI assurance to UTA as part of the annual Certification and Assurance submission.

4.3 Title VI Complaint Procedures

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

4.4 Procedure for Investigations, Complaints and Lawsuits

UTA has developed and maintains a list of any active investigations conducted by entities other than FTA, lawsuits, or complaints naming the recipient and/or subrecipients that allege discrimination on the basis of race, color, or national origin. This list includes the date the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient or subrecipient in response to the investigation.

5. Title VI Complaint Procedure and Investigation Guidelines

Agencies/entities must include a copy of the Title VI complaint procedures. The complaint procedure shall be made available on the recipient's website and other locations accessible by the public. At a minimum, the complaint procedure should include the notice, "If information is needed in another language, contact [insert name and #]." Complaint procedures should be available in languages spoken by LEP populations. Agencies/entities must identify an individual as the Title VI coordinator/complaint specialist. (See Appendix B for the UTA Civil Rights Title VI Complaint Process and Appendix C for sample Complaint Forms.)

UWSL 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. The UWSL's complaint procedure is outlined below:

5.1 Complaint Procedure

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

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

The UWSL has 10 business days to investigate the complaint. If more information is needed to resolve the case, UWSL 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, UWSL 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, she/he has 10 calendar days after the date of the closure letter or the LOF to do so. If an appeal has been submitted, UWSL will forward appeals to the UTA Civil Rights Title VI Compliance Officer within 10 days.

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

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

5.2 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 UWSL'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, UWSL's identified Title VI Coordinator must inform the complainant of the formal process outlined above and instruct the complainant on how to proceed.

5.3 Title VI Log of Complaints/Lawsuits, etc.

UWSL 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 UWSL. 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.

6. Title VI Notice to Beneficiaries

Every Title VI program must include a copy of the agency/entity's notice to the public that indicates the agency/entity's compliance with Title VI and informs members of the public of the protections against discrimination afforded to them by Title VI. (An additional copy of a Title VI Notice to the Public is found in Appendix E.)

UWSL will provide information to the public regarding UWSL'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, UWSL shall disseminate this information to the public by posting the notice on its website (if available) and in local media. UWSL will document where and when this information is posted.

UWSL 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.:

UWSL is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and relevant guidance. UWSL 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 UWSL's Title VI policy, or to file a discrimination complaint, please contact UWSL at 801-736-8929 or visit uw.org/diversity-inclusion/#title-vi.

The Complaint Procedure is located in our Team Member handbook.

7. Title VI Poster Requirements

In addition to the Notice to Beneficiaries, agencies will conspicuously display signs/posters for which UTA has furnished templates in public areas of the Agency office(s), including the reception desk, meeting rooms, etc. In addition, agencies will post notices in all transit vehicles.

UWSL will provide a poster (found in Appendix F) to meet the requirements listed below and will provide updates as required. UWSL 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 [our website](#).
- FTA and UTA 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 801-736-8929 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 F.**

8. Public Participation Plan

As required by FTA-issued Circular 4702.1B (October 1, 2012) agencies will establish a process to identify those population segments protected under Title VI of the Civil Rights Act of 1964.

The process must include documentation of the agency/entity's public involvement/outreach efforts to provide early and continuous opportunities for the public to be involved in the planning process, including: An agency's public participation strategy shall offer early and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions.

UWSL will work with UTA staff to identify targeted minorities within the service area. UTA staff will supply demographic information to the lowest census level possible within the region to identify specifically what minority populations exist within the UWSL service area. UWSL 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. UWSL will document and maintain on file all activities related to Title VI outreach. This plan and documentation will be made available at UTA's request.

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

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

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

9. Limited English Proficiency

Agencies/entities are required to take reasonable steps to ensure meaningful access to benefits, services, information and other important components of the agency/entity programs and activities for individuals with limited English proficiency (LEP).

The Four Factor Analysis outlined below is to ensure meaningful access. The information obtained through the Four Factor Analysis determines the specific languages that are appropriate to provide services. A careful analysis can help determine if an agency/entity is currently communicating effectively with LEP persons and how to do so more effectively in the future.

While the agency/entity must conduct a Four Factor Analysis, the agency/entity is encouraged to utilize LEP resources prepared by the UTA Civil Rights Department. Materials are available upon request.

Based on the Four Factor Analysis, the agency/entity will develop a Language Assistance Plan to address the needs of the LEP population(s) it services

- A. UWSL 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, UWSL 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. Describe how LEP persons interact with the Agency.
 - b. Identify LEP communities by language group.
 - c. Identify whether LEP persons are underserved by the Agency service due to language barriers.
 2. Indicate the frequency with which LEP persons come into contact with the program through the following methods:
 - a. Buses
 - b. Public meetings
 - c. Customer service interactions
 - d. Surveys
 3. Describe the service and the nature of importance of the service (narrative).

- a. Participate in the development of the coordinated plan to meet the specific transportation needs of seniors and people with disabilities especially those with LEP needs.
 - b. Include special language assistance for public meetings.
 4. Indicate the resources available to Agency for LEP outreach, as well as the costs associated with that outreach.
- B. Following completion of the Four Factor Analysis, UWSL assures that based on the results of the Analysis, a Language Assistance Plan will be created. The UWSL Language Assistance Plan includes the following:
1. Results of the Four Factor Analysis, including a description of the LEP Population(s) served
 2. A description of how UWSL provides language assistance services by language
 - a. Vital written documents include Title VI Complaint Form, Notice to Beneficiaries, and other documents that provide access to services
 3. A description of how UWSL provides notice to LEP persons about the availability of language assistance
 4. A description of how UWSL monitors, evaluates and updates the language assistance plan
 5. A description of how UWSL trains employees to provide timely and reasonable assistance.

10. Staff Ongoing Title VI Training Process/Description

All UWSL staff and volunteers will be trained either annually or as newly hired staff/volunteers on Title VI. Training will include the following documents:

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

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

APPENDIX A:

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

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.

Sample Table Depicting Membership of Committees, Councils, Broken Down by Race

Body	Caucasian	Latino	African American	Asian American	Native American
Population	46%	28%	14%	8%	4%
Access Committee	60%	23%	10%	7%	0%
Citizens Advisory Council	40%	25%	20%	10%	5%
Bicycle Pedestrian Committee	45%	30%	15%	5%	5%

APPENDIX C:

Title VI Complaint Forms

United Way of Salt Lake
257 E. 200 S. Suite 300
City, Utah 84111
(801) 836-8929

TITLE VI COMPLAINT FORM

Complaints must be in writing and filed with the UTA Title VI Coordinator within 180 calendar days following the date of the alleged discriminatory occurrence. Complainant has a right to representation, file a written complaint with FTA, Regional Civil Rights Officer, complainant has the option to remain anonymous or to seek assistance in filling out the complaint form.

Your Name _____ Date of Filing _____

Your Address _____

Work Phone _____ Home Phone _____ Cell Phone _____

FTA recognizes race, color and national origin as basis for Title VI complaints. Indicate on what ground(s) you believe you were discriminated against by checking the applicable boxes below:

Race **Color** **Nat. Origin**

Explain why you believe discrimination has taken place. Please provide date(s), time(s), and location(s) of discrimination. Please provide witness name(s), address(es), and telephone number(s). Please provide name(s) and work location(s) of person(s) you believe responsible for the discrimination. Explain the resolution you request. (Use additional sheets of paper if needed.)

Indicate the person(s) who are alleged to be responsible.

UTA Title VI Subrecipient Plan

Name(s)	Agency	Work Location (if known)	Classification (if known)

What Remedy? Requested Action? And/or Adjustment you are requesting? Please be specific.
Use additional sheets as necessary. _____

Your Signature _____ Date _____

FORMULARIO DE QUEJAS TITULO VI

Quejas deben ser sometidas por escrito y presentadas al Coordinador de Titulo VI durante los 180 días a partir de la fecha en que ocurrió la presunta discriminación. El demandante tiene derecho a representación. Someta su queja por escrito a FTA, Oficial de Derechos Civiles de la Region. El demandante tiene la opción a permanecer anónimo o solicitador ayuda llenando el formulario de quejas.

Nombre _____ Fecha _____

Dirección _____

Tel Empleo _____ Tel Hogar _____ Tel Cel _____

FTA reconoce raza, color, y origen nacional como bases para quejas al Titulo VI. Indique el motivo por el cual cree haber sido discriminado(a) marcando una de las siguientes opciones:

- Raza** **Color** **Origen Nacional**

Explique porqué cree que ha sufrido discriminación. Por favor provea fecha(s), hora(s), y lugar(es). Por favor provea nombres de testigo(s), direccion(es), y número(s) de teléfono. Por favor provea nombre(s) y lugar(es) de empleo de la(s) persona(s) quienes usted cree son responsables de la discriminación.

Explique la resolución que está pidiendo. (Use mas hojas si es necesario)

Indique que persona(s) son presuntamente responsables

Nombre(s)	Agencia	Lugar de empleo (si disponible)	Clasificación (si disponible)

¿Qué remedio, acción, o ajuste está solicitando? Por favor sea específico(a). Use mas hojas si es necesario.

UTA Title VI Subrecipient Plan

Firma _____ Fecha _____

APPENDIX D:

Title VI Complaint Log

APPENDIX E:

Notice to the Public

Notice to the Public

United Way of Salt Lake

- UWSL operates its programs and services without regard to race, color, and 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 the UWSL Civil Rights Department or appropriate individual.
- For more information on the UWSL civil rights program and the procedures to file a complaint, see [our website](#).
- Complaints must be filed in person or in writing. Complaints should be directed to:
Office of Civil Rights/Or Appropriate Office
United Way of Salt Lake
Attn: Title VI Officer (HR Manager)
257 E. 200 S. Suite 300
Salt Lake City, UT, 84111
- A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint at:
Federal Transit Administration, Office of Civil Rights
Attn: Title VI Program Coordinator
East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE
Washington, DC 20590
- For information in another language, contact 801-736-8929 or go to website at uw.org/diversity-inclusion/#title-vi

APPENDIX F:
Title VI Poster

Title VI Poster

NON-DISCRIMINATION TITLE VI POSTER

Title VI and Nondiscrimination Commitment (FHWA):

Pursuant to Title VI of the Civil Rights Act of 1964 and related laws and regulations, UTA will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age or disability.

Title VI and Nondiscrimination Commitment (FTA):

Pursuant to Title VI of the Civil Rights Act of 1964 and related laws and regulations, UTA will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color and national origin.

Complaint Procedures:

UTA has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with UTA. Any such complaint must be in writing and filed with the UTA Title VI Coordinator within one hundred eighty (180) calendar days following the date of the alleged discriminatory occurrence. For more information, please contact the UTA's Title VI Coordinator.

ADA/504 Statement:

Pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations, UTA will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. UTA will provide reasonable accommodation to disabled individuals who wish to participate in public involvement events or who require special assistance to access UTA facilities, programs, services or activities. Because providing reasonable accommodation may require outside assistance, organization or resources, UTA asks that requests be made at least five (5) calendar days prior to the need for accommodation. Questions, concerns, comments or requests for accommodation should be made to UTA's ADA Coordinator.

Services are provided free without charge for individuals with special needs with disabilities. Any fees will be paid by the recipient or subrecipient. The public will have access to translators, "I Speak Cards", TTY/TDD services and vital documents translated when requested.

