

TITLE VI PROGRAM

Adopted July 19, 2022

Revised May 19, 2023

**City of Gastonia
Transit Division
Post Office Box 1748
121 N. Oakland Street
Gastonia, NC 28053-1748**

Gastonia Transit Title VI Program

Introduction

Gastonia Transit has adopted this program to ensure compliance with Title VI of the Civil Rights Act of 1964. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that “no person in the United States shall, on the ground 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.” (42 U.S.C. Section 2000d). The Federal Transit Administration works to ensure nondiscriminatory transportation in support of our mission to enhance the social and economic quality of life for all Americans. The FTA Office of Civil Rights is responsible for civil rights compliance and monitoring to ensure non-discriminatory provision of transit services.

Objective

Gastonia Transit has in place a program based on Title VI of the Civil Rights Act of 1964 (42 USC Section 2000d) and USDOT Regulation 49 CFR Part 21 “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation”. The Program is based on Federal Transit Administration Circular FTA C 4702.1B, “Title VI and Title VI-Dependent Guidelines for Federal Transit Administration Recipients”, October 01, 2012.

The objectives of the program are as follows:

- A. To ensure that the level and quality of transportation service is provided without regard to race, color, national origin, sex, disability or age in programs and activities receiving Federal financial assistance;
- B. To identify and address, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of programs and activities on minority populations and low-income populations;
- C. To promote the full and fair participation of all affected populations in transportation decision-making;
- D. To prevent the denial, reduction or delay in benefits related to programs and activities that benefit minority populations and low-income populations; and
- E. To ensure meaningful access to programs and activities by persons with limited English proficiency.

Non-Discrimination Authorities

Title VI of the 1964 Civil Rights Act provides 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 (implementation through 23 C.F.R. §200.9 and 49 C.F.R. § 21).

Section 162(a) of the Federal-Aid Highway Act of 1973 added the requirement that there be no discrimination on the grounds of sex.

Section 504 of the Rehabilitation Act of 1973 provides nondiscrimination under Federal grants and programs.

The Age Discrimination Act of 1975 prohibits discrimination in federally assisted Programs.

The Civil Rights Restoration Act of 1987, Public Law 100-209 provides clarification on the original intent of Congress in Title VI of the 1964 Civil Rights Act, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973. The Civil Rights Restoration Act restores the broad, institution-wide scope and coverage of the non-discrimination statutes to include all programs and activities of federal-aid recipients, sub-recipients and contractors, whether such programs and activities are federally assisted or not.

Executive Order 12898 (issued February 11, 1994) addresses Environmental Justice regarding minority and low-income populations.

Executive Order 13166 (issued August 16, 2000) improves access to services for persons with limited English proficiency.

Notice to Public

A copy of this notice is found in Appendix A of this Title VI Program. The Notice to Public is published on the City of Gastonia's website [City of Gastonia - Civil Rights Act of 1964](#), on all buses, at Bradley Bus Station, and at the Administrative offices.

Title VI Coordinator

The individual below has been designated as the Title VI Coordinator for Gastonia Transit, and is empowered with enough authority and responsibility to implement the Title VI Nondiscrimination Program:

Kristi Davis, Title VI Coordinator
City of Gastonia
Public Works – Transit
PO Box 1748
Gastonia, NC 28053-1748
kristi.davis@gastonianc.gov
(704) 869-7829

Organizational Chart

City of Gastonia Public Works - Transit Organizational Chart



Complaint Procedures and Forms

Gastonia Transit has developed procedures for investigating and tracking Title VI complaints that may be filed against Gastonia Transit and for making these procedures available to members of the public upon request. Should Gastonia Transit have any sub-recipients in the future, sub-recipients shall be required to have such procedures and shall be encouraged to adopt Gastonia Transit's complaint investigation and tracking procedures.

A copy of these procedures are found in Appendix B, and the forms are found in Appendix C of this Plan. The complaint procedures and form are also published on the City of Gastonia's website ([City of Gastonia - Civil Rights Act of 1964](#)). Individuals who do not have access to the internet may request a copy of the documents by contacting the Title VI Coordinator.

Investigations, Complaints, and Lawsuits

In compliance with 49 CFR §21.9(b), Gastonia Transit (and any sub-recipient) shall prepare and maintain a list of any active investigations conducted by entities other than the FTA, lawsuits, or complaints naming Gastonia Transit (or sub-recipient) alleging discrimination on the basis of race, color, national origin, sex, disability or age in programs and activities receiving Federal financial assistance. This list shall include the date the investigation, lawsuit, or complaint was filed and received by Gastonia Transit, a summary of the allegation(s), the status of the investigation, lawsuit or complaint, and actions taken by Gastonia Transit (or sub-recipient) in response to the investigation, lawsuit, or complaint.

Since the last submission of Gastonia Transit's Title VI Program, there have been no investigations, complaints, or lawsuits, and there are currently no such investigations, complaints, or lawsuits.

Public Participation Plan

Gastonia Transit will participate in public outreach and involvement activities in an effort to offer early and continuous opportunities for the public to be involved in the decisions that may help identify social, economic, and environmental impacts. Further, Gastonia Transit participates in, and actively coordinates planning and outreach activities with the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO).

Public Meetings

Public Meetings are advertised and held in convenient locations and facilities. Upon request, Gastonia Transit will provide meeting material in an alternate format and special assistance will be provided to persons with disabilities.

Surveys

Surveys are used by Gastonia Transit to gather input from our passengers concerning their thoughts about both the current and future Gastonia Transit services. As an outreach tool, surveys are also a good way to identify citizens who may want to become further involved.

Translators/Interpreters

The City of Gastonia currently has bilingual staff in other Departments that are utilized as translators and interpreters on an as needed basis. Additionally, the City has contracted with a third-party to provide interpretation and translation as needed. Gastonia Transit staff will work to arrange for translation and interpretation services on an as needed basis for public meetings and informational sessions.

Limited English Proficiency Plan (LEP)

Gastonia Transit has developed a Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to transit services. 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. A copy of this plan can be found in Appendix D.

Committee Membership

Gastonia Transit does not have a non-elected transit board or advisory council, however in the event that one was established, the City would ensure proper minority representation on such board or council.

Subrecipient Monitoring

This section is not applicable as Gastonia Transit has no subrecipients.

Equity Analysis

This section is not applicable as Gastonia Transit has not constructed a facility of any kind.

Title VI Plan Approval

Gastonia Transit's Title VI Plan has been reviewed and approved by the City of Gastonia City Manager who is the Authorizing Official designated by Gastonia City Council. Please see Appendix E for signatory page.

Service Standards

Vehicle Load

Gastonia Transit will strive to have vehicle loads not exceed vehicles' achievable capacities, which are 32 seats and 20 standing passenger capacity for 35-foot buses, and 19 seat capacity of 28-foot LTV buses. Regular weekday and Saturday routes have historically had very few standing passengers, if any.

Gastonia Transit Weekday Route peak and off peak load = 1.0 (32 passengers for 32 seats; no standees)

Gastonia Transit Saturday Route peak and off peak load = 1.0 (32 passengers for 32 seats; no standees)

Vehicle Headways

Gastonia Transit's fixed route vehicle headways are every 1 hour for 6 routes and 2 hours on Saturdays. Therefore, vehicle frequency per route during weekdays is 1.0 vehicle per hour for 6 routes, and 1 vehicle per 2 hours on Saturday. This applies to both peak and off-peak service.

On-Time Performance Standard

Buses shall depart no more than 5 minutes late from any scheduled and published departure time. Gastonia Transit will strive to meet a minimum of 95% of bus departures within zero to 5 minutes after published or scheduled time points.

Service Availability

Approximately 75% of ridership in the service area will be within a one-quarter mile walk of all regular bus stops.

Transit Amenities

Transit amenities such as bus shelters, benches, and trash receptacles are distributed equally throughout the service area based on boarding levels, proximity to major landmarks such as commercial or employment centers, and geographic location. Transit amenities will be installed based upon this criterion as funding permits.

Vehicle Assignment

Gastonia Transit's fleet consists of nine 35-foot buses, and two 28-foot LTV buses that are used for the fixed route service. All units have air conditioning, ADA compliant wheelchair lifts and are kept in a state of good repair as required by FTA. Gastonia Transit routinely replaces all vehicles according to FTA regulations. Vehicles are rotated on routes frequently according to preventative maintenance schedules and mileage to ensure consistent usage on the fleet.

GASTONIA TRANSIT
TITLE VI NOTICE TO PUBLIC

Gastonia Transit has adopted this program to ensure compliance with Title VI of the Civil Rights Act of 1964. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that “no person in the United States shall, on the ground of race, color, national origin, sex, disability or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” (42 U.S.C. Section 2000d). The Federal Transit Administration works to ensure nondiscriminatory transportation in support of our mission to enhance the social and economic quality of life for all Americans. The FTA Office of Civil Rights is responsible for civil rights compliance and monitoring to ensure non-discriminatory provision of transit services.

For more information on Gastonia Transit’s civil rights program, and the procedures to file a complaint, contact the Title VI Coordinator by calling (704) 869-7829, email kristi.davis@gastonianc.gov, or in writing at Gastonia Transit, Attn: Kristi Davis, Title VI Coordinator, Post Office Box 1748, Gastonia, NC 28053. Procedures and forms are also available on the website at [City of Gastonia - Civil Rights Act of 1964](#). Any such complaint must be in writing and submitted to the City of Gastonia Title VI Coordinator within one hundred eighty (180) days following the date of the alleged occurrence.

A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attn: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590.

If information is needed in another language, please contact the Title VI Coordinator at (704) 869-7829.

GASTONIA TRANSIT
TÍTULO VI AVISO AL PÚBLICO

Gastonia Transit ha adoptado este programa para garantizar que ninguna persona quede excluida de la participación en sus servicios o programas de tránsito o que se le nieguen los beneficios de estos por motivos de raza, color, origen nacional, o discapacidad ni ninguna otra clase protegida según lo dispuesto por el Título VI de la Ley de Derechos Civiles de 1964, según enmendada.

Para obtener más información sobre el programa de derechos civiles de Gastonia Transit, y los procedimientos para presentar una queja, comuníquese con el Coordinador del Título VI llamando al (704) 869-7829, kristi.davis@gastonianc.gov correo electrónico, o por escrito en Gastonia Transit, la atención de: Kristi Davis, Título VI Coordinador, Post Office Box 1748, Gastonia, NC 28053. Procedimientos y formularios también están disponibles en el sitio web en [City of Gastonia - Civil Rights Act of 1964](#). Cualquier queja debe ser por escrito y presentada al Coordinador Ciudad de Gastonia Título VI dentro del ciento ochenta (180) días siguientes a la fecha de la supuesta ocurrencia.

Un demandante puede presentar una queja directamente con la Administración Federal de Tránsito mediante la presentación de una queja ante la Oficina de Derechos Civiles, la atención de: Coordinador del Programa Título VI, East Building, 5th Floor - TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590.

Si se necesita información en otro idioma, por favor póngase en contacto con el Coordinador del Título VI al (704) 869-7829.

Title VI Complaint and Investigation Procedures

Gastonia Transit has adopted this program to ensure compliance with Title VI of the Civil Rights Act of 1964. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that “no person in the United States shall, on the ground of race, color, national origin, sex, disability or age be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” (42 U.S.C. Section 2000d). The Federal Transit Administration works to ensure nondiscriminatory transportation in support of our mission to enhance the social and economic quality of life for all Americans. The FTA Office of Civil Rights is responsible for civil rights compliance and monitoring to ensure non-discriminatory provision of transit services.

Any individual, group or individuals or entity that believes they have been subjected to discrimination prohibited under Title VI and related statutes may file a written complaint to the following address:

Kristi Davis, Title VI Coordinator
City of Gastonia
Public Works – Transit
PO Box 1748
Gastonia, NC 28053-1748
kristi.davis@gastonianc.gov
(704) 869-7829

Complaint procedures and forms may also be obtained on the City of Gastonia website at [City of Gastonia - Civil Rights Act of 1964](#). If information is needed in another language, please contact the Title VI Coordinator at (704) 869-7829.

The following measures will be taken to resolve Title VI 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 (basis of race, color, national origin, sex, disability or age), and the date of alleged act(s). A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints.
- (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 Transit Supervisor. Under these circumstances, the complainant will be interviewed, and the Transit Supervisor will assist the Complainant in converting the verbal allegations in writing.
- (3) When a complaint is received, Gastonia Transit will provide written acknowledgment to the Complainant, within ten (10) days by registered mail.

- (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 fifteen (15) business days from receipt of a complete complaint, Gastonia Transit 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 Fleet Services Manager or his/her authorized designee will notify the Complainant and Respondent, by registered mail, 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 Gastonia Transit's jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
- (6) When Gastonia Transit does not have sufficient jurisdiction, the Fleet Services 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 Fleet Services Manager or his/her authorized designee will assign an investigator. A complete investigation will be conducted, and an investigate report will be submitted to the Fleet Services Manager within sixty- (60) days from receipt of the complaint. The report will include a narrative description of the incident, summaries of all persons interviewed, and a finding with recommendations and conciliatory measures where appropriate. If the investigation is delayed for any reason, the investigator will notify the appropriate authorities, and an extension will be requested.
- (8) The Fleet Services Manager or his/her authorized designee will issue letters of finding to the Complainant and Respondent within ninety- (90) days from receipt of the complaint.
- (9) If the Complainant is dissatisfied with Gastonia Transit's resolution of the complaint, he/she has the right to file a complaint with the:

**Department Office of Civil Rights
US Department of Transportation
400 7th street, SW, Room #10215, S-30
Washington, DC 20590**

**(202) 366-4648
(202) 366-5992
TTY Access: (202) 366-9696
DC Relay: (202) 855-1000**

Queja Título VI y Procedimientos de Investigación

Gastonia Transit ha adoptado este programa para garantizar que ninguna persona quede excluida de la participación en sus servicios o programas de tránsito o que se le nieguen los beneficios de estos por motivos de raza, color, origen nacional, o discapacidad, ni ninguna otra clase protegida según lo dispuesto por el Título VI de la Ley de Derechos Civiles de 1964, según enmendada.

Cualquier individuo, grupo o individuos o entidad que crea que ha sido objeto de discriminación prohibida por el Título VI y los estatutos relacionados puede presentar una queja por escrito a la siguiente dirección:

Kristi Davis, Title VI Coordinator
City of Gastonia
Public Works – Transit
PO Box 1748
Gastonia, NC 28053-1748
kristi.davis@gastonianc.gov
(704) 869-7829

Procedimientos de queja y la forma también se pueden obtener en el sitio web de la ciudad de Gastonia en [City of Gastonia - Civil Rights Act of 1964](#). Si se necesita información en otro idioma, por favor póngase en contacto con el Coordinador del Título VI al (704) 869-7829.

Se tomarán las siguientes medidas para resolver las quejas Título VI:

1. Una queja formal debe ser presentada dentro de los 180 días de la supuesta ocurrencia. Las quejas deben ser por escrito y firmado por la persona o su representante /, e incluirán el nombre, dirección del autor y número de teléfono; nombre del presunto oficial exigente, base de la queja (raza, color, origen nacional, sexo, discapacidad, edad), y la fecha del supuesto acto (s). Una declaración detallando los hechos y circunstancias de la supuesta discriminación debe acompañar todas las quejas.
2. En el caso de que el demandante no puede o incapaz de proporcionar una declaración por escrito, una queja verbal de la discriminación puede hacerse al Supervisor de Tránsito. En estas circunstancias, el demandante será entrevistado, y el Supervisor de Tránsito asistirá al demandante en la conversión de los alegatos verbales por escrito.
3. Cuando se recibe una queja, Gastonia Transit brindará reconocimiento por escrito al demandante, dentro de los diez (10) días por correo certificado.
4. Si la queja se considera incompleta, se solicitará información adicional, y el demandante se proporcionará 60 días hábiles para presentar la información requerida. De no hacerlo, se puede considerar una buena causa para la determinación de ningún mérito investigativo.

5. En el plazo de quince (15) días hábiles desde la recepción de una denuncia completa, Gastonia Transit determinará su competencia en la búsqueda de la materia y si la queja tiene méritos suficientes para justificar una investigación. Dentro de los cinco (5) días a partir de esta decisión, el Gerente de Servicios Flota o su designado / a autorizado notificará al demandante y al demandado, por correo certificado, informándoles de la disposición
 - a. Si la decisión no es investigar la queja, la notificación se hará constar expresamente el motivo de la decisión.
 - b. Si la denuncia es que se investigue, la notificación deberá indicar los motivos de la jurisdicción de Gastonia Transit, informando a las partes que se requiere su plena cooperación en la recopilación de información adicional y ayudar al investigador.
6. Cuando Gastonia Transit no tiene competencia suficiente, el Gerente de Servicios Flota o su designado / a autorizado será presentar la reclamación ante el Estado correspondiente o agencia federal que sostiene dicha jurisdicción.
7. Si la queja tiene mérito investigativo, el Gerente de Servicios Flota o su designado / a autorizado asignará un investigador. Se llevará a cabo una investigación completa, y un informe de investigar se presentará al Gerente de Servicios Flota en sesenta (60) días desde la recepción de la queja. El informe incluirá una descripción narrativa de los hechos, los resúmenes de todas las personas entrevistadas, y un hallazgo de las recomendaciones y medidas de conciliación en su caso. Si la investigación se retrasa por cualquier razón, el investigador notificará a las autoridades correspondientes, y será.
8. El Gerente de Servicios Flota o su designado / a autorizado emitirá cartas de investigación al demandante y al demandado dentro de noventa (90) días desde la recepción de la queja.
9. Si el demandante no está satisfecho con la resolución de Gastonia Transit de la queja, él / ella tiene el derecho de presentar una denuncia ante la:

**Departamento de la Oficina de Derechos Civiles
Departamento de Transporte de EE.UU.
400 7th Street, SW, Room # 10215, S - 30
Washington, DC 20590**

(202) 366-4648

(202) 366-5992

Acceso TTY: (202) 366-9696

Relevo DC: (202) 855-1000

**Gastonia Transit
Title VI Complaint Form**

First Name:	Last Name:	Phone Number:
Mailing Address:		City, State, Zip Code:
Basis of discriminatory action(s):		
<input type="checkbox"/> Race/Color	<input type="checkbox"/> National Origin	<input type="checkbox"/> Age <input type="checkbox"/> Income Level
<input type="checkbox"/> Disability	<input type="checkbox"/> Sex	<input type="checkbox"/> Limited English
Date and place of alleged discriminatory action(s). Please include earliest date of discrimination and most recent date of discrimination.		
How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status was a factor in the discrimination. Include how other persons were treated differently from you. (Attach additional pages if necessary)		
Name(s) of individual responsible for the discriminatory action(s):		
Name(s) of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to investigate your complaint:		
Name	Address	Phone Number
The law prohibits intimidation or retaliation against anyone because he/she either takes action, or participated in action, to secure rights protected by these laws. If you feel that you have been retaliated against, separate from the discrimination alleged above, please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation.		

Have you filed, or intend to file, a charge or complaint regarding the matters related in this complaint with any of the following? If yes, please provide the filing dates. Check all that apply.

- | | |
|--|-------|
| <input type="checkbox"/> North Carolina Department of Transportation | Date: |
| <input type="checkbox"/> Federal Transit Administration | Date: |
| <input type="checkbox"/> Federal Highway Administration | Date: |
| <input type="checkbox"/> US Department of Justice | Date: |
| <input type="checkbox"/> US Department of Transportation | Date: |

Please provide any additional information that you believe would assist with an investigation.

Briefly explain what remedy, or action, you are seeking for the alleged discrimination.

**WE CANNOT ACCEPT AN UNSIGNED COMPLAINT.
PLEASE SIGN AND DATE THE COMPLAINT FORM BELOW.**

Complainant Signature

Date

Mail complaint form to:
Kristi Davis, Title VI Coordinator
City of Gastonia
Public Works – Transit
PO Box 1748
Gastonia, NC 28053-1748
kristi.davis@gastonianc.gov
(704) 869-7829

For Office Use Only	
Date Complaint Received:	Reviewer Initials:

Gastonia Transit
Formulario de Queja Título VI

Nombre de pila:		Apellido:		Número de teléfono:	
Dirección de envío:			Ciudad, Estado, Código postal:		
Bases de la acción discriminatoria(s):					
<input type="checkbox"/> Raza / Color		<input type="checkbox"/> Origen nacional		<input type="checkbox"/> Edad	
<input type="checkbox"/> Nivel de ingresos		<input type="checkbox"/> Discapacidad		<input type="checkbox"/> Sexo	
<input type="checkbox"/> Limitado del Inglés					
Fecha y lugar de la acción discriminatoria alegada (s). Por favor incluya fecha más temprana de la discriminación y la fecha más reciente de la discriminación.					
¿Cómo fue discriminado? Describir la naturaleza de la acción, decisión, o las condiciones de la supuesta discriminación. Explicar lo más claramente posible lo que pasó y por qué usted cree que su estado de protección fue un factor en la discriminación. Incluir cómo se trataron otras personas de manera diferente de usted. (Adjunte páginas adicionales si es necesario)					
Nombre (s) de la persona responsable de la acción discriminatoria (s):					
Nombre (s) de personas (testigos, compañeros de trabajo , supervisores, u otros) a quien podamos contactar para obtener información adicional para investigar su queja:					
Nombre		Dirección		Número de teléfono	
La ley prohíbe la intimidación o represalias contra cualquier persona porque él / ella tampoco toma medidas, o participó en la acción, para garantizar los derechos protegidos por estas leyes. Si usted piensa que ha sido víctima de represalias, separada de la discriminación alegada arriba, por favor explique las circunstancias siguientes. Explique qué medidas tomó usted cree que fue la causa por la presunta represalia.					

Ha presentado o va a presentar, una acusación o queja con respecto a los asuntos relacionados en esta queja con cualquiera de los siguientes? En caso afirmativo, por favor proporcione las fechas de presentación. Marque todo lo que corresponda.

- | | |
|--|--------|
| <input type="checkbox"/> North Carolina Department of Transportation | Fecha: |
| <input type="checkbox"/> Federal Transit Administration | Fecha: |
| <input type="checkbox"/> Federal Highway Administration | Fecha: |
| <input type="checkbox"/> US Department of Justice | Fecha: |
| <input type="checkbox"/> US Department of Transportation | Fecha: |

Sírvanse proporcionar cualquier información adicional que usted cree que ayudar con una investigación.

Explique brevemente qué remedio, o acción, usted está buscando la supuesta discriminación.

**NO PODEMOS ACEPTAR UNA QUEJA SIN FIRMAR.
POR FAVOR, FIRMAR Y PONDER UNA FECHA EL FORMULARIO DE QUEJA ABAJO.**

Firma Demandante

Fecha

Envíe el formulario de queja por correo a:

Kristi Davis, Title VI Coordinator

City of Gastonia

Public Works – Transit

PO Box 1748

Gastonia, NC 28053-1748

kristi.davis@gastonianc.gov

(704) 869-7829

For Office Use Only

Date Complaint Received:

Reviewer Initials:

Gastonia Transit Limited English Proficiency Plan (LEP Plan)

This plan uses the recommended four-factor analysis of an individualized assessment considering the four factors outline below. Each of the following factors is examined to determine the level and extent of language assistance measures required to sufficiently ensure meaningful access to public transit services within the Gastonia Transit area. Recommendations are then based on the results of the analysis.

Factor 1: The Number and Proportion of LEP Persons Served or Encountered in the Eligible Service Population.

Tables 1 & 2, derived from the United States Census Bureau 2020 American Community Survey Table S1601, Language Spoken at Home for the Population 5 Years and Over. This data will be used to determine the percent of LEP population within the Gastonia Transit service area.

Table 1 shows the number and percent of persons in regards to their English Language skills for the Gastonia Transit Service Area. The percentage of persons that speak English less than 'very well' in the Gastonia Transit service area is 3.6% (2,596 people).

**Table 1
Limited English Proficient Persons in the Gastonia Transit Service Area**

Total Population 5 Years Old & Older	Number of Limited English Proficient Persons	Percent of Limited English Proficient Persons
71,709	8,268	11.52%

Of the LEP persons within the Gastonia Transit service area 89% speak Spanish, 1% speak Other Indo-European, 1% speak Asian and Pacific Islander, .38% speak other languages at home. Table 2 shows the actual numbers of language groups spoken by LEP persons at home within the Gastonia Transit service area.

**Table 2
Language spoken at home by Limited English Proficient**

English Only	63,441	88.47%
Spanish	6,309	8.80%
Other Indo-European Languages	884	1.12%
Asian & Pacific Island Languages	800	1.12%
Other Languages	275	0.38%
Total	71,709	

Factor 2: The Frequency with Which LEP Individuals Come into Contact with your programs, activities, and services.

Gastonia Transit assesses the frequency at which staff and drivers come in contact with LEP individuals. This includes:

- Contact with ridership on our fixed route and demand response service;
- Purchases of tickets and inquiries at the bus station;
- Phone inquiries at the bus station;
- Public meetings;
- Surveys of passengers;
- Monthly staff meetings with drivers;
- Conversations with local agencies whose clients include LEP persons.

Gastonia Transit is a relatively small transit system with only one shift change per day. To date, contacts with LEP persons have been with Spanish speaking individuals and they are intermittent. To accommodate Spanish speaking ridership, Gastonia Transit publishes its route maps and notices in English and Spanish. The City also has bilingual staff and has contracted with a third-party that can interpret and translate if necessary. There have been no other requests for the translation of any other documents. Also, in the assessment we found that there have been no other contacts with LEP persons other than those that speak only Spanish.

Factor 3: The nature and importance of the program, activity, or service provided by the program to people's lives.

Gastonia Transit provides transportation to a variety of destinations including work, medical appointments, grocery and shopping centers, senior citizen centers, and other human service centers or facilities. Gastonia Transit considers public transportation to be an important and essential service within our community and it is Gastonia Transit's objective to provide needed services to a very diverse citizen group, including the LEP population.

Without access to public transportation, many people within the Gastonia Transit ridership area would not be able to take advantage of the many other services and opportunities that are available along our service routes. Gastonia Transit realizes this importance and has taken the necessary steps to provide information in Spanish on the buses and in the station for the LEP ridership so that they can effectively utilize our services.

As a small rural system, Gastonia Transit provides ridership to a small number of LEP individuals. Drivers and Dispatchers stated that most of the LEP ridership is able to communicate well enough to utilize our services without additional assistance. Gastonia Transit consults with local agencies that serve LEP persons to determine any unmet needs and to provide maps and notices to them with service information.

Gastonia Transit invites all ridership, including LEP persons, to Public meetings to submit their input on any upcoming changes. Gastonia Transit also provides surveys in Spanish as a way to

communicate and see what services are needed for the LEP ridership and how Gastonia Transit can better serve them.

Factor 4: The Resources Available to the Recipient and Costs

Gastonia Transit has several resources available to provide language assistance. This includes document translation, bilingual staff, staff training, and input by various community organizations that regularly interact with LEP populations. The City of Gastonia has several bilingual persons available for translation on an as needed basis and contracts with a third-party for interpretation and translation services. Due to the City having bi-lingual staff, there have been no additional costs to the City for these services. The annual cost to provide Spanish maps is approximately \$1,000. Gastonia Transit will continue to monitor the LEP ridership and assess the need for any additional measures as required.

After analyzing the four factors outlined in the USDOT policy guidance, Gastonia Transit developed the following plan for providing language assistance to LEP persons.

Components of the Plan

There are five areas that comprise Gastonia Transit's plan:

1. Identifying LEP individuals who need language assistance.
2. Language assistance measures.
3. Training staff.
4. Providing notices to LEP persons.
5. Monitoring and updating the LEP plan.

1. Identifying LEP individuals who need language assistance.

As stated above, the Census and American Community Survey data shows that Spanish-speaking LEP persons are the primary group requiring language assistance. This information can also be used to identify concentrations of LEP persons within the service area.

There are also several measures that can be taken to identify individual persons who may need language assistance:

- When public meeting and informational sessions are held, a sign-in table can be setup with a staff member there to greet and briefly speak to each attendee, in order to informally gauge his/her ability to speak and understand English.
- Have the Census Bureau's "I Speak Cards" at various events. While staff may not be able to provide translation assistance at the time, the cards are an excellent tool to identify language needs for future events/meetings.
- Post a notice of available language assistance at public meetings and informational sessions to encourage LEP persons to self-identify.

2. Language assistance measures

Federal fund recipients have two main ways to provide language services: oral interpretation either in person or via telephone interpretation service and written translation. The correct mix should be based on what is both necessary and reasonable in light of the four factor analysis.

Gastonia Transit is defining an interpreter as a person who translates spoken language orally, as opposed to a translator, who translates written language and a translator as a person who transfers the meaning of written text from one language to another. The person who translates orally is not a translator, but an interpreter.

Considering the relatively small scale of Gastonia Transit, the small number of LEP individuals in the service area, and limited financial resources, it is necessary to limit language aid to the most basic and cost-effective services. Many options were discussed and considered by Gastonia Transit staff.

Options & Proposed Actions

1. The City of Gastonia currently has bilingual staff in other Departments that can be utilized as translators and interpreters on an as needed basis. Gastonia Transit staff will work in conjunction with these departments to arrange for the translation and interpretation services on an as needed basis for public meetings and informational sessions.
2. Using community volunteers. This option could be used where advanced notice is provided that translator services would be required. A list of volunteers would need to be developed.
3. Ensure Gastonia Transit staff is aware of the USDOT LEP guidance and support the LEP planning activities, as appropriate.
4. The City of Gastonia contracts with a third-party to provide translation and interpretation services if City staff cannot accommodate the need.
5. Revisit the plan when events (decennial census or other indication of increase LEP persons) warrant.

Actions Gastonia Transit will take.

1. With advance notice of seven calendar days, Gastonia Transit will provide interpreter services at public meetings and information sessions. Interpreter to include foreign language and/or hearing impaired as requested.

2. Placement of statements in notices and publications that interpreter services are available for these meetings, with seven days' advance notice.
3. Publication of Gastonia Transit complaint forms and service information in Spanish on the website.
4. Coordinate with local agencies that service LEP persons to see what measures can be taken to assist LEP ridership.

3. Training Staff

Gastonia Transit staff will provide training on the requirements for providing meaningful access to services for LEP persons at regular driver meetings and in new driver training. Drivers are trained to use the Census Bureau's "I Speak Cards" and to notify the Dispatcher for translation assistance as the need arises. The Dispatcher has a list of City employees that can assist with bilingual needs, and also has the contact information for the 3rd party translator as needed.

4. Providing Notice to LEP Persons

Gastonia Transit provides notices on buses, the City website and has the service route maps printed in Spanish to assist LEP persons.

5. Monitoring & Updating the LEP Plan

This plan is designed to be flexible and should be viewed as a work in progress. As such, it is important to consider whether new documents and services need to be made accessible for LEP persons, and also to monitor changes in demographics and types of services, and to update the LEP plan when appropriate. At a minimum, Gastonia Transit will follow the Title VI Program update schedule for the LEP plan. Each update should examine the following:

- How many LEP persons were encountered?
- Is the existing language assistance meeting the needs of LEP persons?
- What is the current LEP population in Gastonia, NC?
- Has there been a change in the types of languages where services are needed?
- Have available resources, such as technology, staff and finances changed?
- Were any complaints received?
- Do staff members understand the LEP plan policies and procedures?

There are several methods that can be used to assist in answering these questions. One method is to review customer comments and complaints to determine if services are accessible to Spanish speakers. Feedback from the LEP community will be sought through community outreach events and presentations to determine the effectiveness of the plan in reaching LEP persons. Special consideration will be given to the LEP plan when service enhancements are implemented, to ensure that LEP persons are aware of these services. Census data will also be reviewed as it becomes available to determine changes in the LEP population.

This plan outlines five key areas of an effective LEP strategy: (1) Identifying LEP individuals who need language assistance, primarily through Census data; (2) Language assistance measures, including written and oral language services; (3) Training staff, including operators, dispatchers, and management employees; (4) Providing notice to LEP persons through both oral and written communications; and (5) Monitoring and updating the LEP plan through a variety of means.

Dissemination of the Limited English Proficiency Plan

Gastonia Transit will post the LEP Plan on its website at [City of Gastonia - Civil Rights Act of 1964](#). Copies of the plan will be provided to any person or agency requesting a copy. LEP persons may obtain copies/translations of the plan upon request.

Any questions or comments regarding this plan should be directed to:

Mail complaint form to:
Kristi Davis, Title VI Coordinator
City of Gastonia
Public Works – Transit
PO Box 1748
Gastonia, NC 28053-1748
kristi.davis@gastonianc.gov
(704) 869-7829

Title VI Assurances

Gastonia Transit (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the US Department of Transportation and the North Carolina Department of Transportation it will comply with the Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation. Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the ground 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."

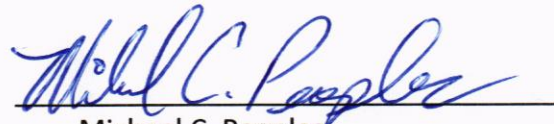
1. That the Recipient agrees that each "program" and each "facility" as defined in subsections 21.23 (b) and 21.23 (e) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the appropriate assurance clauses in every contract subject to the Act and the Regulations.
3. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
4. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.
5. That the Recipient shall include the appropriate clauses set forth in this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties:
 - (a) for the subsequent transfer of real property acquired or improved under (*Name of Appropriate Program*); and
 - (b) for the construction or use of or access to space on, over or under real property acquired, or improved under (*Name of Appropriate Program*).
6. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods:

- (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
- (b) the period during which the Recipient retains ownership or possession of the property.

- 7. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he delegates specific authority to give reasonable guarantee that it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
- 8. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining Federal Financial assistance and is binding on its contractors, the sponsor, subcontractors, transferees, successors in interest and other participants in the project. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

Date 05/25/2023



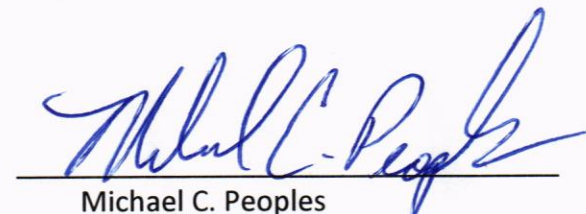
Michael C. Peoples
City Manager

Note: Annual Certifications and Assurances are pinned annually in TrAMS as required.

Plan Review and Approval

The Gastonia Transit Title VI Plan has been reviewed and approved by the undersigned, who is the Authorizing Official as designated by the Gastonia City Council.

Date 05/25/2023



Michael C. Peoples
City Manager