

HABERSHAM COUNTY BOARD OF COMMISSIONERS

EXECUTIVE SUMMARY

SUBJECT: Habersham County Transit Title VI Plan

DATE: 8/22/2024

RECOMMENDATION

POLICY DISCUSSION

BUDGET INFORMATION:

STATUS REPORT

ANNUAL-

OTHER

CAPITAL-

COMMISSION ACTION REQUESTED ON: September 16, 2024

PURPOSE: Approve Habersham County Transit Tile VI Plan to be in compliance with Title VI of the 1964 Civil Rights Act.

BACKGROUND / HISTORY: As a past, and future, recipient of federal funds, Habersham County Transit must be in compliance with Title VI of the 1964 Civil Rights Act. Title VI provides that no person in the United States shall, on the grounds of race, color, national origin be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance.

In order for Habersham County to be in compliance with Title VI of the 1964 Civil Rights Act we must confirm knowledge of, agree to, and submit a Title VI agreement plan containing the required policy statement, Title VI Assurance, complaint procedures and appendices.

FACTS AND ISSUES:

- Habersham County receives federal funds and is therefore required to uphold Title VI
 - To be compliant, Title VI training is required every 3 years
 - The Non-Discrimination Agreement must be approved by the BOC to be compliant
-
-

OPTIONS:

- 1) Approve The Habersham County Transit Title VI Plan
 - 2) Deny The Habersham County Transit Plan VI Plan
 - 3) Commission defined alternative
-
-

RECOMMENDED SAMPLE MOTION: I make a motion to accept the Transit Title VI Plan so the County is in compliance with Title VI of the Civil Rights Act of 1964 and therefore can accept federal funding for the County's Public Transportation program.

DEPARTMENT: Public Transportation

Prepared by: Mike Bramlett

Director: Mike Bramlett

**ADMINISTRATIVE
COMMENTS:**

_____ **DATE:** _____

County Manager

***Federal Transit Administration
Title VI Program***

Habersham County Transit

September 30, 2024

Title VI Plan Table of Contents

The Habersham County Transit Title VI plan includes the following elements:

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Section 1: Title VI Plan Approval

Title VI Plan Adopted on: September 16, 2024

Adopted by: Habersham County Board of Commissioners

Signature(s): _____

Approval:

Section 2: Title VI Policy Statement

Policy Statement

Habersham County Transit, operating as a public transit provider, as a recipient of Federal Transit Administration (FTA) grant dollars either directly from FTA or through the Georgia Department of Transportation (GDOT), will comply with the Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the U.S. Department of Transportation implementing regulations, FTA Circular 4702.1B, and GDOT Public Transportation requirements as specified in Master Grant Agreement, and State Management Plan. Habersham County Transit operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act.

Section 3: Title VI Notice to the Public

Title VI Notice to the Public

Notifying the Public of Rights Under Title VI

Habersham County Transit

- Habersham County Transit 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 Habersham County Transit.
- For more information on Habersham County Transit's civil rights program or Title VI obligations, the procedures for, or to file a complaint, please contact:

Ann Cain, Human Resources Director, Title VI Coordinator

706-839-0205, (TTY 711)

Email: acain@habershamga.com;

Or visit our administrative office at

130 Jacobs Way, Clarkesville, GA 30523

For more information, visit **www.habershamga.com**

- For transportation-related Title VI matters, a complaint may also be filed directly with GDOT's Equal Employment Opportunity Office: Title VI Liaison, 600 West Peachtree Street N.W. Atlanta, GA 30308; via phone: 404-631-1972; TTY: 711 or email: civilrights@dot.ga.gov

or to

- Federal Transit Administration, Office of Civil Rights, Director
East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC, 20590.
 - If information is needed in another language, contact **800-523-1786**.
 - Si se necesita información en otro idioma, comuníquese con 800-523-1786.

The **Habersham County Transit** Notice to the Public is posted in the following locations:

1. Habersham County website
2. Transportation Vehicles
3. Habersham County Transit Office

Sample Title VI Notice to the Public in Spanish

Notificación al Público de Derechos Bajo el Título VI

- Habersham County Transit opera sus programas y servicios sin distinción de raza, color y origen nacional, según el Título VI de la Ley de Derechos Civiles. Cualquier persona que cree o que ha sido perjudicada por una práctica discriminatoria ilegal bajo el Título VI puede presentar una queja con Habersham County Transit.
- Para obtener más información sobre el programa de derechos civiles o lost obligaciones Titulo VI de Habersham County Transit, o para obtener más información sobre los procedimientos para, o a presentar una queja, se pone en contacto con:

**Ann Cain, Coordinador del Título VI
706-839-0205, (TTY 711)**

Correo electrónico: acain@habershamga.com;

O visite a nuestra oficina administrative en:

130 Jacobs Way, Clarkesville, GA 30523

Para más información, visite a: **www.habershamga.com**

- Para asuntos de transporte relacionados con el Título VI, también se puede presentar una queja directamente ante la Oficina de Igualdad de Oportunidades en el Empleo (Oficina de EEO, en Inglés,) del GDOT: Title VI Liason, 600 West Peachtree Street N.W. Atlanta, Georgia 30308; vía telefónica: 404-631-1972; TTY: 711 o correo electrónico: civilrights@dot.ga.gov

o, a:

- Administración Federal de Tránsito (FTA), Oficina de Derechos Civiles, Director East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE Washington, DC, 20590.
- Si se necesita información en otro idioma, comuníquese con 800-523-1786.

Section 4: Title VI Complaint Procedure

Any individual, group of individuals or entity that believes they have been discriminated against on the basis of race, color, or national origin by Habersham County Transit may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form.

If the complainant is unable to reduce the complaint to writing, please contact the Title VI Coordinator using the information below, and a staff member will help dictate the complaint or provide other necessary assistance.

Any individual having filed a complaint or participated in the investigation of a complaint shall not be subjected to any form of intimidation or retaliation. Individuals who have cause to think that they have been subjected to intimidation or retaliation can file a complaint of retaliation following the same procedure for filing a discrimination complaint.

A complaint must be filed with Habersham County Transit no later than 180 days after the following:

1. The date of the alleged act of discrimination; or
2. The date when the person(s) became aware of the alleged discrimination; or
3. Where there has been a continuing course of conduct, the date on which that conduct was discontinued of the latest instance of the conduct.

Once the complaint is received, Habersham County Transit will review it to determine if our office has jurisdiction. A copy of each Title VI complaint received will be forwarded to the agency's Title VI Coordinator. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.

Habersham County Transit has **60** days to investigate the complaint. If more information is needed to resolve the case, the Habersham County Transit may contact the complainant requesting further information. 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** business days, Habersham County Transit can administratively close the case.

After the investigator reviews the complaint, the agency will issue one of two (2) letters to the complainant: a closure letter or a letter of finding (LOF).

- ✓ A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed.
- ✓ A letter of finding (LOF) summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur.

If the complainant wishes to appeal the decision it must direct the appeal back to the agency. The complainant has 7 days after receipt of the closure letter or the letter of finding to do so. The appeal will be investigated and decided by a separate party than the Title VI Coordinator (or other official who issued the initial decision). The appeal process information will be included in the letter.

Written Title VI Complaints, or any questions regarding Title VI protections, should be forwarded to:

Ann Cain, Human Resources Director, Title VI Coordinator
706-839-0205, (TTY 711)

Email: amcain@habershamga.com;

Or visit our administrative office at
130 Jacobs Way, Clarkesville, GA 30523

For transportation-related Title VI matters, a complaint may also be filed directly with GDOT's Equal Employment Opportunity Office: Title VI Liaison, 600 West Peachtree Street N.W. Atlanta, GA 30308; via phone: 404-631-1972; TTY: 711 or email: civilrights@dot.ga.gov

Or

Federal Transit Administration, Office of Civil Rights, Director
East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE Washington, DC, 20590.

If information is needed in another language, please contact **800-523-1786**.

*Si necesita información en otro idioma, por favor llame **800-523-1786**.*

Título VI Procedimiento de Denuncia

Cualquier individuo, grupo de individuos o entidad que crea que ha sido discriminado por motivos de raza, color u origen nacional por el Habersham County Transit Commission (La Comisión Regional del Noroeste de Georgia) puede presentar una queja del Título VI completando y enviando el Formulario de queja del Título VI de la agencia.

Si el demandante no puede poner la queja por escrito, comuníquese con el Coordinador del Título VI utilizando la información a continuación, y un miembro del personal lo ayudará a dictar la queja o le brindará otra asistencia necesaria.

Cualquier persona que haya presentado una denuncia o haya participado en la investigación de una denuncia no estará sujeta a ninguna forma de intimidación o represalia. Las personas que tengan motivos para pensar que han sido sometidas a intimidación o represalias pueden presentar una denuncia por represalias siguiendo el mismo procedimiento para presentar una denuncia por discriminación.

Se debe presentar una denuncia ante el Habersham County Transit a más tardar 180 días después de lo siguiente:

4. La fecha del presunto acto de discriminación; o
5. La fecha en que la(s) persona(s) tuvo conocimiento de la presunta discriminación; o
6. Cuando ha habido una conducta continua, la fecha en que esa conducta se interrumpió o el último caso de la conducta.

Una vez recibida la denuncia, el Habersham County Transit lo revisaremos para determinar si nuestra oficina tiene jurisdicción. Se enviará una copia de cada queja del Título VI recibida al Coordinador del Título VI de la agencia. El denunciante recibirá una carta de acuse de recibo informándole si nuestra oficina investigará la denuncia.

Habersham County Transit tiene 60 días para investigar la denuncia. Si se necesita más información para resolver el caso, el Northwest Georgia Regional Commission ponerse en contacto con el denunciante solicitando más información. El denunciante tiene 10 días hábiles a partir de la fecha de la carta para enviar la información solicitada al investigador asignado al caso. Si el denunciante no se comunica con el investigador o no recibe la información adicional dentro de los 10 días hábiles, el Habersham County Transit puede cerrar administrativamente el caso.

Después de que el investigador revise la queja, la agencia emitirá una de dos (2) cartas al demandante: una carta de cierre o una carta de conclusión (CDC, o 'LOF' por sus siglas en ingles).

- ✓ Una carta de cierre resume las acusaciones y establece que no hubo una violación del Título VI y que el caso se cerrará.
- ✓ Una carta de conclusión (CDC) resume las acusaciones y las entrevistas sobre el presunto incidente y explica si se tomará alguna medida disciplinaria, capacitación adicional del miembro del personal u otra acción.

Si el demandante desea apelar la decisión, debe dirigir la apelación nuevamente a la agencia. El denunciante tiene 7 días después de recibir la carta de cierre o la carta de determinación para hacerlo. La apelación será investigada y decidida por una parte distinta del Coordinador del Título VI (u otro funcionario que emitió la decisión inicial). La información del proceso de apelación se incluirá en la carta.

Las quejas escritas sobre el Título VI, o cualquier pregunta sobre las protecciones del Título VI, deben enviarse a:

Ann Cain, Coordinador del Título VI
706-839-0205, (TTY 711)
Correo electrónico: amcain@habershamga.com
O visite nuestra oficina administrativa en
130 Jacobs Way, Clarkesville, GA 30523
Para más información visite: www.habershamga.com

Para asuntos del Título VI relacionados con el transporte, también se puede presentar una queja directamente ante la Oficina de Igualdad de Oportunidades en el Empleo (Equal Employment Opportunity Office) del GDOT: Title VI Coordinator, 600 West Peachtree Street NW Atlanta, GA 30308; por teléfono: 404-631-1972; TTY: 711 o correo electrónico: civilrights@dot.ga.gov

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Federal Transit Administration, Office of Civil Rights, Director
East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE Washington, DC, 20590.

Section 5: Title VI Complaint Form

**Habersham County Transit
Title VI Complaint Form**

Section I:				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
E-Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
Section II:				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party:				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No
Section III:				

I believe the discrimination I experienced was based on (check all that apply):

Title VI: Race Color National Origin

Other (specify): _____

Date of Alleged Discrimination (Month, Day, Year): _____

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.

Section IV

Have you previously filed a Civil Rights related complaint with this agency?

Yes

No

Section V

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?

Yes No

If yes, check all that apply:

Federal Agency: _____

Federal Court _____ State Agency _____

State Court _____ Local Agency _____

If marked Yes in Section V, please provide information about a contact person at the agency/court where the complaint was filed.

Name:

Title:

Agency:

Address:
Telephone:
Section VI
Name of agency complaint is against:
Contact person:
Title:
Telephone number:

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below

Signature

Date

Please submit this form in person at the address below, or mail this form to:

**Habersham County Transit
Ann Cain, HR Director (Title VI Coordinator)
130 Jacobs Way
Clarkesville, GA 30523
Phone 706-839-0205
Email acain@habershamga.com**

Translate Form into Spanish [HERE](#)

Habersham County Transit

Formulario de Queja de Título VI de la Ley de Derechos Civiles

Sección I				
Nombre:				
Dirección:				
Teléfono (Casa):			Teléfono (Trabajo):	
Dirección de correo electrónico:				
Requisitos para formato accesible	Impresión grande		Cinta de audio	
	TDD		Otro	
Sección II:				
Está presentando esta queja en representación suya?			Sí*	No
*Si la respuesta es sí, pasa a la Sección III.				
Si no, por favor da el nombre de la persona discriminada y la relación entre ustedes:				
Por favor explica por qué está presentando esta queja a favor de la otra persona:				
Por favor confirme que tiene el permiso de la persona discriminada si está presentando esta queja a favor de la otra persona.			Sí	No
Sección III:				

Creo que la discriminación tiene como fundamento (marque las casillas que corresponden):

Title VI: Raza Color Origen Nacional

Otro (explique): _____

Fecha que ocurrió la discriminación (Mes, Día, Año): _____

Explica tan claramente como sea posible lo que ocurrió y la razón que usted cree que sufrió discriminación. Describe

todas las personas envueltas, sus nombres y sus datos de contacto (si sabe) y los nombres de testigos y sus datos de contacto. Si necesita más espacio, usa el dorso de este formulario.

Sección IV

Ha presentado usted una demanda del Título VI con esta agencia anteriormente?

Sí

No

Sección V

Ha presentado esta demanda ante otra agencia local, estatal, o federal, o ante un tribunal estatal o federal?

Sí No

Si es sí, marque todas las casillas que corresponden:

Agencia Federal: _____

Tribunal Federal: _____

Agencia Estatal _____

Tribunal Estatal: _____

Agencia Local _____

Da información de contacto de un representante de la agencia o del tribunal ante el cual presentó la demanda:

Nombre:

Título:

Agencia:

Dirección:

Teléfono:
Sección VI
Nombre de la agencia demandada:
Nombre del contacto:
Título:
Teléfono:

Se puede adjuntar información escrita o de otro forma que piensa que está pertinente a su queja.

Se requiere que se firme esta queja y poner la fecha abajo.

Firma

Fecha

Por favor, presenta esta queja en persona a la dirección abajo o enviarla via el correo a:

Habersham County Transit
Ann Cain, Coordinador del Título VI
130 Jacobs Way
Clarkesville, GA 30523
Teléfono:706-839-0205
Correo electrónico: acain@habershamga.com

Section 6: List of Title VI Investigations, Complaints and Lawsuits

The Habersham County Transit maintains a list or log of all Title VI investigations, complaints and lawsuits, pertaining to its transit-related activities.

Check One:

There have been no investigations, complaint and/or lawsuits filed against us since the last plan submission.

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				
Complaints				
1.				
2.				

Section 7: Public Participation Plan

Habersham County Transit's *Public Involvement Philosophy*

Habersham County Transit welcomes and values public involvement. GDOT and its recipients believe that well-designed, proactive public involvement improves its planning and policy efforts and ultimately leads to better decisions, better projects, and maximized, long-term public benefits. Creating long-term, sustainable systems requires our agency to embrace outside skills and knowledge, including input from the public. Advantages of enhanced public involvement include:

- Increased public collaboration. Citizen collaboration on projects benefits our agency's processes and outcomes, promoting public participation and respectful, productive dialogue.
- Decisions that better reflect diverse interests. Consulting with all identifiable interests helps Habersham County Transit better understand and reflect the full range of community values and livability standards.
- Efficient transportation decision implementation. Early public involvement fosters better decision making and reduces costly project plan revisions and change orders.
- Enhanced agency credibility. Increased public involvement results in more meaningful and better interactions between Department personnel and customers. This interaction aids everyone. The agency better understands public concerns, and customers gain an appreciation of the agency and its responsibilities.
- Habersham County Transit proactively involves the public in addressing transportation issues. The agency communicates its mission and goals to the widest audience possible and considers feedback received from transportation stakeholders and the public.

The agency embraces several specific goals:

- Provide for open and continuous communication to incorporate public input into decision-making and inform the public of planning, program functions, project activities, designs, and construction.
- Implement a public involvement strategy to identify and use agency resources to inform the public of our activities and receive public input. The strategy will establish levels (based on the nature and complexity of the activity) for communicating with transportation stakeholders and the public.
- Consult with local governments in identifying transportation needs, coordinating projects, and selecting viable solutions.
- Respond quickly and transparently to concerns expressed about agency activities and educate the public about transportation programs and issues.
- Review and update the public involvement strategy and process as needed, continuously evaluate public outreach activity effectiveness, and use the results to improve the program.
- Ensure minorities and low-income populations have opportunities to participate in the public involvement process.
- Foster internal communication and training to promote public involvement process understanding and implementation.

Strategies and Desired Outcomes

To promote inclusive public participation, Habersham County Transit will employ the following strategies, as appropriate (make these determinations based on a demographic analysis of the population(s) affected, type of plan, program and/or service under consideration, and the resources available):

- ✓ Provide for early, frequent and continuous engagement by the public
- ✓ Select accessible and varied meeting locations and times
- ✓ Employ different meeting sizes and formats
- ✓ Use social media in addition to other resources as a way to gain public involvement

- ✓ Use radio, television or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP populations may also include audio programming available on podcasts.
- ✓ Expand traditional outreach methods by visiting ethnic stores/markets and restaurants, community centers, libraries, faith-based institutions, local festivals, etc.

In addition to these general strategies, Habersham Transit has also employed these specific strategies or activities:

- In vehicle advertising
- Posting information on website
- Press releases to media outlets

Public Outreach Activities

The public outreach and involvement activities conducted by Habersham County Transit since the last Title VI Program submission are summarized in the table below.

Specific Public Participation activities are listed in the table below:

Event Date	Habersham Transit Staffer(s) or Department	Activity	Communication Method (Public notice, posters, social media)	Notes

Section 8: Four Factor Analysis and LEP Data

What does it mean to be Limited English Proficient (LEP)?

LEP individuals do not speak English as their primary language and therefore have a limited ability to read, write, speak, or understand English. Many LEP persons are in the process of learning English and may read, write, speak, and/or understand some English, but not proficiently. LEP status may be context-specific – an individual may have sufficient English language skills to communicate basic information (name, address etc.) but may not have sufficient skills to communicate detailed information in English.

Background

Federal law prohibits discrimination based on national origin. National origin discrimination includes discrimination based on a person's inability to speak, read, write or understand English. Recipients of Federal funds must provide meaningful access to LEP individuals.

On August 11, 2000, Executive Order 13166, titled, "Improving Access to Services by Persons with Limited English Proficiency," was issued. Executive Order 13166 requires Federal agencies to assess and address the needs of otherwise eligible persons seeking access to federally conducted programs and activities who, due to LEP cannot fully and equally participate in or benefit from those programs and activities. Section 2 of the Executive Order 13166 directs each Federal department or agency "to prepare a plan to improve access to...Federally conducted programs and activities by eligible LEP persons...."

Framework for Deciding when Language Services are Needed

Habersham County Transit will take the following steps to ensure meaningful access to its programs, services, and activities for LEP individuals in a manner that balances the following four factors.

FOUR-FACTOR ANALYSIS

The Four Factor Analysis is a local assessment that considers:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the agency;
2. The frequency with which LEP persons come into contact with the agency's services and programs;
3. The nature and importance of the agency's services and programs in people's lives; and
4. The resources available to the agency for LEP outreach, as well as the costs associated with that outreach.

Factor One: The number or proportion of LEP persons eligible to be serviced or likely to be encountered by Habersham County Transit

The first step in determining the appropriate components of a Language Assistance Plan is understanding the proportion of LEP persons who may encounter our agency's services, their literacy skills in English and their native language, the location of their communities and neighborhoods and, more importantly, if any are underserved as a result of a language barrier.

To do this, the agency evaluated the level of English proficiency and to what degree people in its service area speak a language other than English and what those languages are. Data for this review is derived from the United States Census and the American Community Survey. The most recent data available for the state were the ACS 2018-2022 five-year estimates.

Service Area Overview

Habersham County Transit service area encompasses Habersham County. Home to 43,377 people spread over 276.9 square miles, the service area's population speaks 4 different language groups. Of the total service area population of 43,377, or 12.8% of the population of residents, report speaking English less than very well. A breakdown of the language groups, and those speaking English less than very well, are shown below.

Table: ACSDT5Y2022.C16001

Habersham County, Georgia		
Label	Estimate	Margin of Error
Total:	43,773	±33
Speak only English	36,865	±415
Spanish:	5,464	±491
Speak English "very well"	2,957	±378
Speak English less than "very well"	2,507	±394
French, Haitian, or Cajun:	18	±23
Speak English "very well"	18	±23
Speak English less than "very well"	0	±30
German or other West Germanic languages:	107	±76
Speak English "very well"	69	±63
Speak English less than "very well"	38	±41
Russian, Polish, or other Slavic languages:	18	±34
Speak English "very well"	18	±34
Speak English less than "very well"	0	±30
Other Indo-European languages:	66	±52
Speak English "very well"	40	±43
Speak English less than "very well"	26	±34
Korean:	9	±13
Speak English "very well"	9	±13
Speak English less than "very well"	0	±30
Chinese (incl. Mandarin, Cantonese):	31	±37

Table: ACSDT5Y2022.C16001

Habersham County, Georgia		
Label	Estimate	Margin of Error
Speak English "very well"	24	±28
Speak English less than "very well"	7	±13
Vietnamese:	106	±109
Speak English "very well"	9	±14
Speak English less than "very well"	97	±107
Tagalog (incl. Filipino):	158	±146
Speak English "very well"	117	±140
Speak English less than "very well"	41	±48
Other Asian and Pacific Island languages:	584	±168
Speak English "very well"	249	±121
Speak English less than "very well"	335	±130
Arabic:	0	±30
Speak English "very well"	0	±30
Speak English less than "very well"	0	±30
Other and unspecified languages:	347	±388
Speak English "very well"	28	±28
Speak English less than "very well"	319	±386

<https://data.census.gov/cedsci/ Table C16001>

The Safe Harbor Provision

The U.S. Department of Transportation (U.S. DOT) has adopted the U.S. Department of Justice's Safe Harbor Provision. This provision outlines circumstances that can provide a "safe harbor" for U.S. DOT recipients (and sub-recipients) regarding translation of vital documents. Specifically, if a recipient provides written translation of vital documents for each LEP group that constitutes the lesser of 1,000 persons or five percent (5%) of the total population eligible to be served or likely to be affected or encountered, such action is considered strong evidence of compliance with the recipient's written translation obligations.

The Safe Harbor Provision only applies to the translation of written documents. It does not affect the agency's requirement to provide meaningful access to LEP individuals through oral language services.

A vital document is any document that is critical for ensuring meaningful access to the recipients' major activities and programs by beneficiaries generally and LEP persons specifically. Whether or not a document (or the information it solicits) is "vital" may depend upon the importance of the program, information, encounter, or service involved, and the consequence to the LEP person if the information in question is not provided accurately or in a timely manner.

The data above shows that just one language meets the Safe Harbor threshold—Spanish. Habersham County is home to 2507 people (5.7% of the population) who speak Spanish, and speak English less than very well. The number of people who speak other languages and English less than very well all comprise 2% of the population each.

Designation of Vital Documents

Based on the limited population of Spanish speakers who also speak English less than very well, Habersham County Transit designates the following as Vital Documents which be translated to Spanish. Title VI Notice to the Public, Title VI Complaint Form, Title VI Complaint Procedures, ADA Complaint Form, Reasonable Modification Request Form.

Factor Two: The frequency with which LEP persons come into contact with Agency services and programs.

Habersham County Transit recognizes the importance of taking measures to gauge LEP needs, but in the spirit of transparency, admits it has done less than planned in the past few years to fortify the Title VI Program. In this situation, our agency is doing all it can to move forward in a positive direction. This includes a plan to collect data on the frequency in which LEP persons come into contact with the agency's various departments and programs. The Title VI Coordinator will create an annual survey to be sent to each department.

("Departments" includes drivers, dispatch and central office. Departments will collect data on their contacts with people who need language assistance, and the Title VI Coordinator will review and analyze this data each year. Departments will also be asked to log their use of any type of Language Line or any other translation or interpretation services. Thus, by the time this Program is due for an update, Habersham County Transit will have concrete data on language access needs to help direct future efforts and planning.

Factor Three: The Importance of the Agency's Service to People's Lives

Habersham County Transit services likely affect every community member in some way. Our transit services are used daily by people who do not have access to their own transportation. Our services allow riders access to grocery stores, medical appointments, work, social service agencies, social activities, and a variety of other essential destinations. Some LEP persons are immigrants with no legal way to access a driver's license at this time.

Finally, Habersham County Transit's planning process relies on input from the public. The agency's services are therefore important to LEP person's lives, and must be accessible to everyone, regardless of ability to speak English.

Factor Four: Resources and Costs for LEP Outreach

Given that Habersham County Transit has a very limited number of LEP citizens, we can meet the needs of its LEP population through relatively simple means. First, Habersham County staff members who speak Spanish or any other foreign languages can be consulted or utilized for translation or interpretation in informal or emergency situations. Other free resources include the use of Google Translate or other technology-based translation services. Our agency can utilize Google Translate to interpret simple comments or messages left on our social media or in real time if necessary to communicate without advance warning an interpreter is needed.

Finally, Habersham County Transit will pay for document translation services when needed, which generally costs about \$25-\$35 per page. For example, the Spanish translation of vital documents included in this Program were completed by a paid professional.

These resources give our agency the ability to perform outreach with the LEP population at a reasonable cost.

Section 9: Language Assistance Plan

As a recipient of federal US DOT funding, Habersham County Transit is required to take reasonable steps to ensure meaningful access to our programs and activities by limited-English proficient (LEP) persons.

Limited English Proficient (LEP) refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. This includes those who have reported to the U.S. Census that they speak English less than very well, not well, or not at all.

The **Habersham County Transit's** Language Assistance Plan includes the following elements:

1. The results of the *Four Factor Analysis*, including a description of the LEP population(s), served.
2. A description of how language assistance services are provided by language
3. A description of how LEP persons are informed of the availability of language assistance service
4. A description of how the language assistance plan is monitored and updated
5. A description of how employees are trained to provide language assistance to LEP persons

Four Factor Analysis Results: LEP Populations Served

Item #1 – Four Factor Analysis Results: LEP Populations Served

The data above shows that just one language meets the Safe Harbor threshold—Spanish. Habersham County is home to 2507 people (5.7% of the population) who speak Spanish, and speak English less than very well. The number of people who speak other languages and English less than very well all comprise 2% of the population each.

Item # 2 – Description of how Language Assistance Services are Provided, by Language

The Habersham County Transit has identified, developed, and uses the following:

- a) Based on the limited population of Spanish speakers who also speak English less than very well, Habersham County Transit designates the following as Vital Documents which be translated to Spanish. Title VI Notice to the Public, Title VI

Complaint Form, Title VI Complaint Procedures, ADA Complaint Form, Reasonable Modification Request Form.

- b) Individuals who have contact with the public are provided with “I Speak” language cards to identify language needs in order to match them with available services. Language cards verified and distributed by the Director as needed.
- c) Any other need for translated documents or interpretation services will be provided on an as-needed basis. That is, anyone requesting specific information in a non-English language will be provided it upon request. The agency will use its internal resources to meet this need, when available. Otherwise, the agency will reach out to the network of resources it has developed, or hire a translator or interpreter as needed.

Item #3 – Description of how LEP Persons are Informed of the Availability of Language Assistance Service
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In order to ensure that LEP individuals are aware of Habersham County Transit’s language assistance measures, Habersham County Transit provides the following:

- Title VI Program including the Language Assistance Plan is made available on website, if applicable, and hard copy in central office.
- Drivers and dispatchers are provided “I Speak” language cards to identify language needs in order to match them with available services.
- The agency’s website includes language stating, “If you need assistance or information in another language, please contact 800-523-1786.” This message is provided in every language identified as meeting the safe harbor threshold, as well as all languages identified as representing at least 1% of the service area.

Item #4 – Description of how the Language Assistance Plan is Monitored and Updated
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Habersham County Transit will continue to update the LEP plan as required by U.S. DOT. At a minimum, the Title VI Plan will continue to be reviewed and updated every three (3) years in conjunction with the Title VI submission and use data from the U.S. Decennial Census or the American Community Survey as available, or when it is clear that the concentrations of LEP individuals are present in the Habersham County Transit service area.

Updates will continue to include the following:

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area.
- Determination as to whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet the need.

- Determine whether Habersham County Transit’s financial resources are sufficient to fund language assistance resources needed.
- Determine whether Habersham County Transit has fully complied with the goals of this LEP Plan.
- Determine whether complaints have been received concerning Habersham County Transit’s failure to meet the needs of LEP individuals

Item #5 – Description of how Employees are Trained to Provide Language Assistance to LEP Persons
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The following training will be provided to Habersham County Transit staff:

- Information on the Habersham County Transit Title VI Procedures and LEP responsibilities.
- Description of language assistance services offered to the public.
- Use of “I Speak” language cards (used to identify language preference).
- Documentation of language assistance requests.
- How to handle a potential Title VI / LEP complaint.

“I Speak” Language Identification Card

Note: For additional languages visit the US Census Bureau website

Mark this Box if you speak...	Language Identification Chart	Language
	Mark this box if you read or speak English	English
	Marque esta casilla si lee o habla español	Spanish
	Kos lub voj no yog koj paub twm thiab hais lus Hmoob	Hmong
	如果说中国在方框内打勾	Chinese
	Xin ñaùnh daáu vaø oâ naøy neáu quyù vò bieát ñoïc vaø noùi ñöôïc Vieät Ngöõ.	Vietnamese
	당신이한국어말할경우이 상자를표시	Korean
	Markahan itong kuwadrado kung kayo ay marunong magbasa o magsalita ng Tagalog.	Tagalog
	Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen	German
	Отметить этот флажок, если вы говорите по-русски	Russian
	Означите ову кућицу ако говорите српски	Serbian
	आप हिंदी बोलते हैं तो इस बक्से को चिह्नित करें	Hindi
	پر نشان لگائیں تو اس باکس بولتے ہیں اگر آپ	Urdu

<http://www.lep.gov/ISpeakCards2004.pdf>

Log of LEP Encounters

Date	Time	Language Spoken By Individual <i>(if available)</i>	Name and Phone Number of Individual <i>(if available)</i>	Service Requested	Follow Up Required	Staff Member Providing Assistance	Notes

Section 10: Minority Representation Information

Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar committees, *the membership of which is selected by the recipient*, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees.

Habersham County Transit does not have any transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient. This section is inapplicable.

Section 11: Providing Assistance to and Monitoring Subrecipients

1. Does agency provide funding to subrecipients?

No, the agency does not have subrecipients.

Section 12: Title VI Equity Analysis for Facility Acquisition

Title 49 CFR, Appendix C, Section (3)(iv) requires “the location of projects requiring land acquisition and the displacement of persons from their residences and business may not be determined on the basis of race, color, or national origin.” For purposes of this requirement, “facilities” does not include bus shelters, as they are considered transit amenities. It also does not include transit stations, power substations, or any other project evaluated by the National Environmental Policy Act (NEPA) process. Facilities included in the provision include, but are not limited to, storage facilities, maintenance facilities, operations centers, etc. Has the agency built a facility?

- No, the agency has not built a facility.
- Yes, the agency has built a facility and completed a Title VI equity analysis to compare the equity impacts of various siting alternatives, and the analysis must occur before the selection of the preferred site.

Section 13: Fixed Route Transit Providers Service Standards and Policies

FTA Circular 4702.1B, Chapter III, Paragraph 10: All fixed route transit providers shall set service standards and policies for each specific fixed route mode of service they provide.

Habersham County Transit:

is a fixed route transit provider

is **not** a fixed route transit provider