

# Ben Hill Transit System



## Title VI Plan



*Date Adopted: Month/Day/Year*





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## 1.0 Title VI/Nondiscrimination Policy Statement and Management Commitment to Title VI Plan

The Ben Hill Transit System assures the Georgia Department of Transportation that no person shall on the basis of race, color, national origin, age, disability, family or religious status, as provided by Title VI of the Civil Rights Act of 1964, Federal Transit Laws, 49 CFR Part 21 Unlawful Discrimination, Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation and as per written guidance under FTA Circular 4702.1B, dated October 2012, be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity undertaken by the agency.

The Ben Hill Transit System further agrees to the following responsibilities with respect to its programs and activities:

1. Designate a Title VI Liaison that has a responsible position within the organization and access to the recipient's Chief Executive Officer or authorized representative.
2. Issue a policy statement signed by the Executive Director or authorized representative, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Recipient's organization and to the general public. Such information shall be published where appropriate in language other than English.
3. Insert the clauses of Section 4.5 of this plan into every contract subject to the Acts and the Regulations.
4. Develop a complaint process and attempt to resolve complaints of discrimination against The Ben Hill Transit System.
5. Participate in training offered on the Title VI and other nondiscrimination requirements.
6. If reviewed by GDOT or any other state or federal regulatory agency, take affirmative actions to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) days.
7. Have a process to collect racial and ethnic data on persons impacted by the agency's programs.
8. Submit the information required by FTA Circular 4702.1B to the GDOT. (refer to Appendix A of this plan)

**THIS ASSURANCE** is given in consideration of and for the purpose of obtaining any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding. The person whose signature appears below is authorized to sign this assurance on behalf of the agency.

Signature: \_\_\_\_\_

Michael Dinnerman, County Manager/Signatory Authority, Ben Hill Transit System: 12/4/18

## 2.0 Introduction & Description of Services

The Ben Hill Transit System submits this Title VI Plan in compliance with Title VI of the Civil Rights Act of 1964, 49 CFR Part 21, and the guidelines of FTA Circular 4702.1B, published October 1, 2012.

The Ben Hill Transit System is a sub-recipient of FTA funds and provides service in the Ben Hill County area. A description of the current Ben Hill Transit System is included in Appendix B.

### **Title VI Liaison**

Michael Dinnerman, County Manager

Ben Hill County

(229) 426-5100

402-A East Pine Street

Fitzgerald, GA 31750

### **Alternate Title VI Contact**

Donna R. Prather, County Clerk

Ben Hill County

(229) 426-5100

402-A East Pine Street

Fitzgerald, GA 31750

The Ben Hill Transit System has designated a liaison for Title VI issues and complaints within the organization. The liaison is the focal point for Title VI implementation and monitoring of activities receiving federal financial assistance. Key responsibilities of the Title VI Liaison include:

- Maintain knowledge of Title VI requirements.

- Attend training on Title VI and other nondiscrimination authorities when offered by GDOT or any other regulatory agency.
- Disseminate Title VI information to the public including in languages other than English, when necessary.
- Develop a process to collect data related to race, gender and national origin of service area population to ensure low income, minorities, and other underserved groups are included and not discriminated against.
- Implement procedures for the prompt processing of Title VI complaints.

## 2.1 First Time Applicant Requirements

The Ben Hill Transit System is not a first-time applicant for FTA/GDOT funding. The following is a summary of the Ben Hill Transit System's current and pending federal and state funding.

### Current FTA Funding

5311 Rural Public Transportation Operating Contract July 1, 2018 thru June 30, 2019  
\$255,760

5311 Rural Public Transportation FTA Capital Funding for July 1, 2018 thru June 30, 2019 is  
\$2,560

### Pending

5311 Rural Public Transportation FTA Operating Contract July 1, 2019 thru June 30, 2020  
\$258,525

5311 Rural Public Transportation FTA Capital Funding July 1, 2019 thru June 30, 2020 is  
\$209,263

During the previous three years, the Georgia Department of Transportation did not complete a Title VI compliance review of the Ben Hill Transit System.

## 2.2 Annual Certifications and Assurances

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with Title VI regulations. This requirement shall be fulfilled when the applicant/recipient submits its annual certifications and assurances. Primary recipients will collect Title VI assurances from sub-recipients prior to passing through FTA funds.

The Ben Hill Transit System will remain in compliance with this requirement by annual submission of certifications and assurances as required by the Georgia Department of Transportation.

## 2.3 Title VI Plan Concurrence and Adoption

This Title VI Plan received GDOT concurrence on June 19, 2019. The Plan was approved and adopted by The Ben Hill County Board of Commissioners during a meeting held on [REDACTED] date. A copy of the meeting minutes and GDOT concurrence letter is included in Appendix C of this Plan.



### 3.0 Title VI Notice to the Public

#### 3.1 Notice to Public

Recipients must notify the public of its rights under Title VI and include the notice and where it is posted in the Title VI Plan. The notice must include:

- A statement that the agency operates programs without regard to race, color and national origin
- A description of the procedures members of the public should follow in order to request additional information on the grantee's nondiscrimination obligations
- A description of the procedure members of the public should follow in order to file a discrimination complaint against the grantee

A sample of the notice is included in Appendix D of this Plan. The sample notice should be translated into other languages, as necessary.

#### 3.2 Notice Posting Locations

The Notice to Public are posted at many locations to apprise the public of The Ben Hill Transit System's obligations under Title VI and to inform them of the protections afforded them under Title VI. The notice is posted in public areas of The Ben Hill Transit System's office(s) including the reception desk and meeting rooms, and on the Ben Hill County website at [www.benhillcounty.com](http://www.benhillcounty.com). Additionally, The Ben Hill Transit System has the notice on all transit vehicles.

## 4.0 Title VI Procedures and Compliance

### 4.1 Complaint Procedure

Any person who believes he or she has been discriminated against on the basis of race, color or national origin by The Ben Hill Transit System may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form (refer to Appendix E). The Ben Hill Transit System investigates complaints received no more than 180 days after the alleged incident. The Ben Hill Transit System will process complaints that are complete.

Once the complaint is received, The Ben Hill Transit System will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing him/her whether the complaint will be investigated by our office.

The Ben Hill Transit System has ninety (90) days to investigate the complaint. If more information is needed to resolve the case, The Ben Hill Transit System may contact the complainant. The complainant has ten (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 ten (10) business days, The Ben Hill Transit System can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two 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 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, she/he has seven (7) days to do so from the time he/she receives the closure letter or the LOF.

The complaint procedure will be made available to the public on The Ben Hill County website at [www.benhillcounty.com](http://www.benhillcounty.com).

### 4.2 Complaint Form

A copy of the complaint form in English and Spanish is provided in Appendix E, and posted on The Ben Hill County website at [www.benhillcounty.com](http://www.benhillcounty.com).

The complaint form will be provided in any languages spoken by the LEP population which meet the Safe Harbor threshold (See Appendix G).

### 4.3 Record Retention and Reporting Policy

FTA requires that all direct and primary recipients (GDOT) document their compliance by submitting a Title VI Plan to their FTA regional civil rights officer once every three (3) years. The Ben Hill Transit System will submit Title VI Plans to GDOT for concurrence on an annual basis or any time a major change in the Plan occurs.

Compliance records and all Title VI related documents will be retained for a minimum of three (3) years and reported to the primary recipient annually.

### 4.4 Sub-recipient Assistance and Monitoring

The Ben Hill Transit System does not have any sub-recipients to provide monitoring and assistance to. As a sub-recipient to GDOT, The Ben Hill Transit System utilizes the sub-recipient assistance and monitoring provided by GDOT, as needed. In the future, if this Transit System has sub-recipients, it will provide assistance and monitoring as required by FTA Circular 4702.1B.

### 4.5 Sub recipients and Subcontractors

The Ben Hill Transit System is responsible for ensuring that subcontractors (TPOs) are in compliance with Title VI requirements. Sub recipients may not discriminate in the selection and retention of any subcontractors. Subcontractors also may not discriminate in the selection and retention of any subcontractors. The Ben Hill Transit System, subcontractors, and/or TPOs may not discriminate in their employment practices in connection with federally assisted projects. Subcontractors and TPOs are not required to prepare or submit a Title VI Plan. However, the following nondiscrimination clauses will be inserted into every contract with contractors and subcontractors subject to Title VI regulations.

#### **Nondiscrimination Clauses**

During the performance of a contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "Contractor") must agree to the following clauses:

1. **Compliance with Regulations:** The Contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (hereinafter, "USDOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.
2. **Nondiscrimination:** The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

3. **Solicitations for Subcontractors, including Procurements of Materials and Equipment:** In all solicitations made by the Contractor, either by competitive bidding or negotiation for work to be performed under a subcontract, including procurements of materials or leases of equipment; each potential subcontractor or supplier shall be notified by the Contractor of the subcontractor's obligations under this contract and the Regulations relative to nondiscrimination on the basis of race, color, national origin, sex, age, disability, religion or family status.
4. **Information and Reports:** The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the *Georgia Department of Transportation and/or the Federal Transit Administration*, to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information the Contractor shall so certify to the *Georgia Department of Transportation*, and/or the *Federal Transit Administration*, as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, The Ben Hill Transit System shall impose contract sanctions as appropriate, including, but not limited to:
  - a. withholding of payments to the Contractor under the contract until the Contractor complies, and/or
  - b. cancellation, termination or suspension of the contract, in whole or in part.
6. **Incorporation of Provisions:** The Contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as The Ben Hill Transit System, Georgia Department of Transportation, and/or the Federal Transit Administration, may direct as a means of enforcing such provisions including sanctions for noncompliance.

#### **Disadvantaged Business Enterprise (DBE) Policy**

As a condition of the agreement with GDOT, The Ben Hill Transit System and its contractors and subcontractors agree to ensure that Disadvantaged Business Enterprises as defined in 49 CFR Part 26, as amended, have the opportunity to participate in the performance of contracts. The Ben Hill Transit System and its contractor and subcontractors shall not discriminate on the basis of race, color, national origin, or sex in the performance of any contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of GDOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of the contract or such other remedy as the recipient deems appropriate.

**E-Verify**

As a condition of the agreement with GDOT, vendors and contractors of The Ben Hill Transit System shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the vendor or contractor while contracted with The Ben Hill Transit System. Additionally, vendors and contractors shall expressly require any subcontractor performing work or providing services pursuant to work for The Ben Hill Transit System shall likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor while working for The Ben Hill Transit System.

## 5.0 Title VI Investigations, Complaints, and Lawsuits

In accordance with 49 CFR 21.9(b), The Ben Hill Transit System must record and report any investigations, complaints, or lawsuits involving allegations of discrimination. The records of these events shall include the date the investigation, lawsuit, or complaint was filed; a summary of the allegations; the status of the investigation, lawsuit, or complaint; and actions taken by The Ben Hill Transit System in response; and final findings related to the investigation, lawsuit, or complaint. The records for the previous three (3) years shall be included in the Title VI Plan when it is submitted to The Georgia Department of Transportation.

The Ben Hill Transit System has had no investigations, complaints, or lawsuits involving allegations of discrimination on the basis of race, color, or national origin over the past three (3) years. A summary of these incidents, should they occur, will be recorded in Table 1.

**Table 1: Summary of Investigations, Lawsuits, and Complaints**

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

## 6.0 Public Participation Plan

The Public Participation Plan (PPP) for The Ben Hill Transit System was developed to ensure that all members of the public, including minorities and Limited English Proficient (LEP) populations, are encouraged to participate in the decision making process for The Ben Hill Transit System.

Policy and service delivery decisions need to take into consideration community sentiment and public opinion based upon well-executed outreach efforts. The public outreach strategies described in the PPP are designed to provide the public with effective access to information about The Ben Hill Transit System services and to provide a variety of efficient and convenient methods for receiving and considering public comment prior to implementing changes to services. The PPP is included as Appendix F to this Title VI Plan.

### Current Outreach Efforts

The Ben Hill County is in their third year of operation and has never had a Title VI Compliance Review conducted. The following is a list and short description of The City of Americus Transit recent, current, and planned outreached activities.

- The City reaches out to the general population by word-of-mouth advertisement
- Transit name and phone number is stenciled on the side of the transit vehicles
- Transit brochures are distributed around town, in both English and Spanish
- The Civil Rights Public Notice and the procedures for filing a Civil Rights Title VI Complaint form is posted on the City Web Site in both English and Spanish.

## 7.0 Language Assistance Plan

The Ben Hill Transit System operates a transit system within the Ben Hill County Area. The Language Assistance Plan (LAP) has been prepared to address The Ben Hill Transit System's responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals, who have a limited ability to read, write, speak or understand English are LEP. In the Ben Hill Transit System service area there are **201** residents or **1.3%** who describe themselves as not able to communicate in English very well (Source: US Census). The Ben Hill Transit System is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. The Ben Hill Transit System has utilized the U.S. Department of Transportation (DOT) LEP Guidance Handbook and performed a four factor analysis to develop its LAP. The LAP is included in this Title VI Plan as Appendix G.

## 8.0 Transit Planning and Advisory Bodies

The Ben Hill Transit System does not have a transit-related committee or board at this time; therefore, this requirement does not apply.



## 9.0 Title VI Equity Analysis

Title 49 CFR, Appendix C, Section (3)(iv) requires that “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. In order to comply with the regulations, The Ben Hill Transit System will ensure the following:

1. The Ben Hill Transit System will complete a Title VI equity analysis for any facility during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color, or national origin. The Ben Hill Transit System will engage in outreach to persons potentially impacted by the siting of the facility. The Title VI equity analysis must compare the equity impacts of various siting alternatives, and the analysis must occur before the selection of the preferred site.
2. When evaluating locations of facilities, The Ben Hill Transit System will give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result. Analysis should be done at the Census tract or block group level where appropriate to ensure that proper perspective is given to localized impacts.
3. If The Ben Hill Transit System determines that the location of the project will result in a disparate impact on the basis of race, color, or national origin, The Ben Hill Transit System may only locate the project in that location if there is a substantial legitimate justification for locating the project there, and where there are no alternative locations that would have a less disparate impact on the basis of race, color, or national origin. The Ben Hill Transit System must demonstrate and document how both tests are met. The Ben Hill Transit System will consider and analyze alternatives to determine whether those alternatives would have less of a disparate impact on the basis of race, color, or national origin, and then implement the least discriminatory alternative.

The Ben Hill Transit System has not recently constructed any facilities, nor does it currently have any facilities in the planning stage. Therefore, The Ben Hill Transit System does not have any Title VI Equity Analysis reports to submit with this plan. The Ben Hill Transit System will utilize demographic maps included in Appendix I for future Title VI analysis.

## 10.0 System-Wide Service Standards and Service Policies

The Ben Hill Transit System is not a fixed route service provider.

## 11.0 Appendices

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# **Appendix A**

## **FTA Circular 4702.1B Reporting Requirements for Transit Providers**

Every three years, on a date determined by FTA, each recipient is required to submit the following information to the Federal Transit Administration (FTA) as part of their Title VI Program. Sub-recipients shall submit the information below to their primary recipient (the entity from whom the sub-recipient receives funds directly), on a schedule to be determined by the primary recipient.

**General Requirements**

*All recipients must submit:*

- ✓ Title VI Notice to the Public, including a list of locations where the notice is posted
- ✓ Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)
- ✓ Title VI Complaint Form
- ☒ List of transit-related Title VI investigations, complaints, and lawsuits  
**County has had no complaints**
- ✓ Public Participation Plan, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission
- ✓ Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance
- ☒ A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees  
**County does not have an elected council**
- ☒ Primary recipients shall include a description of how the agency monitors its sub-recipients for compliance with Title VI, and a schedule of sub-recipient Title VI Program submissions
- ☒ **A Title VI equity analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc.**  
**County has had no transit construction projects**
  
- ☒ A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program. For State DOTs, the appropriate governing entity is the State’s Secretary of Transportation or equivalent. The approval must occur prior to submission to FTA.
- ☒ N/A Additional information as specified in Chapters IV, V, and VI, depending on whether the recipient is a transit provider, a State, or a planning entity (see below)

**Requirements of Transit Providers**

**County is not a fixed route provider**

*All Fixed Route Transit Providers must submit:*

- All requirements set out in Chapter III (General Requirements)
- Service standards
  - Vehicle load for each mode

- Vehicle headway for each mode
- On time performance for each mode
- Service availability for each mode
- ☐ Service policies
  - Transit Amenities for each mode
  - Vehicle Assignment for each mode

*Transit Providers that operate 50 or more fixed route vehicles in peak service and are located in an Urbanized Area (UZA) of 200,000 or more people must submit:*

- ☐ Demographic and service profile maps and charts
- ☐ Demographic ridership and travel patterns, collected by surveys
- ☐ Results of their monitoring program and report, including evidence that the board or other governing entity or official(s) considered, was aware of the results, and approved the analysis
- ☐ A description of the public engagement process for setting the “major service change policy,” disparate impact policy, and disproportionate burden policy
- ☐ Results of service and/or fare equity analyses conducted since the last Title VI Program submission, including evidence that the board or other governing entity or official(s) considered, was aware of, and approved the results of the analysis



# **Appendix B**

## **Current System Description**



### Current System Description

1. An overview of the organization including its mission, program goals and objectives.

The Ben Hill Transit System's current and long-term focus as a transportation provider is on maintaining the best-coordinated transportation system possible for this community. Our goal is to create a coordinated system with the objective of providing safe, reliable, timely and efficient transportation services to county residents; fully compliant with regulatory requirements; at the minimum cost to the County and its citizens.
2. Organizational structure, type of operation, number of employees, service hours, staffing plan and safety and security plan.

The Ben Hill Transit System is managed and operated by a 3<sup>rd</sup> party contractor as a department of the County government. Our organization has no full-time employees, part-time employees, or volunteers. Our County Manager is responsible for overseeing the contractor; who manages all of the day-to-day operations of our organization. The County Manager reports directly to the Ben Hill County Board of County Commissioners (BCC). Our BCC is committed to this program and has, therefore, incorporated our service within the County's Public Transportation Program. Transportation services are provided in accordance with the BCC's approved Operations Manual/System Safety/Security Program and its Transportation Disadvantaged Service Plan (TDSP).

#### Security Plan:

- 1. PURPOSE. To ensure all FTA funded equipment is secure at all times.
- 2. GENERAL All vehicles, when not in use or under personal control must be properly secured at all times to prevent theft or destruction which could preclude mission accomplishment. At a minimum the following rules will be followed:
  - (a.) All equipment will be inspected upon completion of each operation or maintenance service to ensure it is turned off and properly secured.
  - (b.) All keys and credit cards will be secured in a key cabinet or other approved secure storage device.
  - (c.) All vehicles will be parked in a safe and secure area, at a county facility. Never park vehicles at a private and/or employee residence.

**SAFETY PLAN**

- 1. PURPOSE. To ensure a safe operating and working environment in all Transit Systems operated by Crisp County Transit
- 2. GENERAL All employees play a critical role in achieving a safe working environment and ensuring all equipment is in a safe operating condition. The Transit Supervisor will:
  - a. Ensure all assigned operators are trained in the safe operation and preventive maintenance procedures for the equipment to be utilized.
  - b. Ensure all assigned safety equipment is on board and meets established safety standards.
  - c. Restrict use of equipment with questionable reliability or safety performance levels.
  - d. Ensure drivers are trained in proper lift operating and wheelchair securement procedures in accordance with the Passenger Service and Safety Manual
  - e. Ensure all employees receive training in the proper use of firefighting equipment and evacuation procedures.
- 3. RESPONSIBILITIES. Operators will complete Dailey Pre & Post-Trip Inspection of vehicle to include cycling the lift. Discovered deficiencies that will affect the safe operation of the equipment will be corrected before continuing operations. Lift failures must be repaired within five days or vehicle will be taken out of service until repairs are completed.
- 4. SAFETY RULES. Personnel working with or operating equipment or visiting shop/maintenance facilities will adhere to the following minimum requirements:
  - (a.) No smoking in shop areas or when operating or riding in transit vehicle.
  - (b.) Proper storage/securement of all loose items on vehicle.
  - (c.) Keep vehicle clean and uncluttered (i.e. no loose items on dash or around driver's seat).
  - (d.) Always obey speed limits and all other traffic regulations.
  - (e.) Proper evacuation procedures will be used as outlined in PASS Training
  - (f.) Drivers will use the proper lift operating and wheelchair securement procedures in accordance with the Passenger Service and Safety Manual.
  - (g.) Drivers will assist passengers on and off vehicle as required.
  - (h.) Always use approved cleaning compounds.
  - (i.) No horseplay at any time.
  - (j.) Remove all jewelry and loose-fitting clothing before inspecting or working on or around vehicles.
  - (k.) Use of personal cell phones is prohibited while operating a transit vehicle.

3. Indicate if your agency is a government authority.  
Ben Hill County Transit is a county ran FTA 5311 program. Ben Hill County Government has an executed contract with FTA through the Georgia Department of Transportation
  
4. Who is responsible for insurance, training and management, and administration of the agency's transportation programs?  
Ben Hill County Transit is managed and operated by Resource Management Systems Inc (RMS). Ben Hill County BOC has entered into a contract with RMS to be our TPO. All transit employees are in the employment of RMS. RMS is responsible for all training, and administrating the Transit Drug & Alcohol Program.  
  
RMS is also responsible for all administrative aspects of the program. Reports are submitted monthly to the county for review and approval. The county submits reports to GDOT as required.  
  
Vehicle insurance is the responsibility of RMS.
  
5. Who provides vehicle maintenance and record keeping?  
Maintenance on all 5311 vehicles is provided by the Third-Party Operator (TPO). All maintenance is performed using the Preventative Maintenance Plan, which conforms to the State Vehicle Maintenance Guidelines set forth in the GDOT Preventative Maintenance Guidelines document. All vehicle files and driver files are kept on-site at our operations base located at 4467 US Hwy 82 W Morris, GA 39867 and are maintained by the Maintenance Director. All records are maintained and retained for the life of the vehicle plus 3 years.
  
6. Number of current transportation related employees  
All employees; including, full time drivers, part-time drivers, administrators, and support staff; are employed by the contractor.
  
7. Who will drive the vehicle, number of drivers, CDL certifications, etc.?  
Ben Hill County does not employ any drivers. Drivers are employed by TPO, all drivers are required to be trained in First Aid, attend a defensive driving course, be PASS certified, and have 80 hours of supervised drivers training before being allowed to drive 5311 vehicles. Drivers that will be driving vehicles with the capacity to transport more than 15 passengers including driver will be required to have a CDL license.
  
8. A detailed description of service routes and ridership numbers  
Transportation services provided through our program are available to all citizens of Ben Hill County. We provide a wide range of trip purposes that include: medical, nutrition, shopping, social service, training, employment, social and recreation. In FY2018 approximately 97% of our trips were provided for the minority population of the county. Currently, we use six shuttle vans w/lifts. We make an average of 1,450 passenger trips per month and manage our fleet resources so that all vehicles are used in a responsible a manner to provide full coverage and retire the vehicle in accordance with FTA Guidelines of seven years or 150,000 miles.

# **Appendix C**

## **Title VI Plan Adoption Meeting Minutes and GDOT Concurrence Letter**

Insert a copy of the Title VI Plan adoption meeting minutes and the GDOT concurrence letter.

# **Appendix D**

## **Title VI Notice to Public**

**Notifying the Public of Rights Under Title VI****The Ben Hill Transit System**

- The Ben Hill Transit System 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 Ben Hill Transit System.
- For more information on The Ben Hill Transit System's civil rights program, and the procedures to file a complaint, contact (229) 426-5100, (TTY 866-694-5824); email [mdinnerman@benhillcounty.com](mailto:mdinnerman@benhillcounty.com); or visit our administrative office at 402-A East Pine Street, Fitzgerald, GA 31750. For more information, visit [www.benhillcounty.com](http://www.benhillcounty.com)
- If information is needed in another language, contact 229-426-5100
- You may also file your complaint directly with the FTA at: Federal Transit Administration Office of Civil Rights Attention: Title VI Program Coordinator, East Building, 5th Floor - TCR 1200 New Jersey Ave., SE, Washington, DC 20590

## Notificación al Público de los Derechos Bajo el Título VI

### La sistema de tránsito de Ben Hill

- La sistema de tránsito de Ben Hill opera sus programas y servicios, sin distinción de raza, color y origen nacional, de conformidad con el Título VI del Acta de Derechos Civiles. Cualquier persona que cree que él o ella ha sido agraviada por cualquier práctica discriminatoria ilegal bajo el Título VI, puede presentar una queja con el sistema de transporte Ben Hill.
- Para obtener más información sobre la programa de derechos civiles de La sistema de tránsito de Ben Hill, y los procedimientos para presentar una queja, contacte a (229) 426-5100, (TTY 866-694-5824); email [ffeild@benhillcounty.com](mailto:ffeild@benhillcounty.com); o visite nuestra oficina administrativa en 402-A East Pine Street, Fitzgerald, GA 31750. Para obtener más información, visite [www.benhillcounty.com](http://www.benhillcounty.com)
- Si se necesita información en otro idioma, el contacto 229-426-5100(Teléfono)
- También puede presentar su queja directamente con el FTA en: Oficina Federal de Administración de Tránsito de Derechos Civiles Atención: Coordinador de Programa del Título VI, East Building, 5th Floor - TCR  
1200 New Jersey Ave., SE, Washington, DC 20590



# Appendix E

## Title VI Complaint Form

# The Ben Hill Transit System

## Title VI Complaint Form

<b>Section I:</b>				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
<b>Section II:</b>				
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
<b>Section III:</b>				
I believe the discrimination I experienced was based on (check all that apply):				
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Family or Religious Status <input type="checkbox"/> Other (explain) _____				
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.  _____ _____				
<b>Section IV</b>				
Have you previously filed a Title VI complaint with this agency?			Yes	No

<b>Section V</b>	
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, check all that apply:	
<input type="checkbox"/> Federal Agency: _____	
<input type="checkbox"/> Federal Court _____	<input type="checkbox"/> State Agency _____
<input type="checkbox"/> State Court _____	<input type="checkbox"/> Local Agency _____
Please provide information about a contact person at the agency/court where the complaint was filed.	
Name:	
Title:	
Agency:	
Address:	
Telephone:	
<b>Section VI</b>	
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:

County Manager  
Ben Hill County  
402-A East Pine Street  
Fitzgerald, GA 31750

## La sistema de tránsito de Ben Hill

### Formulario de Queja del Título VI

<b>Sección I:</b>				
Nombre:				
dirección:				
Teléfono (Casa):			Teléfono (Trabajo):	
Dirección de Correo Electrónico:				
Requisitos formato accesible?	Letra Grande		Audio Tape	
	TDD		Other	
<b>Sección II:</b>				
¿Está usted presentando esta queja en su propio nombre?			Si*	No
* Si usted contestó "sí" a esta pregunta, ve a la sección III.				
Si no es así, por favor proporcione el nombre y la relación de la persona a la que usted se queja:				
Por favor, explique por qué usted ha presentado por un tercero:				
Por favor, confirma que ha obtenido el permiso de la parte perjudicada, si usted está presentando en nombre de un tercero.			Si	No
<b>Sección III:</b>				
Creo que la discriminación que experimenté fue basado en (marque todo lo que corresponda):				
<input type="checkbox"/> Raza <input type="checkbox"/> Color <input type="checkbox"/> Origen Nacional <input type="checkbox"/> Edad <input type="checkbox"/> Discapacidad <input type="checkbox"/> Familia o Estado religioso <input type="checkbox"/> Otro (explicar) _____				
Fecha de la Discriminación Presunta (Mes, Día, Año): _____				
Explique lo más claramente posible lo que pasó y por qué cree que fue discriminado. Describir todas las personas que estuvieron involucradas. Incluya el nombre y la información de contacto de la persona (s) que lo discriminó (si se conoce), así como los nombres y la información de contacto con los testigos. Si se necesita más espacio, por favor use el reverso de este formulario. _____ _____				
<b>Sección IV:</b>				
¿Ha presentado anteriormente una queja del Título VI con esta agencia?			Si	No

<b>Sección V:</b>
-------------------

¿Ha presentado esta queja ante cualquier otro, estatal o agencia local Federal, o con cualquier tribunal federal o estatal?

Sí  No

En caso afirmativo, marque todo lo que corresponda:

Agencia Federal: \_\_\_\_\_

Tribunal Federa: \_\_\_\_\_

Tribunal Estatal: \_\_\_\_\_

Agencia Estatal: \_\_\_\_\_

Agencia Local: \_\_\_\_\_

Sírvanse proporcionar información acerca de una persona de contacto en la agencia / tribunal donde se presentó la queja.

Nombre:

título:

agencia:

dirección:

Teléfono:

**Sección VI:**

Nombre de la agencia de queja es en contra:

Persona de contacto:

título:

Teléfono:

Puede adjuntar cualquier material escrito o cualquier otra información que usted piensa que es relevante para su queja.

Firma y fecha requerida a continuación

\_\_\_\_\_

Firma

Fecha

Por favor, envíe este formulario en persona en la dirección indicada más abajo, o envíe este formulario a:

County Manager  
Ben Hill County  
402-A East Pine Street  
Fitzgerald, GA 31750

# Appendix F

## Public Participation Plan (PPP)

## Introduction

The Public Participation Plan (PPP) for The Ben Hill Transit System was developed to ensure that all members of the public, including minorities and Limited English Proficient (LEP) populations, are encouraged to participate in the decision making process for The Ben Hill Transit System. Policy and service delivery decisions need to take into consideration community sentiment and public opinion based upon well-executed outreach efforts. The public outreach strategies described in the PPP are designed to provide the public with effective access to information about The Ben Hill Transit System services and to provide a variety of efficient and convenient methods for receiving and considering public comment prior to implementing changes to services. The Ben Hill Transit System also recognizes the importance of many types of stakeholders in the decision-making process, including other units of government, metropolitan area agencies, community-based organizations, major employers, passengers and the general public, including low-income, minority, LEP, and other traditionally underserved communities.

## Public Participation Goals

The main goal of the PPP is to offer meaningful opportunities for all interested segments of the public, including, but not limited to, low-income, minority and LEP groups, to comment, about The Ben Hill Transit System and its operations. The goals for this PPP include:

- **Inclusion and Diversity:** The Ben Hill Transit System will proactively reach out and engage low-income, minority, and LEP populations for The Ben Hill Transit System service area so these groups will have an opportunity to participate.
- **Accessibility:** All legal requirements for accessibility will be met. Efforts will be made to enhance the accessibility of the public's participation – physically, geographically, temporally, linguistically and culturally.
- **Clarity and Relevance:** Issues will be framed in public meetings in such a way that the significance and potential effect of proposed decisions is understood by participants. Proposed adjustments to fares or services will be described in language that is clear and easy to understand.
- **Responsive:** The Ben Hill Transit System will strive to respond to and incorporate, when possible, appropriate public comments into transportation decisions.
- **Tailored:** Public participation methods will be tailored to match local and cultural preferences as much as possible.
- **Flexible:** The public participation process will accommodate participation in a variety of ways and will be adjusted over time as needed.

## Public Participation Methods

The methods of public participation included in this PPP were developed based upon best practices in conjunction with the needs and capabilities of The Ben Hill Transit System. The Ben Hill Transit System

intends to achieve meaningful public participation by a variety of methods with respect to service and any changes to service.

The Ben Hill Transit System will conduct community meetings and listening sessions as appropriate with passengers, employers, community based organizations, and advisory committees to gather public input and distribute information about service quality, proposed changes or new service options.

The public will be invited to provide feedback on the Ben Hill Transit System website ([www.benhillcounty.com](http://www.benhillcounty.com)) and all feedback on the site will be recorded and passed on to The Ben Hill Transit System management. The public will also be able to call the Ben Hill Transit System office at (229) 426-5100 during its hours of operation. Feedback collected over the phone will be recorded and passed on to The Ben Hill Transit System management. Formal customer surveys to measure performance, and listening sessions to solicit input, will be conducted periodically. The comments recorded as a part of these participation methods will be responded to as appropriate.

Meeting formats will be tailored to help achieve specific public participation goals that vary by project or the nature of the proposed adjustment of service. Some meetings will be designed to share information and answer questions. Some will be designed to engage the public in providing input, establishing priorities, and helping to achieve consensus on a specific recommendation. Others will be conducted to solicit and consider public comments before implementing proposed adjustments to services. In each case, an agenda for the meetings will be created that work to achieve the stated goals and is relevant to the subject and not overwhelming for the public.

For all public meetings, the venue will be a facility that is accessible for persons with disabilities and, preferably, is served by public transit. If a series of meetings are scheduled on a topic, different meeting locations may be used, since no one location is usually convenient to all participants.

For community meetings and other important information, The Ben Hill Transit System will use a variety of means to make riders and citizens aware, including some or all of the following methods:

- In-vehicle advertisement
- Posters or flyers in transit center
- Posting information on website
- Press releases and briefings to media outlets
- Multilingual flyer will be distributed to community based organizations, particularly those that target LEP population. Although there are no particular agencies or groups, we know of within the county, which engage with the Spanish speaking population. Our services are offered to all residents on Ben Hill County.
- Flyers and information distributed through various libraries and other civic locations that currently help distribute timetables and other information
- Communications to relevant elected officials
- Other methods required by local or state laws or agreements

All information and materials communicating proposed and actual service adjustments will be provided in English and any other language that meets the “safe harbor” criteria.



Public Hearing

The Ben Hill Transit System will conduct public hearings, as appropriate, to discuss any changes to policies or services and solicit public input for consideration prior to final decisions being made

LCB Meetings

Discuss how the agency conducts the LCB meetings in this section.

# **Appendix G**

## **Language Assistance Plan (LAP)**

## I. Introduction

The Ben Hill Transit System operates a transit system within the Ben Hill County area. The Language Assistance Plan (LAP) has been prepared to address The Ben Hill Transit System's responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals, who have a limited ability to read, write, speak or understand English are LEP. In the Ben Hill Transit System service area there are **201** residents or **1.3%** who describe themselves as not able to communicate in English "very well" (Source: US Census). The Ben Hill Transit System is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. The Ben Hill Transit System has utilized the U.S. Department of Transportation (USDOT) LEP Guidance Handbook and performed a four factor analysis to develop its LAP.

The U.S. Department of Transportation Handbook, titled "Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers, (April 13, 2007) " (hereinafter "Handbook"), states that Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations provide 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 otherwise subjected to discrimination under any program or activity that receives Federal financial assistance (Handbook, page 5). The Handbook further adds that Title VI prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination (Handbook, page 5).

Executive Order 13166 of August 16, 2000 states that recipients of Federal financial assistance must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons (Handbook, page 6). Additionally recipients should use the DOT LEP Guidance to determine how best to comply with statutory and regulatory obligations to provide meaningful access to the benefits, services, information and other important portions of their programs and activities for individuals who are LEP (Handbook, page 6). These provisions are included in FTA Circular 4702.1B in Paragraph 9 of Chapter III (pages III-6 to III-9).

For many LEP individuals, public transit is the principal transportation mode available. It is important for The Ben Hill Transit System to be able to communicate effectively with all of its riders. When The Ben Hill Transit System is able to communicate effectively with all of its riders, the service provided is safer, more reliable, convenient, and accessible for all within its service area. The Ben Hill Transit System is committed to taking reasonable steps to ensure meaningful access for LEP individuals to this agency's services in accordance with Title VI.

This plan will demonstrate the efforts that The Ben Hill Transit System undertakes to make its service accessible to all persons without regard to their ability to communicate in English. The plan addresses how services will be provided through general guidelines and procedures including the following:

- Identification: Identifying LEP populations in service areas
- Notification: Providing notice to LEP individuals about their right to language services

- Interpretation: Offering timely interpretation to LEP individuals upon request
- Translation: Providing timely translation of important documents
- Staffing: Identifying The Ben Hill Transit System staff to assist LEP customers
- Training: Providing training on LAP to responsible employees.

## II. Four Factor Analysis

The analysis provided in this report has been developed to identify LEP population that may use The Ben Hill Transit System services and identify needs for language assistance. This analysis is based on the “Four Factor Analysis” presented in the Implementing the Department of Transportation’s Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons, dated April 13, 2007, which considers the following factors:

1. The number and proportion of LEP persons in the service area who may be served or are likely to encounter a Ben Hill Transit System program, activity or service.
2. The frequency with which LEP persons come in contact with The Ben Hill Transit System programs, activities or services.
3. The nature and importance of programs, activities or services provided by The Ben Hill Transit System to the LEP population.
4. The resources available to The Ben Hill Transit System and overall costs to provide LEP assistance

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

Of the **16,163** residents in The Ben Hill Transit System service area, **201** residents describe themselves as speaking English less than “very well”. People of Spanish or Spanish Creole descent are the primary LEP persons likely to utilize The Ben Hill Transit System services. For the Ben Hill Transit System service area, the 2016 American Factfinder shows that among the area’s population **98.6%** speak English “very well”. For groups who speak English “less than very well”, **1.3%** speak Spanish.

Appendix H contains a table which lists the languages spoken at home by the ability to speak English for the population within The Ben Hill Transit System service area.

### b. Factor 2: The Frequency with which LEP Individuals Come into Contact with Your Programs, Activities, and Services

The Federal guidance for this factor recommends that agencies should assess the frequency with which they have contact with LEP individuals from different language groups. The more frequent the contact with a particular LEP language group, the more likely enhanced services will be needed.

The Ben Hill Transit System will assess the frequency with which LEP individuals come in contact with the transit system. The methods utilized for this assessment will include analysis of Census data, examining phone inquiries, requests for translated documents, and staff survey. As discussed above, Census data indicates that there is not a prominent LEP group that meets the Safe Harbor standard of 5% or 1,000 residents.

**Factor 3: The Nature and Importance of the Program, Activity, or Service Provided by the Recipient to People’s Lives**

Public transportation and regional transportation planning is vital to many people’s lives. According to the Department of Transportation’s *Policy Guidance Concerning Recipient’s Responsibilities to LEP Persons*, providing public transportation access to LEP persons is crucial. A LEP person’s inability to utilize public transportation effectively, may adversely affect his or her ability to access health care, education, or employment.

After commencing operations, The Ben Hill Transit System will rely on feedback from phone inquiries, staff surveys, system dispatchers, and drivers to determine the number of interactions with LEP persons and the languages they spoke. The Ben Hill Transit System currently has had no requests for translated documents.

**c. Factor 4: The Resources Available to the Recipient and Costs**

The Ben Hill Transit System assessed its available resources that are currently being used, and those that could be used, to provide assistance to LEP populations. These resources include the following: 2 native Spanish speakers on the County staff; one with translation experience. <https://translate.google.com/> provides free basic translation of text; which can then be reviewed and edited by native speakers and focus groups. The Ben Hill Transit System is a demand response system, it provides the same degree of services to all residents on Ben Hill County to include the LEP populations in its service area; and is prepared to comply with the Safe Harbor requirements if needed.

**III. Language Assistance Plan**

In developing a Language Assistance Plan, FTA guidance recommends the analysis of the following five elements:

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

The five elements are addressed below.

**a. Element 1: Identifying LEP Individuals Who Need Language Assistance**

Federal guidance provides that there should be an assessment of the number or proportion of LEP individuals eligible to be serviced or encountered and the frequency of encounters pursuant to the first two factors in the four-factor analysis.

The Ben Hill Transit System has identified the number and proportion of Spanish LEP individuals within its service area using 2016 American FactFinder (factfinder.census.gov) (see Appendix H). The other languages in the Operating Area Language Data charts are still based on the 2010 census.

As presented earlier, 95.3% of the service area population speaks English only. The largest non-English spoken language in the service area is Spanish or Spanish Creole (**4.5% of the population**). Of those whose primary spoken language is Spanish or Spanish Creole, approximately **27.5%** identify themselves as speaking English less than “very well”. Those residents whose primary language is not English or Spanish or Spanish Creole and who identify themselves as speaking English less than “very well” account for **1.3%** of the service area population.

The Ben Hill Transit System may identify language assistance need for an LEP group by:

1. Examining records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events or meetings.
2. Having Census Bureau Language Identification Flashcards available at The Ben Hill Transit System Meetings. This will assist The Ben Hill Transit System in identifying language assistance needs for future events and meetings.
3. Having Census Bureau Language Identification Flashcards on all transit vehicles to assist operators in identifying specific language assistance needs of passengers. If such individuals are encountered, vehicle operators will be instructed to obtain contact information to give to The Ben Hill Transit System management to follow-up.
4. Vehicle operators and front-line staff (i.e. Dispatchers, Transit Operation Supervisors, etc.) will be surveyed on their experience concerning any contacts with LEP persons during the previous year.

**b. Element 2: Language Assistance Measures**

Federal Guidance suggests that an effective LAP should include information about the ways in which language assistance will be provided. This refers to listing the different language services an agency provides and how staff can access this information.

For this task Federal Guidance recommends that transit agencies consider developing strategies that train staff as to how to effectively deal with LEP individuals when they either call agency centers or otherwise interact with the agency.

The Ben Hill Transit System has undertaken the following actions to improve access to information and services for LEP individuals:

1. Provide bilingual staff at community events, public hearings, and transit committee meetings.
2. Survey transit drivers and other front-line staff annually on their experience concerning any contacts with LEP persons during the previous year.
3. Provide Language Identification Flashcards onboard transit vehicles and in The Ben Hill Transit System offices.
4. Include statements clarifying that being bilingual is preferred on bus driver recruitment flyers and onboard recruitment posters.
5. When an interpreter is needed in person or on the telephone, staff will attempt to access language assistance services from a professional translation service or qualified community volunteers.

The Ben Hill Transit System System will utilize the demographic maps provided in Appendix I in order to better provide the above efforts to the LEP persons within the service area.

**c. Element 3: Training Staff**

Federal guidance states staff members of an agency should know their obligations to provide meaningful access to information and services for LEP persons and that all employees in public contact positions should be properly trained.

Suggestions for implementing Element 3 of the Language Assistance Plan, involve: (1) identifying agency staff likely to come into contact with LEP individuals; (2) identifying existing staff training opportunities; (3) providing regular re-training for staff dealing with LEP individual needs; and (4) designing and implementing LEP training for agency staff.

In the case of The Ben Hill Transit System, the most important staff training is for Customer Service Representatives and transit drivers. Once the contractor is selected, this will be emphasized.

The following training will be provided to Customer Service Representative:

1. Information on Title VI Procedures and LEP responsibilities
2. Use of Language Identification Flashcards
3. Documentation of language assistance requests
4. How to handle a potential Title VI/LEP complaint

**d. Element 4: Providing Note to LEP Persons**

The Ben Hill Transit System will make Title VI information available in English and Spanish on the Agency's website. Key documents are written in English and Spanish. Notices are also posted in The Ben Hill Transit System office lobby, on buses, and available as handouts.

Additionally, when staff prepares a document or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

**e. Element 5: Monitoring and Updating the Plan**

The plan will be reviewed and updated on an ongoing basis. Updates will consider 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 The Ben Hill Transit System’s financial resources are sufficient to fund language assistance resources needed

The Ben Hill Transit System understands the value that its service plays in the lives of individuals who rely on this service, and the importance of any measures undertaken to make the use of system easier. The Ben Hill Transit System is open to suggestions from all sources, including customers., Ben Hill Transit System staff, other transportation agencies with similar experiences with LEP communities, and the general public, regarding additional methods to improve their accessibility to LEP communities.

**IV. Safe Harbor Provision**

DOT has adopted the Department of Justice’s Safe Harbor Provision, which outlines circumstances that can provide a “safe harbor” for recipients regarding translation of written materials for LEP population. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient’s written translation obligations. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

The Ben Hill Transit System service area does not have LEP populations which qualify for the Safe Harbor Provision. [As shown in Appendix H, The Ben Hill Transit SystemYour Transit System does not have LEP groups which speak English less than “very well” which exceed either 5.0% or 1,000 persons.]

The Safe Harbor Provision applies to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. The Ben Hill Transit System may determine,



based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures.

# **Appendix H**

## **Operating Area Language Data: The Ben Hill Transit System Service Area**

The number and proportion of Spanish LEP individuals within its service area was identified by using 2016 American FactFinder (factfinder.census.gov) The other languages in the Operating Area Language Data charts are still based on the 2010 census.

<u>Language</u>	<u>County</u>	<u>Percent of Population</u>
Total	16,163	100
Speak only English	15,401	95.3
Spanish or Spanish Creole	730	4.5
Speak English "very well"	529	3.2
Speak English less than "very well"	201	1.3
French (incl. Patois, Cajun)	45	0.28
Speak English "very well"	18	0.11
Speak English less than "very well"	27	0.17
French Creole		
Speak English "very well"		
Speak English less than "very well"		
Italian	43	0.27
Speak English "very well"		
Speak English less than "very well"		
Portuguese or Portuguese Creole		
Speak English "very well"		
Speak English less than "very well"		
German	4	0.02
Speak English "very well"	4	0.02
Speak English less than "very well"		
Yiddish		
Speak English "very well"		
Speak English less than "very well"		
Other West Germanic languages		
Speak English "very well"		
Speak English less than "very well"		
Scandinavian languages		
Speak English "very well"		
Speak English less than "very well"		
Greek		
Speak English "very well"		
Speak English less than "very well"		
Russian		

<u>Language</u>	<u>County</u>	<u>Percent of Population</u>
Speak English “very well”		
Speak English less than “very well”		
Polish		
Speak English “very well”		
Speak English less than “very well”		
Serbo-Croatian	2	0.01
Speak English “very well”		
Speak English less than “very well”	2	0.01
Other Slavic Languages		
Speak English “very well”		
Speak English less than “very well”		
Armenian		
Speak English “very well”		
Speak English less than “very well”		
Persian		
Speak English “very well”		
Speak English less than “very well”		
Gujarati		
Speak English “very well”		
Speak English less than “very well”		
Hindi		
Speak English “very well”		
Speak English less than “very well”		
Urdu		
Speak English “very well”		
Speak English less than “very well”		
Other Indic languages		
Speak English “very well”		
Speak English less than “very well”		
Other Indo-European Languages	20	0.12
Speak English “very well”		
Speak English less than “very well”	20	0.12
Chinese		
Speak English “very well”		
Speak English less than “very well”		
Japanese		
Speak English “very well”		
Speak English less than “very well”		
Korean		

<u>Language</u>	<u>County</u>	<u>Percent of Population</u>
Speak English “very well”		
Speak English less than “very well”		
Mon-Khmer, Cambodian		
Speak English “very well”		
Speak English less than “very well”		
Hmong		
Speak English “very well”		
Speak English less than “very well”		
Thai		
Speak English “very well”		
Speak English less than “very well”		
Laotian		
Speak English “very well”		
Speak English less than “very well”		
Vietnamese	7	.043
Speak English “very well”		
Speak English less than “very well”	7	.043
Other Asian languages		
Speak English “very well”		
Speak English less than “very well”		
Tagalog		
Speak English “very well”		
Speak English less than “very well”		
Other Pacific Island languages		
Speak English “very well”		
Speak English less than “very well”		
Navajo		
Speak English “very well”		
Speak English less than “very well”		
Other Native American languages		
Speak English “very well”		
Speak English less than “very well”		
Hungarian		
Speak English “very well”		
Speak English less than “very well”		
Arabic		
Speak English “very well”		
Speak English less than “very well”		
Hebrew		

<u>Language</u>	<u>County</u>	<u>Percent of Population</u>
Speak English “very well”		
Speak English less than “very well”		
African languages		
Speak English “very well”		
Speak English less than “very well”		
Other and unspecified languages		
Speak English “very well”		
Speak English less than “very well”		

2016 American FactFinder

Ben Hill County, Georgia													
Subject	Total		Percent		Percent of specified language speakers								
	Estimate	Margin of Error	Estimate	Margin of Error	Speak English only or speak English "very well"		Percent speak English only or speak English "very well"		Speak English less than "very well"		Percent speak English less than "very well"		
					Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	
Population 5 years and over	15,163	(X)	(X)	(X)	15,934	+/-122	86.0%	+/-0.6	229	+/-122	1.4%	+/-0.0	
Speak only English	15,493	+/-187	86.3%	+/-1.2	(X)	(X)	(X)	(X)	(X)	(X)	(X)	(X)	
Speak a language other than English	762	+/-167	4.7%	+/-1.2	523	+/-183	59.9%	+/-14.7	229	+/-122	30.1%	+/-14.7	
<b>SPEAK A LANGUAGE OTHER THAN ENGLISH</b>													
Spanish	730	+/-187	4.0%	+/-1.3	528	+/-183	72.0%	+/-14.6	201	+/-111	27.0%	+/-14.6	
5 to 17 years old	171	+/-101	1.1%	+/-0.8	184	+/-103	85.9%	+/-7.0	7	+/-11	-4.1%	+/-7.0	
18 to 64 years old	558	+/-130	3.0%	+/-0.8	385	+/-148	68.7%	+/-19.2	184	+/-110	34.7%	+/-19.2	
65 years old and over	0	+/-20	0.0%	+/-0.2	0	+/-20	-	**	0	+/-20	-	**	
Other languages	22	+/-33	0.1%	+/-0.2	4	+/-6	18.2%	+/-30.5	18	+/-32	81.8%	+/-30.5	
5 to 17 years old	0	+/-20	0.0%	+/-0.2	0	+/-20	-	**	0	+/-20	-	**	
18 to 64 years old	22	+/-33	0.1%	+/-0.2	4	+/-6	18.2%	+/-30.5	18	+/-32	81.8%	+/-30.5	
65 years old and over	0	+/-20	0.0%	+/-0.2	0	+/-20	-	**	0	+/-20	-	**	
Asian and Pacific Island languages	10	+/-16	0.1%	+/-0.1	0	+/-20	0.0%	+/-100.0	10	+/-16	100.0%	+/-100.0	
5 to 17 years old	0	+/-20	0.0%	+/-0.2	0	+/-20	-	**	0	+/-20	-	**	
18 to 64 years old	10	+/-16	0.1%	+/-0.1	0	+/-20	0.0%	+/-100.0	10	+/-16	100.0%	+/-100.0	
65 years old and over	0	+/-20	0.0%	+/-0.2	0	+/-20	-	**	0	+/-20	-	**	
Other languages	0	+/-20	0.0%	+/-0.2	0	+/-20	-	**	0	+/-20	-	**	
5 to 17 years old	0	+/-20	0.0%	+/-0.2	0	+/-20	-	**	0	+/-20	-	**	
18 to 64 years old	0	+/-20	0.0%	+/-0.2	0	+/-20	-	**	0	+/-20	-	**	
65 years old and over	0	+/-20	0.0%	+/-0.2	0	+/-20	-	**	0	+/-20	-	**	
<b>CITIZENS 18 YEARS AND OVER</b>													
All citizens 18 years old and over	12,348	+/-37	(X)	(X)	12,448	+/-38	98.2%	+/-0.5	160	+/-68	0.8%	+/-0.5	
Speak only English	12,348	+/-135	87.0%	+/-1.0	(X)	(X)	(X)	(X)	(X)	(X)	(X)	(X)	
Speak a language other than English	301	+/-123	2.4%	+/-1.0	198	+/-109	65.8%	+/-20.7	103	+/-68	34.2%	+/-20.7	
Spanish	287	+/-121	2.3%	+/-1.0	194	+/-109	67.0%	+/-20.5	93	+/-65	32.4%	+/-20.5	
Other languages	14	+/-17	0.1%	+/-0.1	4	+/-6	28.0%	+/-57.0	10	+/-16	71.4%	+/-57.0	

# Appendix I

## Demographic Maps



Figure 31: District 4 LEP EJ Population

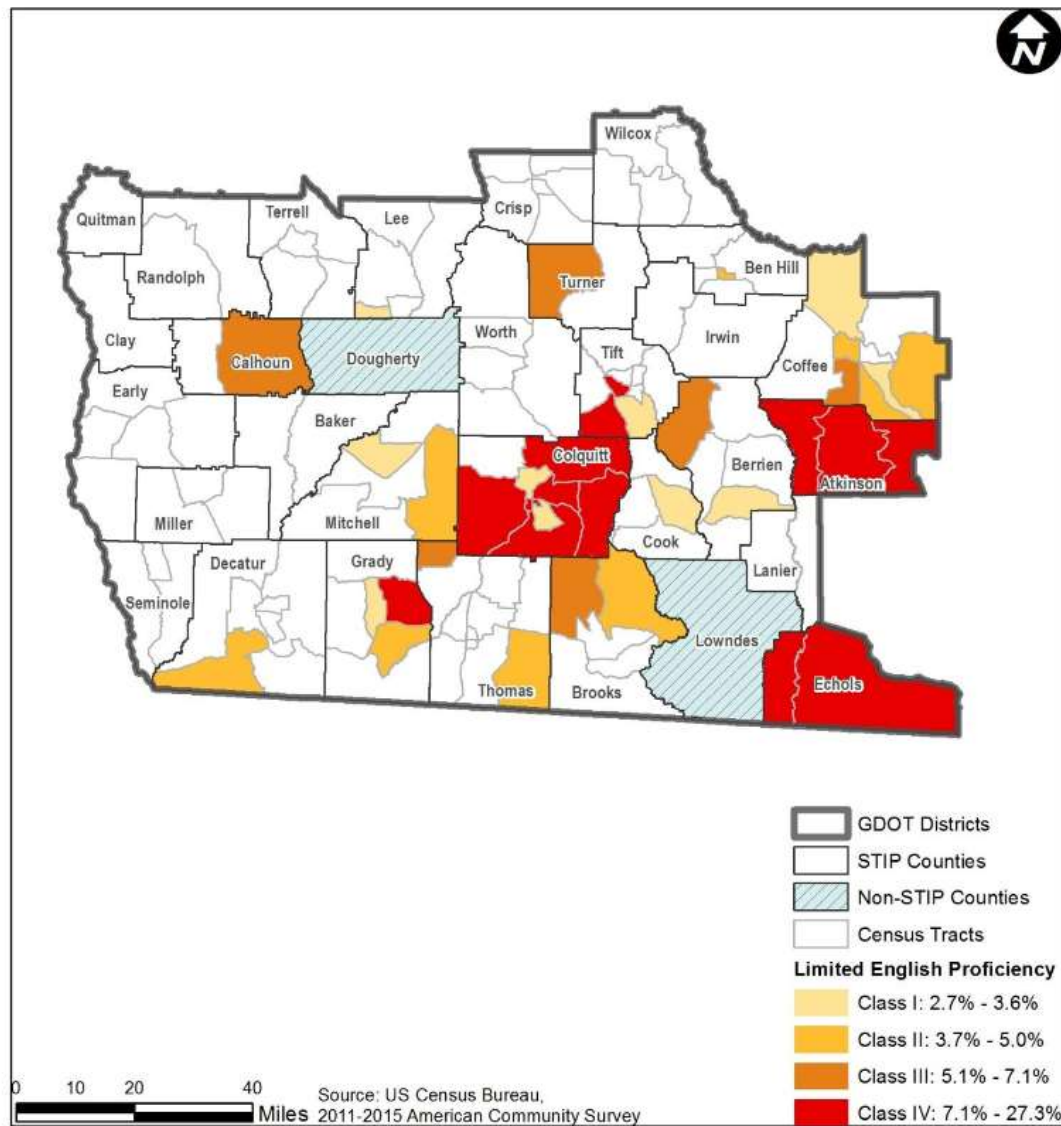


Figure 30: District 4 Elderly EJ Population

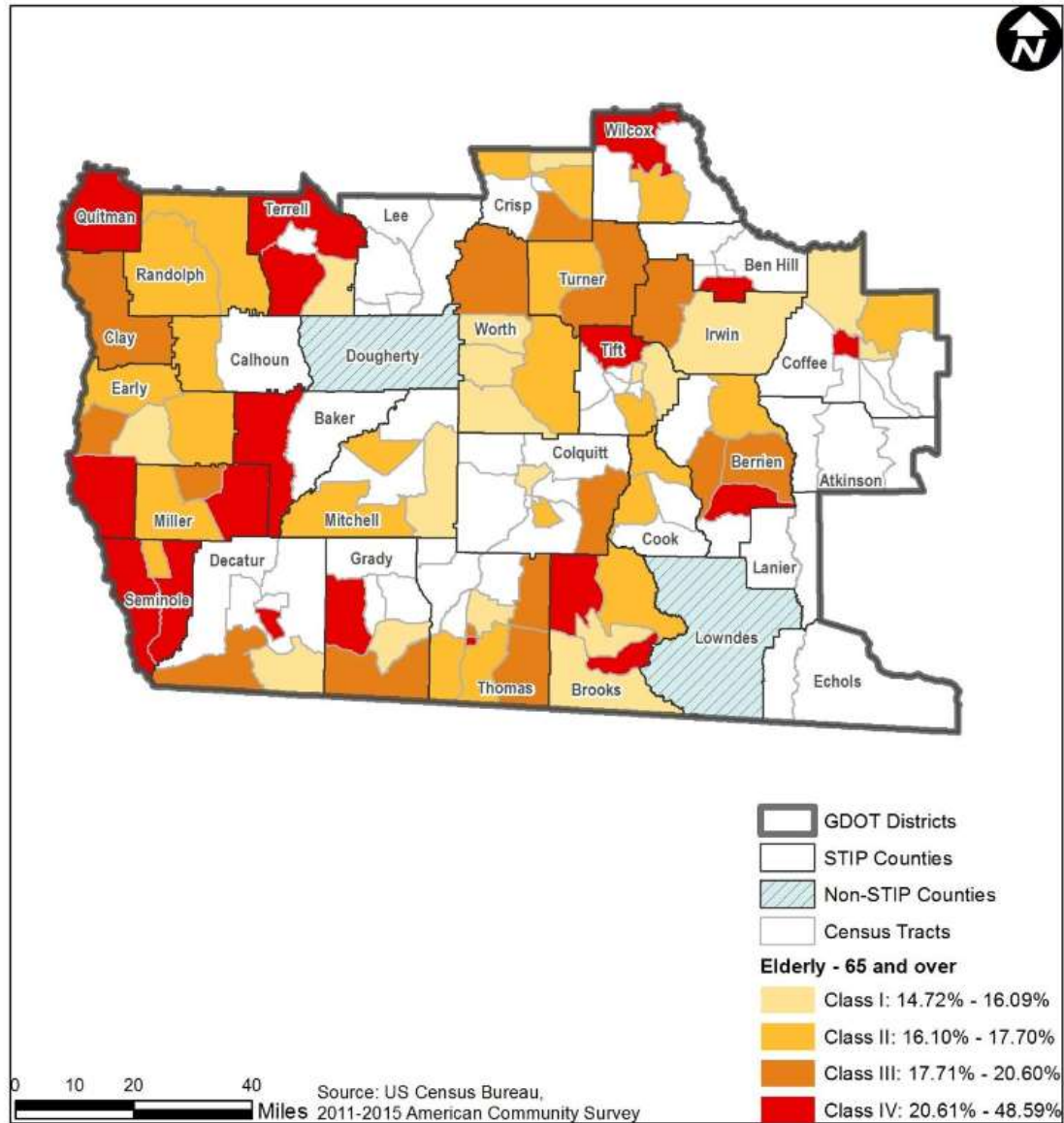


Figure 29: District 4 Low-income EJ Population

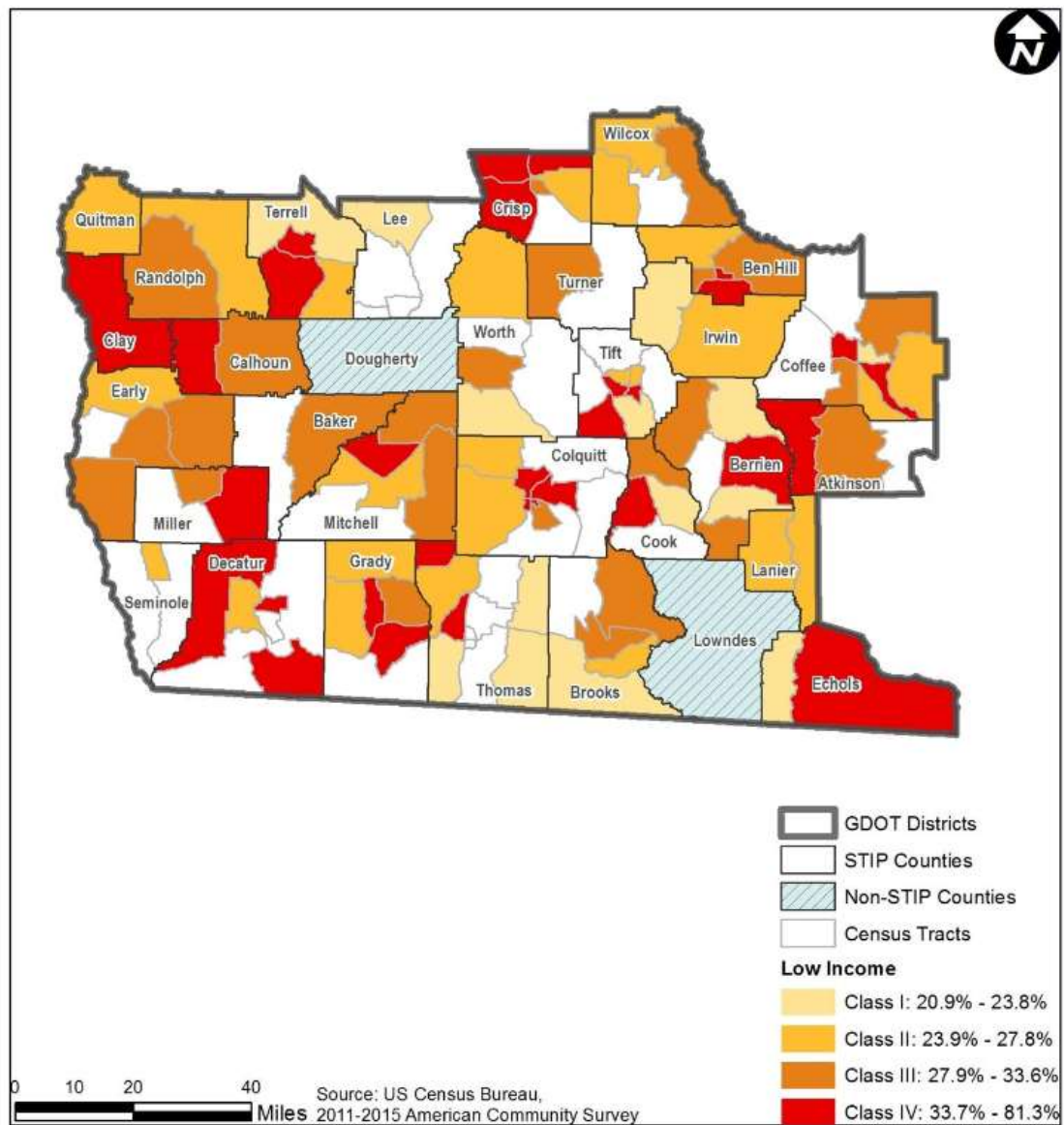
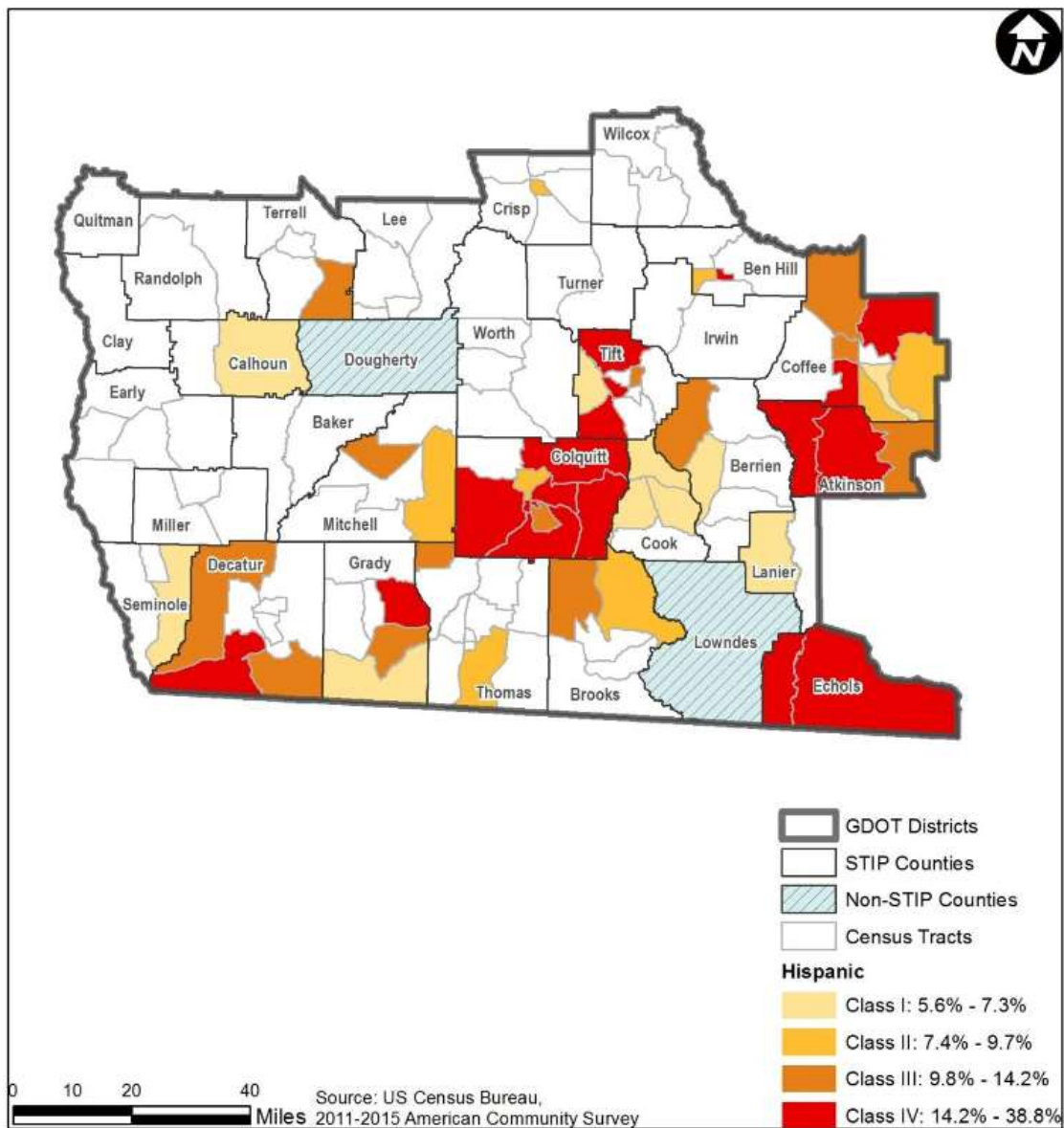


Figure 28: District 4 Hispanic EJ Population



# Appendix J

## Title VI Equity Analysis

The Ben Hill Transit System has not performed a Title VI Equity Analysis. We do not have any constructed facility or current plans to construct one.

