

Title VI Plan

Marquette County, WI

Adopted on: March 3, 2014

Adopted by: Human Services Committee

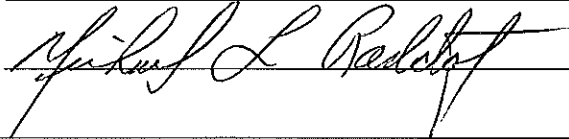
Revised on: March 3, 2014

This policy is hereby adopted and signed by:

Marquette County

Executive Name/Title: Human Services Committee Chairperson

Executive Signature:



Title VI Plan Elements

1. Policy Statement, Authorities and Citations
2. Notice to the Public
3. Complaint Procedure
4. Complaint Form
5. List of transit related Title VI Investigations, Complaints and Lawsuits
6. Public Participation Plan
7. Language Assistance Plan
8. Minority Representation Table and Description

Note: Additional materials will be attached, if required.

Policy Statement, Authorities and Citations

Marquette County assures that it will comply with the following laws and regulations so that no person in the United States will be denied the benefits of, or otherwise be subjected to discrimination in any U.S. DOT or FTA funded program or activity particularly in the level and quality of transportation services and transportation-related benefits on the basis of race, color, national origin, religion, sex, disability, or age:

- ✓ Federal transit laws, specifically 49 U.S.C. 5332, as amended by MAP-21 (prohibiting discrimination on the basis of race, color, religion, national origin, sex, disability, or age, and in employment or business opportunity),
- ✓ Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d,
- ✓ The Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, *et seq.*,
- ✓ The Americans with Disabilities Act of 1990, as amended, 42 U.S.C. 12101 *et seq.*,
- ✓ U.S. DOT regulations, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964," 49 CFR part 21,
- ✓ U.S. DOT regulations, specifically 49 CFR parts 27, 37, 38, and 39, and
- ✓ Any other applicable Federal statutes that may be signed into law or Federal regulations that may be promulgated,

As required by 49 CFR 21.7, **Marquette County** will:

1. Comply with Federal guidance implementing Federal nondiscrimination laws and regulations, except to the extent FTA determines otherwise in writing,
2. Comply with 49 U.S.C. 5332, as amended by MAP-21, 42 U.S.C. 2000d, and 49 CFR Part 21 in the manner it conducts each Project, undertakes property acquisitions, and operates its Project facilities, including: its entire facilities and its facilities operated in connection with its Project.
3. Promptly take the necessary actions to carry out the laws and regulations, including: notifying the public that discrimination complaints about transportation-related services or benefits may be filed with U.S. DOT or FTA, and submitting information about its compliance with these provisions to U.S. DOT or FTA upon their request,
4. Ensure that if it transfers FTA funded real property, structures, or improvements to another party, any deeds and instruments recording that transfer will contain a covenant running with the land assuring nondiscrimination: (1) while the property is used for the purpose that the Federal funding is extended, and (2) while the property is used for another purpose involving the provision of similar services or benefits,
5. Make any changes in its Title VI implementing procedures as U.S. DOT or FTA may request to comply with Title VI of the Civil Rights Act, 42 U.S.C. 2000d, U.S. DOT regulations, 49 CFR part 21, and Federal transit laws, 49 U.S.C. 5332, as amended by MAP-21,
6. Comply with Federal guidance issued to implement Federal nondiscrimination requirements, except as FTA determines otherwise in writing,
7. Extend the requirements of 49 U.S.C. 5332, as amended by MAP-21, 42 U.S.C. 2000d, and 49 CFR part 21 to each Third Party Participant, including: (1) Any Subrecipient, (2) Any Transferee, (3) Any Third Party Contractor or Subcontractor at any tier, (4) Any Successor in Interest, (5) Any Lessee, or (6) Any other Third Party Participant in its Project,
8. Include adequate provisions to extend the requirements of 49 U.S.C. 5332, as amended by MAP-21, 42 U.S.C. 2000d, and 49 CFR part 21 to each third party agreement, including: (1) Each subagreement, (2) Each property transfer agreement, (3) Each third party contract or subcontract at any tier, (4) Each lease, or (5) Each participation agreement, and

As required by U.S. DOT regulations, "Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance," 49 CFR part 27, specifically 49 CFR 27.9, and consistent with 49 U.S.C. 5307(c)(1)(D)(iii), as amended by MAP-21, **Marquette County** assures that it will:

1. Comply with the following prohibitions against discrimination on the basis of disability, which are a condition of approval or extension of any FTA funding awarded to: (1) Construct any facility, (2) Obtain any rolling stock or other equipment, (3) Undertake studies, (4) Conduct research, or (5) Participate in or obtain any benefit from any FTA administered program, and
2. Ensure any program or activity receiving or benefiting from Federal funding that U.S. DOT administers, no otherwise qualified people with a disability will, because of their disability, be: (1) Excluded from participation, (2) Denied benefits, or (3) Otherwise subjected to discrimination.

The United States has a right to seek judicial enforcement of any matter arising under Title VI of the Civil Rights Act, 42 U.S.C. 2000d, U.S. DOT regulations, 49 CFR part 2.

Marquette County's Title VI plan will remain in effect as long as: (1) Federal funding is extended to its project and/or services, (2) Project property is used for a purpose for which the Federal funding is extended, (3) Project property is used for a purpose involving the provision of similar services or benefits, or (4) Ownership or possession is retained of its Project property.

TITLE VI Notice to the Public

Notifying the Public of Rights Under Title VI

Marquette County

- ✓ **Marquette County** 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 **Marquette County**.
- ✓ For more information on **Marquette County's** civil rights program, and the procedures to file a complaint, contact 608-297-3124, (TTY 800-XXX-XXX); email mstanley@co.marquette.wi.us ; or visit our office at 428 Underwood Ave, Montello, WI 53949.
- ✓ A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE Washington, DC, 20590.
- ✓ If information is needed in another language, contact 608-297-3124.
Si se necesita informacion en otro idioma de contacto, 608-297-3124.

Note: The final sentence of the posted notice should be included in any language(s) spoken by LEP Populations meeting the Safe Harbor threshold¹.

¹ The US DOT "Policy Guidance Concerning Recipient's Responsibilities to Limited English Proficient (LEP) persons", 70 FR 74087, December 14, 2005, discusses the concept of "safe harbor" with respect to the requirements for translation of written materials. According to the guidance, "...if there are fewer than 50 persons in a language group that reaches the 5% trigger, the recipient does not translate vital written materials but provides 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 charge. Note; Each eligible language group that constitutes 5% or 1,000, whichever is less, of the populations of persons eligible to be served or likely to be affected or encountered.

Title VI Complaint Procedure

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by **Marquette County** may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form. **Marquette County** investigates complaints received no more than 180 days after the alleged incident. **Marquette County** will process complaints that are complete.

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

Marquette County has 30 days to investigate the complaint. If more information is needed to resolve the case, the county may contact the complainant.

The complainant has 10 business days from the date of the letter to send requested information to the investigator assigned to the case.

If the investigator is not contacted by the complainant or does not receive the additional information within 10 business days, the county can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he 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, she/he has 14 days after the date of the letter or the LOF to do so.

A person may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

If information is needed in another language, then contact 608-297-3124.
Si se necesita informacion en otro idioma de contacto 608-297-3124.

TITLE VI Complaint Form

Section I:				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic 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):				
<input type="checkbox"/> Race		<input type="checkbox"/> Color		<input type="checkbox"/> National Origin
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 Title VI 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?				
<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:
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

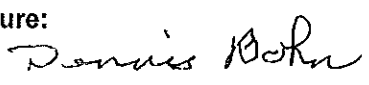
Signature

Date

Please submit this form to the address below:

Mandy Stanley, Director
Marquette County Human Services Department
428 Underwood Avenue, PO Box 405
Montello, WI 53949

List of Transit Related Title VI Investigations, Complaints and Lawsuits

Subrecipient: Marquette County Human Services		
Contact Person: Dennis Bohn	Signature: 	Date: 2/25/ 14

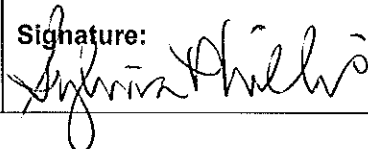
Check One:

There have been no investigations, complaint and/or lawsuits filed against us during the report period.

There have been investigations, complaints and/or lawsuits filed against us. *See list below. Attach additional information as needed.*

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

Public Participation Plan

Subrecipient: Marquette County Human Services		
Contact Person: Sylvia Phillis	Signature: 	Date: 2/25/14

Strategies and Desired Outcomes

To promote inclusive public participation, **Marquette County** will use its resources available to employ the following strategies, as appropriate:

- ✓ Provide for early, frequent and continuous engagement by the public.
- ✓ Expand traditional outreach methods. Think outside the box: go to hair salons, barbershops, street fairs, faith-based institutions, libraries, etc.
- ✓ Select accessible and varied meeting locations and times
- ✓ Employ different meeting sizes and formats
- ✓ Provide childcare and food during meetings, if possible.
- ✓ Use radio, television or newspaper ads on stations and in publications that serve LEP populations.

Documented Public Outreach

The direct public outreach and involvement activities conducted by **Marquette County** are summarized in the table below. Efforts include *meetings, surveys, focus groups, etc.*

Information pertinent to each event and/or activity will be provided to WisDOT upon request. Examples include copies of: meeting announcements, agendas, posters, attendee list, etc.

Event Date	Marquette County Staffer(s)	Event	Date Publicized and Communication Method (Public Notice, Posters, Social Media)	Outreach Method (Meeting, Focus Group, Survey, etc)	Notes ¹
3/21/13, 6/20/13, 9/19/13, 12/19/13	Sylvia, Linda, Dennis, Mandy	Transportation Coordinating Committee	1 week prior-Co. Clerk puts on Co calendar, notices sent, posted on public bulletin boards w/in Co. buildings	meeting	
10/23/13	Sylvia, Linda, Dennis, Co Board &	MAP-21 public hearing	10/10/13 & 10/17/13 in Marquette County Tribune	Public Hearing/Focus group	

	Citizen Board members				
Aging monthly newsletter	Aging unit staff/volunteers	Newsletter	Each month	Monthly newsletters	

¹ Include additional information such as: the size, location, meeting format, number of attendees, etc. as well as the scope of the distribution method (i.e. posters were placed in all shopping centers in the affected area).

Language Assistance Plan

Overview

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, *et seq.*, and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives Federal financial assistance. Most individuals in Wisconsin read, write, speak and understand English. There are some individuals for whom English is not their primary language. If these individuals have a limited ability to read, write, speak, or understand English, they are considered limited English proficient, or "LEP."

Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency,"¹ directs each federal agency that is subject to the requirements of Title VI to publish guidance for its respective recipients clarifying that obligation.

The US DOT "Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons"² discusses the concept of "safe harbor" with respect to the requirements for translation of written materials.

The LEP Safe Harbor provision stipulation was created to provide access to vital documents in a written format for non-English users who, because of small numbers may not meet the threshold for providing more expansive language access services as identified in the Language Assistance Plan.

Safe Harbor requires, at a minimum, a written translation of vital documents (ADA paratransit eligibility forms, Title VI complaint forms, information regarding access to essential services, etc.) for each LEP group that meets the LEP language threshold (5% or 1,000 individuals, whichever is less).

Methodology

This document uses data from the US Census and the American Community Survey (ACS) to provide a detailed LEP analysis for the service area of **Marquette County**. The ACS is an ongoing survey that provides data every year giving communities the current information they need to plan services and investments.

The ACS publishes data in many forms on the Census Bureau American Fact Finder website <http://factfinder2.census.gov/faces/nav/jsf/pages/searchresults.xhtml>

Access the data by searching:

Topic or Name: Language Spoken at Home By Ability to Speak English for the Population 5 Years and Over

State, County or Place: Specify the location - city or county, state and/or zip code

¹ 65 Federal Register 50121, August 16, 2000.

² 70 Federal Register 74087, December 14, 2005.

Plan Components

As a recipient of federal US DOT funding, **Marquette County** is required to take reasonable steps to ensure meaningful access to our programs and activities by LEP persons. This document 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
6. Additional information deemed necessary

Item #1 – Results of the Four Factor Analysis <i>(including a description of the LEP population(s) served)</i>
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Factor 1 – Demography

Marquette County aging unit provides transportation services to the elderly and disabled populations of the entire county. Census 2010 reports a population of 15,404. Marquette County is below the Safe Harbor threshold. The largest LEP populations are Spanish and other Indo-European languages, which each represent 1.7% of the total population.

Factor 2 – Frequency

Marquette County's aging unit provides rides to approximately 360 persons per year. In 2013 we did not provide services to any LEP persons. Historically, services to LEP persons have been very infrequent. Population data indicates few LEP persons residing in Marquette County.

Factor 3 – Importance

Marquette County understands the importance of assisting LEP person with access to services and has available resources to do so.

Factor 4 – Resources and Costs

Marquette County Human services Department has recently began using the language line. In addition, agency employees speak Spanish and German. The agency has utilized and paid for in person interpreter services in the past and will continue to do so. Written materials in other languages will also be provided to clients upon request at no cost to the client.

Item # 2 – Description of how Language Assistance Services are Provided, by Language
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Marquette County Human services Department has recently began using the language line. In addition, agency employees speak Spanish and German. The agency has utilized and paid for in person

interpreter services in the past and will continue to do so. Written materials in other languages will also be provided to clients upon request at no cost to the client.

Item # 3 - Description of how LEP Persons are Informed of the Availability of Language Assistance Service

Language line information is posted at the Marquette County Human Services Building. The majority of transportation clients access the service via telephone so information is also provided verbally.

Item # 4 – Description of how the Language Assistance Plan is Monitored and Updated

Marquette County reviews the plan on an annual basis.

Item # 5 - Description of how Employees are Trained to Provide Language Assistance to LEP Persons

Employees are educated about diversity and the importance of sensitivity. They are also informed on how to utilize the language line services. They can receive assistance on the utilization of this service by the agency administrative assistant or their direct supervisor.

Minority Representation Information

A. Minority Representation Table

The table below depicts **Marquette County's** committee related to transit: the Transportation Advisory Committee. The demographic data in the table below indicates the participation of minorities on the committee is reflective of the demographic makeup of **Marquette County**.

Body	Caucasian	Hispanic	African American	Asian American	Native American
Population	96.9%	2.5%	.5%	.4%	.6%
Transportation Advisory Committee	100%				

A. Efforts to Encourage Minority Participation

Marquette County understands diverse representation on committees, councils and boards results in sound policy reflective of its entire population. As such, Marquette County encourages participation of all its citizens. The committee has representation from the elderly and physically disabled populations as that is the target population being served. As is evidenced by the population breakdown above, Marquette County is not very ethnically diverse, thus posing a challenge to having diverse representation on the committee. We will continue efforts to include/recruit representation from all citizens.

Minority Representation Data Collection Form

Transportation Advisory Committee

Date:

Dear Member,

As **Marquette County** is a recipient of federal funds, we are required under Title VI of the Civil Rights statute to ascertain the racial/ethnic make-up of any non-elected boards, commissions, councils, etc.

Data from this section is used for statistical and reporting purposes. The information may be subject to disclosure under federal or state law or rule.

Anti-Discrimination Notice

It is unlawful for **Marquette County** to fail or refuse to provide services, access to services or activities, or otherwise discriminate against an individual because of an individual's race, color, religion, sex, national origin, disability or veteran status.

As a committee under the jurisdiction of **Marquette County**, we invite committee members to voluntarily self-identify their race/ethnicity in order for us to comply with FTA Title VI regulations. This information will be used according to the provisions of applicable federal and state laws, executive orders and regulations, including those requiring the information to be summarized and reported to the federal government for civil rights enforcement purposes.

Race/Ethnicity

If you choose to self-identify, please mark the **one box** describing the race/ethnicity category with which you primarily identify:

___ *Asian or Pacific Islander*: All persons having origins in any of the peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands and Samoa.

___ *Black and/or African American* (not of Hispanic origin): All persons having origins in any of the Black racial groups of Africa.

___ *Hispanic*: All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

___ *American Indian or Alaskan Native*: All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

___ *Caucasian* (not of Hispanic origin): All persons having origins in any of the original peoples of Europe, North Africa or the Middle East.