

FTA

FEDERAL TRANSIT ADMINISTRATION

Greene County Transit Board (GCTB) Title VI Compliance Review

Final Report
October 2019



U.S. Department of Transportation
Federal Transit Administration

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Executive Summary

Objective and Methodology – This report details the findings of a Compliance Review of the Greene County Transit Board’s (GCTB) Title VI Program implementation. The Compliance Review examined this agency’s Title VI program procedures, management structures, actions, and documentation. Documents and information were collected from the Federal Transit Administration (FTA) and GCTB. In addition, the following entities were interviewed as part of this review: GCTB officials, operating service contractor, and other stakeholders. The three-day review included interviews, assessments of data collection systems, and review of program documents.

GCTB’s Title VI Program includes the following positive program elements –

Positive Program Elements

- Support of transit program from the Board of Directors.
- Staff member dedicated to general public outreach related to transit services.
- Capable operating service contractor that is open to making adjustments related to Title VI, such as implementing language assistance measures and tracking complaints.

The Program has the following deficiencies –

General Reporting Requirement Deficiencies

- **Title VI Program Submittal** – GCTB’s Title VI Program was not submitted timely to FTA. As a result, the previous program was in expired status.
- **Notice to Beneficiaries of Protection under Title VI** – The GCTB Title VI Notice to Beneficiaries does not include required contact information to request information if it is needed in a language other than English.
- **Title VI Complaint Procedures and Complaint Form** – GCTB does not have a procedure to identify, track, and investigate Title VI complaints.
- **Inclusive Public Participation** – The GCTB Title VI Program does not include a summary of implemented outreach. The community group engagement does not actively consider or measure targeted demographic populations, strategies, or outcomes for minorities or LEP. The 2016 route and schedule restructuring documentation did not include public outreach or comment prior to Board approval.
- **Language Access to LEP Persons** – The GCTB four factor analysis did not use the most recent ACS data (Factor 1), include data regarding the frequency with which LEP access their service (Factor 2), consider analysis regarding the nature and importance of the program (Factor 3), or provide information regarding how translation/interpretation services can be accessed and associated costs (Factor 4). Additionally, neither GCTB nor First Transit staff have been trained on language assistance services or tracking LEP interactions.

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1. General Information

This chapter provides basic information concerning this Compliance Review of GCTB. Information on GCTB, the review team, and the dates of the review are presented below.

Award Recipient:	Greene County Transit Board (GCTB)
City/State:	Xenia, Ohio
Recipient Number:	6281
Executive Official:	Woodrow Stroud, Chair, Board of Directors
On-site Liaison:	Ken Collier, Executive Director
Report Prepared By:	Calyptus Consulting Group, Inc.
Dates of On-site Visit:	February 26-28, 2019
Compliance Review Team Members:	Dr. George Harris, Lead Reviewer Francisco Morales, Reviewer Philippa Drew, Reviewer

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2. Jurisdiction and Authorities

The Federal Transit Administration (FTA) Office of Civil Rights is authorized by the Secretary of Transportation to conduct civil rights compliance reviews. GCTB is a recipient of FTA funding assistance and is therefore subject to the Title VI compliance conditions associated with the use of these funds pursuant to the following:

1. Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d)
2. Federal Transit Laws, as amended (49 U.S.C. Chapter 53 et seq.)
3. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601, et seq.)
4. Department of Justice regulation, 28 CFR part 42, Subpart F, “Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs” (December 1, 1976, unless otherwise noted)
5. DOT regulation, 49 CFR part 21, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964”
6. FTA Circular 4702.1B “Title VI Requirements and Guidelines for Federal Transit Administration Recipients”
7. FTA Circular 4703.1 “Environmental Justice Policy Guidance for Federal Transit Administration Recipients”
8. DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient Persons (December 14, 2005)
9. Executive Order 13166: “Improving Access to Services for Persons with Limited English Proficiency”
10. Section 12 of FTA’s Master Agreement 25 (October 1, 2018)

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3. Purpose and Objectives

3.1 Purpose

The Federal Transit Administration (FTA) Office of Civil Rights periodically conducts discretionary reviews of award recipients and subrecipients to determine whether they are honoring their commitments, as represented by certification, to comply with the requirements of 49 U.S.C. 5332. In keeping with its regulations and guidelines, FTA determined that a Compliance Review of the Greene County Transit Board's (GCTB) Title VI Program was necessary.

The Office of Civil Rights authorized Calyptus Consulting Group, Inc. to conduct the Title VI Compliance Review of GCTB. The primary purpose of this Compliance Review was to determine the extent to which GCTB has met its General Reporting and Program-Specific Requirements and Guidelines, in accordance with FTA Circular 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients." Members of the Compliance Review team also discussed with GCTB the requirements of the DOT Guidance on Special Language Services to Limited English Proficient (LEP) Beneficiaries that is contained in Circular 4702.1B. The Compliance Review had a further purpose to provide technical assistance and to make recommendations regarding corrective actions, as deemed necessary and appropriate. The Compliance Review was not an investigation to determine the merit of any specific discrimination complaints filed against GCTB.

3.2 Objectives

The objectives of FTA's Title VI Program, as set forth in FTA Circular 4702.1B, dated October 1, 2012, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients" are to:

- Ensure that the level and quality of public transportation service is provided in a nondiscriminatory manner;
- Promote full and fair participation in public transportation decision-making without regard to race, color, or national origin; and
- Ensure meaningful access to transit-related programs and activities by persons with limited English proficiency.

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4. Introduction to Greene County Transit Board

The Greene County Transit Board (GCTB) was formed by action of the Greene County Ohio Commissioners on November 12, 2003, and was granted all the authorities and responsibilities available under Ohio Revised Code Section 306. GCTB is the direct applicant and designated recipient of Federal Transit Administration (FTA) and Ohio Department of Transportation (ODOT) urban transit funding for Greene County Ohio. GCTB provides demand response public transit service including flex routes throughout Greene County and on a limited basis in contiguous counties. GCTB is located near Dayton in the Miami Valley area of southwestern Ohio. Greene County covers 416 square miles and has an estimated population of 166,752 as of 2019.

4.1 Introduction to Greene County Transit Board and Organizational Structure

GCTB contracts with First Transit for the operation and maintenance of its transit service except for scheduling, which is done in house by GCTB employees. All transit service is operated under the trade name of Greene CATS, is open to the public, and is accessible. The traditional demand response service operates from 6:00 a.m. to 9:00 p.m., seven days a week. The fare for this service is \$3.00 per ride within Greene County, and \$6.00 per ride to Montgomery County. A reduced fare is not offered for the demand response service, except for children age 13 and younger who ride for \$0.75 per trip. Additionally, six demand response flex routes circulate throughout the County and connect the cities of Beavercreek, Fairborn, Xenia, Yellow Springs, and Dayton from 5:30 a.m. to 7:30 p.m. Monday through Friday. Five flex routes operate Saturday and Sunday from 9:30 a.m. to 5:30 p.m. For flex route service, passengers flag down the bus at designated time points or along the scheduled route to ride the bus. They can also call ahead and schedule a deviation in the flex route for pick up or drop off up to one half of a mile from the route. The fare for flex route service is \$1.50, with a reduced fare of \$0.75 for disabled and elderly (65+) passengers and children 13 and younger.

For the purpose of this Title VI review, no decision is being made with regard to GCTB's characterization of this service as demand response. If at any time it is determined that this service more appropriately meets the characteristics of fixed route, then related Title VI reporting (and ADA paratransit) requirements would apply.

All vehicles are federally-funded. GCTB has a fleet of 35 light transit vehicles (LTV) and 10 modified mini-vans. Peak service requires 37 vehicles. This allows for eight spare vehicles in the fleet. Since the last Triennial Review conducted in July 2016, GCTB has added mobile data terminals (MDTs) and security cameras to its vehicles and increased its vehicle fleet from 37 to 45. The following projects were noted during the review:

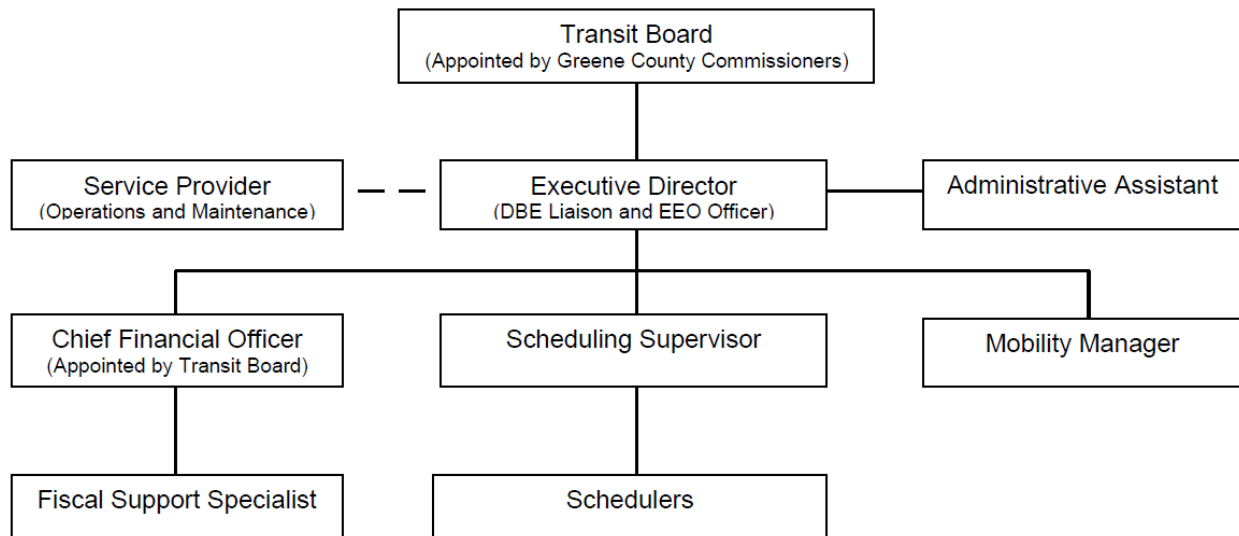
- 1) Projects completed since last triennial review:
 - Added evening and weekend flex routes
- 2) Projects currently on-going:
 - Expansion and revision of flex route service
- 3) Project planned for the next three to five years:
 - Procurement and implementation of new scheduling software

Organizational Structure

GCTB’s Executive Director is responsible for the administration of the Title VI Program. The Executive Director is also the Disadvantaged Business Enterprise (DBE) Liaison Officer and Equal Employment Opportunity (EEO) Officer. The Executive Director oversees the day-to-day administrative requirements of GCTB’s Title VI Program with assistance from the following GCTB staff:

- Mobility Manager: Public participation
- Administrative Assistant: Formal/informal complaints, public outreach, scheduling
- Scheduler: Scheduling for demand response
- Fiscal Support Specialist: Scheduling for demand response
- First Transit: Operation of service, implementing GCTB’s Language Assistance Program, and handling informal complaints

GCTB’s organizational chart is included below.



Greene County Population by Race and Economic Characteristics

The information below is based on the 2016 American Community Survey (ACS) data related to population by race and those above and below the poverty level. 12.8% of the County’s population had an income below the poverty level in the 12 months prior to the survey.

Table 4.1: 2016 ACS Data for Greene County by Race

	Greene County, Ohio	
	Estimate	Margin of Error
Total:	164,325	*****
White	146,447	+/-566
Black or African American	14,086	+/-194
Hispanic or Latino	4,308	*****
American Indian and Alaska Native	1,417	+/-133
Asian	6,398	+/-160
Native Hawaiian and Other Pacific Islander	360	+/-179
Some other race	1,071	+/-328

Table 4.2: 2016 ACS Data for Greene County by People Whose Income in the Past 12 Months is Below the Poverty Level

	Greene County, Ohio	
	Estimate	Margin of Error
Total:	164,325	*****
All people	12.8%	+/-1.0
Under 18 years	18.0%	+/-2.4
Related children of the householder under 18 years	17.7%	+/-2.3
Related children of the householder under 5 years	22.1%	+/-3.4
Related children of the householder 5 to 17 years	16.1%	+/-2.7
18 years and over	11.4%	+/-0.8
18 to 64 years	12.8%	+/-0.9
65 years and over	6.0%	+/-1.2
People in families	9.4%	+/-1.1
Unrelated individuals 15 years and over	26.9%	+/-1.9

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5. Scope and Methodology

5.1 Scope

The Title VI Compliance Review of Green County Transit Board (GCTB) examined the following requirements and guidelines as specified in FTA Circular 4702.1B:

General Reporting Requirements and Guidelines – All applicants, recipients and subrecipients shall maintain and submit the following:

- Annual Title VI Certification and Assurance
- Title VI Complaint Procedures
- Record of Title VI Investigations, Complaints, and Lawsuits
- Language Access to LEP Persons
- Notice to Beneficiaries of Protection under Title VI
- Monitoring Subrecipients
- Submit Title VI Program
- Determination of Site or Facilities Location
- Minority Representation on Planning or Advisory Bodies
- Inclusive Public Participation

Requirements and Guidelines for Fixed Route Transit Providers – All providers of fixed route public transportation that receive Federal financial assistance shall also submit the following:

- Systemwide Service Standards and Policies

Requirements and Guidelines for Fixed Route Transit Providers that Operate 50 or More Fixed Route Vehicles in Peak Service and are Located in a UZA of 200,000 or More in Population shall submit the following:

- Demographic Data
- Evaluation of Service and Fare Changes
- Monitoring Transit Service

5.2 Methodology

Initial interviews were conducted with the FTA Headquarters Civil Rights staff, FTA Region 5 Civil Rights Officer, and the Civil Rights Officer for Oversight to discuss specific Title VI issues and concerns regarding GCTB. An agenda letter covering the Compliance Review was sent to GCTB advising it of the site visit and indicating additional information that would be needed and issues that would be discussed. The review team focused on the General Reporting Requirements and Guidelines that are contained in FTA Title VI Circular 4702.1B that became effective on October 12, 2012. The General Reporting Requirements and Guidelines included implementation of the Limited English Proficiency (LEP) Executive Orders.

GCTB was requested to provide the following documents in advance of the site visit (See Attachment A):

1. Current Title VI Program (which should include the GCTB organization chart).

2. Any conducted service and fare equity analyses over the past three (3) years.
3. A list of any siting, locating, and/or constructing of facilities, and any associated Title VI equity analyses within the last three (3) years.
4. Current Title VI complaint/lawsuit or investigation list.
5. Summary of public outreach efforts/events since the last Title VI program submission, including any language efforts/activities to ensure limited English persons are able to participate and contribute during the held public outreach efforts/events.
6. List of any monitoring or technical assistance provide to subrecipient(s).
7. Summary of subrecipient(s) and their respective Title VI program status, as well as copies of their plans.
8. Names, titles, telephone numbers, and email addresses of interested parties (external organizations) with which GCTB has interacted on Title VI issues.
9. Other pertinent information determined by GCTB staff to be pertinent and demonstrative of its Title VI compliance efforts.

GCTB assembled documents prior to the site visit and provided them to the review team for advance review (See Attachment B). A detailed schedule for the three-day site visit was then developed.

The site visit to GCTB occurred on February 26-28, 2019. The review began with an opening conference, held at 9:00 a.m. on Tuesday, February 26, 2019 at the GCTB offices at 2380 Bellbrook Ave., Xenia, OH 45385. The following individuals attended the meeting:

Federal Transit Administration

- John Day, Program Manager, Policy & Technical Assistance, FTA Office of Civil Rights
- Shavon Nelson, Transit Civil Rights Specialist, FTA Office of Civil Rights
- Marjorie Hughes, Regional Civil Rights Officer, Region 5
- Marisa Appleton, Civil Rights Officer for Oversight

Greene County Transit Board (GCTB)

- Ken Collier, Executive Director
- Lucinda Flinn, Administrative Assistant

Calyptus Consulting Group, Inc.

- George Harris, Review Team Leader
- Philippa Drew, Reviewer
- Francisco Morales, Reviewer

Following the Entrance Conference, the review team met with the GCTB Board Chair, Executive Director, GCTB Mobility Manager, and other staff responsible for Title VI Compliance. During these meetings, discussions focused on a detailed examination of documents submitted in advance of the site visit and documents provided during the site visit. The review team then met with the First Transit General Manager and First Transit Safety Manager to discuss how First Transit carries out GCTB's FTA Title VI Program. During the site visit, the review team toured

the administrative office at 2380 Bellbrook Ave., Xenia, OH 45385 and operational garage at 1180 S. Patton St, Xenia, OH 45385.

Observations from the review were provided at an exit conference that took place at 1:00 p.m. on Thursday, February 28, 2019 at the GCTB offices at 2380 Bellbrook Ave., Xenia, OH 45385. Attending the conference were the following individuals:

Federal Transit Administration

- Shavon Nelson, Transit Civil Rights Specialist, FTA Office of Civil Rights
- Marjorie Hughes, Regional Civil Rights Officer, Region 5

Greene County Transit Board (GCTB)

- Ken Collier, Executive Director
- Woodrow Stroud, Board Chair

Calyptus Consulting Group, Inc.

- George Harris, Review Team Leader
- Philippa Drew, Reviewer
- Francisco Morales, Reviewer

5.3 Stakeholder Interviews

The review team contacted nine organizations serving the Greene County community. The purpose of this activity was to determine the level of public outreach, whether any discrimination complaints had been filed with GCTB, and identify practices that would require further attention and analysis during and after the review.

The following local organizations were contacted to participate in the stakeholder interviews:

- Wright State University, ADA 504 Coordinator and Director of Disability Services as well as the Chief Diversity Officer
- City of Xenia, City Development Director
- Greene County Council on Aging, Executive Director
- Greene County Department of Development, Director of Economic Development and Community Development
- Project Read, Public Information Office Director
- Xenia Chamber of Commerce, Executive Director
- Greene County Regional Planning & Coordinating Commission, Executive Director
- The Jeremiah Tree/The Tree House, Coordinator
- Catholic Social Services of the Miami Valley, Executive Director

The interviews with community representatives and stakeholder groups included questions on the services the organization provides to minority and low-income populations, the organization's familiarity with GCTB's Title VI Program, the level of participation during the development of GCTB's Title VI Program, public participation activities conducted by GCTB, outreach efforts conducted by GCTB, areas with limited English proficiency, known complaints

about GCTB's Title VI Program, issues of discrimination within the organization's geographic area of focus, suggestions for improving GCTB's Title VI Program, and contact with other local transit operators regarding their Title VI Programs.

Familiarity with GCTB's Title VI Program

Almost all agencies contacted were not familiar with the Title VI program. The Greene County Council on Aging was familiar with the program. The Wright State University ADA Coordinator noted that he was familiar with the program but has not been directly involved. The City Development Director noted that although not familiar with the Title VI program, he is made aware of any changes GCTB makes to routes or fares.

Level of Participation during the development of GCTB's Title VI Program

One stakeholder, the Greene County Council on Aging, reported that a member of its staff previously participated in GCTB's Program and Services Committee on occasion. Feedback was solicited regarding transportation services. Otherwise, the stakeholders were not requested to participate in or comment on Title VI Program development.

Public Participation Activities Conducted by GCTB

Two stakeholders noted that they receive GCTB's electronic and hardcopy newsletters that include notifications related to meetings, public hearings, changes in service, special programs and events. The remaining stakeholders did not report awareness of GCTB Title VI-related public participation activities.

Participation in Outreach Efforts Conducted by GCTB

GCTB attends fairs at the Wright State University to promote service. The Greene County Council on Aging also noted that GCTB invites the Mobility Manager to discuss service through their weekly interview with a local radio station.

Other stakeholders commented that they have not participated in outreach efforts, but were open to the opportunity to support GCTB in the future.

Stakeholder Interaction with LEP Communities

All respondents noted that the LEP communities in Greene County have a small LEP population. All reported either low or no targeted representation for these groups.

Known Complaints

The Wright State University representatives noted that services are limited to assisting students with disabilities and that employees have noted difficulty accessing the campus via public transportation. There were no other comments provided.

Issues of Discrimination within GCTB's Geographic Area of Focus

No issues were noted with discrimination related to GCTB.

Suggestions for Improving GCTB's Title VI Program

There was only one suggestion posed by a representative from the Wright State University. They suggested conducting more outreach and potentially partnering with the university to provide assistance with interpretation or translation services.

Contact with Other Local Transit Operators Regarding Title VI Programs

One Wright State University staff member sits on an advisory council regarding paratransit for Montgomery County. The Greater Dayton RTA has reached out to the Catholic Social Services of the Miami Valley for participation.

GCTB provided comments to the draft report which have been incorporated into this report.

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6. General Reporting Requirements Findings and Advisory Comments

6.1 Annual Title VI Certification and Assurance

Requirement

FTA recipients must submit its annual Title VI certification and assurance as part of its Annual Certifications and Assurances submission to FTA in the FTA Web-based Transportation Electronic Award Management (TrAMS) awards management system. (49 CFR § 21.7(a) and FTA C 4702.1B, Chap. III-1, Sec. 2).

Discussion

During this compliance review **no deficiencies** were found with this requirement.

GCTB's FFY 2018 Certifications and Assurances were due to FTA on May 22, 2018. GCTB submitted its FFY 2018 Certifications and Assurances in TrAMS on May 14, 2018. Additionally, GCTB submitted its FFY 2016 and FFY 2017 Certifications and Assurances on time in TrAMS.

6.2 Submit Title VI Program

Requirement

All direct and primary recipients must document their compliance with DOT's Title VI regulations by submitting a Title VI program to their FTA regional civil rights officer once every three years or as otherwise directed by FTA. For all recipients (including subrecipients), the Title VI program must be approved by the recipient's board of directors or appropriate governing entity or officials responsible for policy decisions prior to submission. (FTA C 4702.1B, Chap. III-1, Sec. 4).

Discussion

During this compliance review **deficiencies** were found with this requirement.

GCTB's Title VI Program was due to FTA on December 1, 2017, but was not submitted until June 8, 2018. The Title VI Program expired on January 31, 2018. As a result, the program was not submitted timely.

The FTA Regional Civil Rights Officer for Region 5 reviewed GCTB's Program and provided feedback. The response for FTA included the following comments:

The following program requirements from FTA Circular 4702.1B, Chapters III and IV are missing:

1. Complaint form;
2. Evidence of governing board review and approval of program;
3. Limited English Proficiency Plan 4 Factor Analysis;
4. Subrecipient monitoring (if not applicable, must so state);
5. Facility equity analysis (if not applicable over last 3 years, must so state);
6. Description of service provided (e.g. demand response, fixed route, paratransit, etc.); and
7. Fixed route service standards and policies (if not applicable, must so state).

The following program requirements from FTA Circular 4702.1B, Chapter III were incomplete as submitted:

1. The public participation plan only addresses public engagement for fare or major service changes, whereas solicitation of public participation in other activities or on an ongoing basis for general matters is not described (please refer to Chapter III, Section 8 for all requirements);
2. Several requirements of the Language Assistance Plan are not addressed (please refer to Chapter III, Section 9 for all requirements); and
3. The section on minority representation on non-elected planning and advisory boards does not include a description of efforts made to encourage the participation of minorities on such committees (please refer to Chapter III, Section 10 for all requirements).

This review focused on GCTB's Revised Title VI Program submitted in TrAMS on July 13, 2018. The revised program was approved by GCTB and endorsed by the Board Chair on June 27, 2018. The revised Title VI Program included the required elements as listed in Table 6.2.

Additionally, it is noted that at the time of the site visit for this review, GCTB's operating service contractor, First Transit, was not aware that GCTB's Title VI Program had been updated in 2018. However, First Transit stated that it had reviewed GCTB's previous Title VI Program.

Table 6.2 – Title VI Program Reporting Requirements and Guidelines

General Reporting Requirements/Guidelines (per FTA Circular 4702.1B)	Included in Program Submittal
Copy of agency's notice to public that indicates it complies with Title VI and instructions to public on how to file discrimination complaint.	Yes
Copy of agency's instructions to the public regarding how to file a Title VI complaint, including a copy of the complaint form.	Yes
List of any Title VI investigations, complaints, or lawsuits filed with agency since time of last submission. Should include only those investigations, complaints, or lawsuits that pertain to agency submitting report, not necessarily larger agency or department of which entity is a part.	Yes
A public participation plan that includes an outreach plan to engage minority and LEP populations and involvement activities undertaken since last submission.	Yes
Copy of agency's plan for providing language assistance to persons with limited English proficiency, was based on DOT LEP Guidance.	Yes
Copy of the agency's table depicting the racial breakdown of the transit-related, non-elected, planning and advisory bodies, and a description of efforts made to encourage the participation of minorities on such committees.	Yes
List of any subrecipients and when their Title VI program is due. Also included is how the primary recipient stores the submitted Title VI programs, and a summary of the efforts undertaken to ensure subrecipients comply with their Title VI obligations.	Not Applicable
Copy of any conducted Title VI equity analyses related to the siting or location of facilities.	Not Applicable
Additional information as specified in chapters IV, V, and VI, depending on whether the recipient is a fixed route transit provider, a State, or an MPO. (See sections below for additional Title VI Program requirements for each entity.)	Not Applicable

Finding

GCTB's Title VI Program was not submitted timely to FTA. As a result, the previous program was in expired status.

Corrective Actions and Schedules

Within 60 days of the issuance of the final report, GCTB must submit to the FTA Office of Civil Rights a procedure that: 1) ensures future Title VI programs are submitted 60 days prior to the expiration of the program and reflects the appropriate Board approval; and 2) includes the general reporting requirements/guidelines outlined in FTA Circular 4702.1B.

6.3 Notice to Beneficiaries of Protection under Title VI**Requirement**

FTA recipients must provide information to the public regarding their Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by Title VI. At a minimum, recipients must disseminate this information to the public through measures such as a posting on its website, in public areas of the agency's office, and in stations, at designated stops, and on transit vehicles. Furthermore, notices will detail a recipient's Title VI obligations into languages other than English, as needed and consistent with the DOT LEP Guidance and the recipient's LAP. (FTA C 4702.1B, Chap. III-4, Sec. 5).

Discussion

During this compliance review **deficiencies** were found with this requirement.

GCTB's Title VI Program states that it will post its Notice to Beneficiaries of Protection under Title VI on its website, in the lobby of its administrative offices, and in its passenger guide that is provided to all registered riders and available in all service vehicles including flex route buses. The Title VI Notice was observed at these locations. However, the Notice does not include the required contact information for how to request information if it is needed in another language.

FTA Circular 4702.1B, Appendix B states that Title VI notices should at a minimum include the language "If information is needed in another language, then contact [phone number]". GCTB did not include the required statement in its Title VI notice.

Table 6.3 – GCTB Notice to Beneficiaries of Protection under Title VI

Elements Required (per FTA Circular 4702.1B)	Included in Program dated 6/27/18
Statement that agency operates programs without regard to race, color, and national origin.	Included
Description of procedures that members of the public should follow to request additional information on recipient's nondiscrimination obligations.	Included
Description of procedures that members of the public should follow to file a discrimination complaint against recipient.	Included
Notice translated into languages other than English and information on how to request information in another language.	Contact information not included

Finding

The GCTB Title VI Notice to Beneficiaries does not include required contact information to request information if it is needed in a language other than English.

Corrective Actions and Schedules

Within 60 days of the issuance of the final report, GCTB must submit to the FTA Office of Civil Rights the following information:

- A revised Notice to Beneficiaries of Protection under Title VI that includes contact information on how to request information in another language; and
- Evidence that the revised Notice has been posted or included in the locations listed in its Title VI Program.

6.4 Title VI Complaint Procedures and Complaint Form**Requirement**

FTA recipients and subrecipients must develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public upon request. Recipients must also develop a Title VI complaint form, and the form and procedure for filing a complaint shall be available on the recipient's website. (FTA C 4702.1B, Chap. III-5, Sec. 6).

Discussion

During this compliance review **deficiencies** were found with this requirement.

GCTB's Title VI complaint procedures state:

Once a complaint is received, GCTB will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter within 30 days informing her/him whether the complaint will be investigated by our office. The complainant will be provided a status letter every 30 days until the closure letter is issued. The GCTB has 45 days to investigate the complaint. If more information is needed to resolve the case, the GCTB may contact the complainant. The complainant has 30 days from the date of the contact 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 30 days, the GCTB will decide the case with the information already received in the complaint. A case can be closed if the complainant withdraws 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. An 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 30 days after the date of the letter or the LOF to do so.

The Title VI complaint form and procedures are available on GCTB's website and are included in GCTB's Title VI Program. The Title VI complaint form includes the categories of Sex, Disability, and Age in addition to Race, Color, and National Origin. It is noted that the designation for National Origin included a parenthetical reference to Limited English Proficiency as well. GCTB staff were not aware of the differentiation between National Origin and Limited English Proficiency.

On site, GCTB staff described the following process to collect and investigate complaints:

- Schedulers receive phone calls relating to complaints. The information received is then forwarded to the Executive Director who then assigns the complaint to the First Transit General Manager or the First Transit Safety Manager as required. Complaints are not categorized, and all complaints are handled similarly.
- If applicable, First Transit staff will review video footage (five to six cameras are located on each service vehicle) and interview staff. First Transit follows up with the complainant to get more information.
- The complainant is then contacted by GCTB staff in writing, if contact information was provided, with a determination.
- The Executive Director contacts individuals that have been assigned complaints on a monthly basis to obtain the status of the complaint. An edited version of the complaint is provided to the GCTB Directors on a monthly basis. Complaints are not categorized by the type of complaint.

Training has not been provided to staff on how to identify and categorize Title VI complaints. On site, GCTB provided the review team with complaints received from January 1, 2018 through February 25, 2018. 110 complaints were received via phone or Facebook during this period. No formal written Title VI complaints were received. Of the 110 complaints reviewed, the review team noted at least two Title VI complaints and four complaints relating to disability. GCTB did not categorize the Title VI complaints for investigation and does not have an implemented process to identify and categorize complaints. The Title VI complaints were not evaluated as such or reported to the Board of Directors.

Finding

GCTB does not have a procedure to identify, track, and investigate Title VI complaints.

Corrective Actions and Schedules

Within 60 days of the issuance of the final report, GCTB must submit to the FTA Office of Civil Rights the following information:

- An updated Title VI complaint procedure that includes how staff will identify and categorize, track, and investigate Title VI complaints; this would include the evaluation of the Title VI complaints, and the report back the rider on how the complaint was resolved;
- Evidence that received Title VI complaints were evaluated, and any necessary follow-up actions internally or with the pertinent riders were completed;
- A revised and published complaint form that includes only race, color, and nation origin; and
- Evidence that GCTB and First Transit staff have been trained on the categorization of Title VI complaints.

6.5 Record of Title VI Investigations, Complaints, and Lawsuits

Requirement

FTA recipients must prepare and maintain a list of any active investigations (conducted by entities other than FTA), lawsuits, or complaints naming the recipients that allege discrimination on the basis of race, color, or national origin. This list must include the date that the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response to the investigation, lawsuit, or complaint. (FTA C 4702.1B, Chap. III-5, Sec. 7).

Discussion

During this compliance review **no deficiencies** were found with this requirement.

A complaint against GCTB was filed with the Ohio Civil Rights Commission in January 2018 and was referenced in the Title VI program. However, this complaint did not relate to Title VI. The complaint related to the suspension of a rider due to hygiene concerns. The complaint was withdrawn in February 2018.

6.6 Inclusive Public Participation

Requirement

FTA recipients must integrate the content and considerations of Title VI, the Executive Order on LEP, and the DOT LEP Guidance into their public participation plan. This includes seeking out and considering the viewpoints of minority, low-income, and LEP populations in the course of conducting public outreach and involvement activities. While what efforts are made are generally at the discretion of the agency, efforts to include minority and LEP populations in public participation activities can include both comprehensive measures, as well as targeted measures to address specific barriers that may prevent minority and LEP persons for effectively participating in a recipient's decision-making process. (FTA C 4702.1B, Chap. III-5, Sec. 8).

Discussion

During this compliance review **deficiencies** were found with this requirement.

General Public Outreach

The GCTB's Title VI Program does not include a summary of implemented outreach or community group engagement activities. While on site, GCTB noted that the Mobility Manager is responsible for working with community groups relating to the GCTB's transit operations. Public outreach tasks identified by GCTB include:

- Creating partnerships between a diverse range of community organizations (public, private, non-profit, for-profit) to ensure that transportation resources are coordinated effectively.
- Developing ways to effectively communicate these options to the public to inform customers' decision-making, focusing on enhancing customer service.
- Meeting quarterly with Mobility Managers from around Ohio, including a Community Action Partnership Agency, Area Agency on Aging, Senior Center, or a Metropolitan Planning Organization.
- Daily management of GCTB's website, www.co.greene.oh.us/greenecats, as well as their social media presence at www.facebook.com/greenecats and at www.twitter.com/greenecats.
- Ensuring all GCTB brochures are up-to-date and stocked at the 90 various locations around the Miami Valley as well as in GCTB vehicles; managing the database to chronicle when the brochures are delivered and how many are stocked.
- Attending booths at various festivals, health and college fairs, and events around the Greene County area to provide education to the public on what mobility options are available to them and their families.
- Participating on advisory councils for the Greene County Council on Aging Membership Committee, United Way 2-1-1, GRADS program at the Greene County Career Center, and Sinclair Community College Marketing and Management.

- Attending numerous other community meetings such as the Greene County Transition Team, Greene County Safe Communities Coalition, Greene County Linkage, Xenia Area Chamber of Commerce Women in Business, Wilberforce-Xenia SPOKES Committee, Xenia Area Association of Churches and Ministries, Miami Valley Mobility Managers, Miami Valley Regional Planning Commission (MVRPC) Regional Transportation Coordination Council, MVRPC Regional Bikeways Committee, and Rob's Rescue.
- Providing travel training to community organizations.

The Mobility Manager maintains a spreadsheet of public participation activities performed. However, the public participation activities do not consider targeted demographic populations, strategies, or outcomes intended from the activities. The public participation activities performed were not targeted to minority or LEP populations. Additionally, the impact of outreach activities on minority or LEP populations is not measured by GCTB.

Public Hearings for Service Changes

GCTB instituted a restructuring of its routes and schedules in late 2016. GCTB held one public meeting relating to the changes at GCTB's administrative offices on November 8, 2016. GCTB indicated that one person attended the meeting and indicated she was looking forward to the addition of weekend service. Multiple comments were received from one person via Facebook relating to the change in route schedules. The comments related to the schedule adjustment of a specific route which would result in the person's daughter having to wait extra time for a bus. GCTB responded with additional information of the new schedules, but did not alter the schedule changes based on the comment received. The comment did not affect the change in schedules and it is unclear how the comment was considered.

GCTB provided the Board Meeting Minutes to the review team indicating that the restructuring was approved by the Board on October 26, 2016. The minutes do not mention any public outreach or comments received and do not indicate that a discussion regarding the changes was held prior to the approval. The information was received from the public after the approval by the Board of the restructuring.

Finding

The GCTB Title VI Program does not include a summary of implemented outreach. The community group engagement does not actively consider or measure targeted demographic populations, strategies, or outcomes for minorities or LEP. Public outreach related to the 2016 route and schedule occurred after the GCTB Board had approved the changes.

Corrective Actions and Schedules

Within 60 days of the issuance of the final report, GCTB must submit to the FTA Office of Civil Rights a revised Public Participation Plan that includes:

- A summary of outreach activities performed since 2015;
- A procedure that describes how minority, LEP, and low-income populations will be considered in public outreach activities;
- A procedure or process for how GCTB will ensure public outreach is conducted for all defined future route and schedule changes before GCTB Board approval; and
- A summary of desired outcomes of outreach performed to minority, LEP, and low-income populations and how outcomes will be measured.

6.7 Language Access to LEP Persons

Requirement

FTA recipients must take responsible steps to ensure meaningful access to benefits, services, information, and other important portions of its programs and activities for individuals who are Limited English Proficient (LEP). Language access to LEP persons is not limited to only fixed route services but will also include paratransit service and any other demand response services the recipient makes available to the public. Recipients must use the information obtained in the Four Factor Analysis to determine the specific language services that are appropriate to provide. (FTA C 4702.1B, Chap. III-6, Sec. 9).

Discussion

During this compliance review **deficiencies** were found with this requirement. Compliance with the required Title VI language access elements are listed in Table 6.7 below.

Four Factor Analysis

GCTB included a four factor analysis in its Title VI Program. An analysis of each step is included below.

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.

GCTB used 2010 US Census Bureau data to conduct the four factor analysis. The four factor analysis noted:

- A population of 150,963 of persons five years or older, with 142,207 (94.2%) speaking English only.
- Categories that show significant language usage other than English are Spanish, Other Indo-European languages, and Asian and Pacific Island language speakers.
- The percent of persons that speak English less than very well are: Spanish (659 persons, 0.5% of the total population); Other Indo-European languages (553 persons, 0.4% of total population); and Asian and Pacific Island languages (664 persons, 0.5% of total population).
- There are 150 international students that attend a local university. LEP status is unknown.
- The total number of persons in Greene County that speak English less than very well is 1,875 persons or 1.2% of the total population.

GCTB used the 2010 US Census Bureau data for its analysis, as opposed to the most recent American Community Survey (ACS) data available to perform its analysis. Additionally, the Title VI Program did not include a full breakdown of LEP persons in its service area. The 2016 ACS data for Greene County is included below. This data would have been available to GCTB when developing its Title VI Program that was submitted in June 2018.

Population 5 years and over	155,285	+/-61	155,285
English only	145,526	+/-715	93.7%
Language other than English	9,759	+/-714	6.3%
Speak English less than "very well"	3,063	+/-435	2.0%
Spanish	2,185	+/-370	1.4%
Speak English less than "very well"	442	+/-158	0.3%

Other Indo-European languages	2,935	+/-456	1.9%
Speak English less than "very well"	667	+/-202	0.4%
Asian and Pacific Islander languages	2,958	+/-391	1.9%
Speak English less than "very well"	1,159	+/-255	0.7%
Other languages	1,681	+/-514	1.1%
Speak English less than "very well"	795	+/-299	0.5%

The current ACS data does not demonstrate that an LEP population meets the Safe Harbor threshold of 5% of the total population or 1,000 persons, whichever is less. However, GCTB should use the most recent ACS or US Census Bureau data (whichever is most recent) when updating its Title VI Program.

Factor 2: The frequency with which LEP persons come into contact with the program.

GCTB's Title VI Program states that from 2015 to 2017 there were not any individuals that sought the use of GCTB services that did not speak English. GCTB did not provide any information relating to how this is being monitored. Additionally, GCTB's operating service contractor indicated that it has not received training relating to assisting LEP individuals, identifying potential Title VI complaints, utilizing language assistance measures, or reporting contact with LEP individuals to GCTB.

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

GCTB's Title VI Program states that its service provides rides to individuals with developmental and physical disabilities to adult day services and work, students who attend local universities, and Medicaid eligible and elderly individuals for medical appointments. Additionally, its service provides access to local social service agencies, retail stores, medical appointments, and work.

GCTB did not perform an analysis or document information on how it is collecting information on and evaluating the importance of its program to people's lives. GCTB has not conducted a rider survey to identify LEP groups or to assess the importance of its transit program to riders.

Factor 4: The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.

GCTB's Program states the following are available resources relating to LEP outreach:

- Maintaining a list of collaborative partners that can assist with communicating with LEP persons and develop language specific materials. A list of the collaborative partners was not provided on site.
- A working relationship with the International Student Department at Wright State University. It was unclear how this is utilized.
- Identification of local volunteers to assist with translations into Vietnamese. This could not be validated on site.
- Availability of Google translate on GCTB's website. This has been implemented.

Additionally, GCTB stated in its program that it was developing computer applications to assist in communicating with LEP persons and was looking for low cost ways to improve the accessibility of services through community collaborations, computer operations, and limited

copies of printed materials. Evidence of implementation of these efforts was not provided on site.

GCTB indicated that it has not had a request for translation or interpretation services. However, GCTB did not include information in its program or public information on how to request these services. GCTB also did not provide information regarding how the service could be accessed or any associated costs.

Language Assistance Plan (LAP)

GCTB's Title VI Program states the following in its Language Assistance Plan (LAP):

- Maintaining a running log of requests for language assistance monitoring and the need for language assistance. Evidence of this was not provided.
- Assessing the magnitude and nature of any significantly large LEP groups every 10 years. Evidence of this was not provided.
- Identification of significant concentrations or numbers of identified persons or locations of LEP persons, and identification of the languages spoken. Evidence of this was not provided.

GCTB states in its LAP that it will assess the magnitude and nature of any significantly large LEP groups every 10 years. The LAP should be assessed every three years and coincide with updating its Title VI Program. GCTB did not provide information that it has evaluated the effectiveness of its LAP.

GCTB has not had any formal requests for language assistance services. However, GCTB noted on site that in late 2018 a driver encountered an LEP person who could not communicate with the driver. The driver contacted dispatch and the Mobility Manager arrived at the location to assist. The Mobility Manager was able to assist, but no specific outside services or protocols were followed. Additionally, GCTB noted in its four factor analysis that there are 150 international students at a local university; however, the language needs of university students have not been incorporated into GCTB's LAP.

GCTB's four factor analysis revealed that there is not an LEP population in its service area that met the safe harbor threshold. As a result, GCTB is not required to identify vital documents that it will translate into another language. However, GCTB language assistance plan does not include information on how it would provide interpretation or translation services if requested.

GCTB has not provided training to its staff or to the operating service contractor, First Transit, relating to available language assistance services. Similarly, First Transit has not conducted training for its staff on interacting with LEP persons. While on site, the potential of using Ispeak cards or mobile application assistance was discussed. Additionally, First Transit was unaware of available services or of the recent Title VI Program and the LAP included in the plan.

First Transit described the process that it would follow if an individual had a language barrier. The driver would communicate with dispatch and would try to assist. If needed, dispatch could send another member of First Transit staff to the scene to try and assist with communicating with the rider. First Transit indicated that this had not occurred in the past few years.

First Transit also indicated that it does not have a process to track when language assistance is needed while performing service. While on site, it was discussed that the First Transit driver

manifest, which is used to indicate any service issues encountered during a shift, could be used to document if any LEP persons were encountered. Additionally, GCTB and First Transit hold weekly meetings to discuss any issues with service; this also presents an opportunity to discuss encounters with the LEP population. Table 6.7 below indicates whether required elements were included in GCTB's Title VI plan.

Table 6.7 – LEP Four Factor Analysis and Language Assistance Plan

Elements Required (per FTA C. 4702.1B)	Included in Plan	Notes/Comments
Part A – Results of Four-Factor Analysis		
Demography – Number or proportion of LEP persons eligible to be served or likely to be encountered	Yes	2010 data used for the analysis and was not reflective of current demographics
Frequency of contact – Frequency with which LEP individuals come into contact with program	No	No contact reported, but this was not substantiated
Importance – Nature and importance of program, activity, or service to people's lives	No	Uses of service by riders identified, but importance of the program, activity, or service was not assessed
Resources – Resources available and costs of outreach	No	Available resources not fully discussed
Part B – Develop Language Assistance Plan		
Identification of LEP persons	No	Performed, but not based on current ACS data and tracked to local colleges
Language assistance measures	No	Not included
Identify Vital Documents/Prioritization of Vital Documents	No	Not a requirement, but need to discuss oral translation or interpretation
Provide notice to LEP persons of availability of services	No	Availability of services not communicated in Notices
Monitors, evaluates, and updates LAP	No	No information provided on monitoring effectiveness
Training of staff to provide timely and reasonable language assistance to LEP population	No	Training not included in program or completed

Finding

The GCTB four factor analysis did not use the most recent ACS data (Factor 1), include data regarding the frequency with which LEP access their service (Factor 2), consider analysis regarding the nature and importance of the program (Factor 3), or provide information regarding how translation/interpretation services can be accessed and associated costs (Factor 4). Additionally, neither GCTB nor First Transit staff have been trained on language assistance services or tracking LEP interactions.

Corrective Actions and Schedules

Within 60 days of the issuance of the final report, GCTB must submit to the FTA Office of Civil Rights an updated four factor analysis that includes:

- A revised demographic analysis of GCTB's service area based on the most recent ACS data available;
- A procedure to ensure that contact with LEP persons is documented;
- An analysis of the importance of GCTB's transit program to the community; and
- A specific list of available language assistance resources, including costs.

Additionally, GCTB must submit a revised Language Assistance Plan that includes:

- A plan for monitoring the Language Assistance Plan at least every three years, and ongoing monitoring of effectiveness;
- Language assistance measures that will be used;
- A training program that describes the elements of GCTB's Language Assistance Plan; and
- Evidence of training performed for GCTB staff and First Transit staff relating to GCTB's Language Assistance Plan.

6.8 Minority Representation on Planning or Advisory Bodies

Requirement

FTA recipients may not deny an individual the opportunity to participate as a member of a transit-related, non-elected planning, advisory, committee, or similar body, on the basis of race, color, or national origin. FTA recipients must provide a table depicting the racial breakdown of the membership of those committees, and a description of the efforts made to encourage the participation of minorities on such committees. (FTA C 4702.1B, Chap. III-9, Sec. 10).

Discussion

During this compliance review **no deficiencies** were found with this requirement. (An advisory Comment, however, is made regarding the requirement.)

GCTB provided a table of the racial membership of committees in its Title VI Program. The program indicated that members are recruited through social service agencies, community organizations, and public institutions that include minority professionals and provide service to minorities, private businesses, and the public at large. Additionally, staff and Board members contact potential Board and committee members, including minority candidates. However, this is an informal process and is not included in a written procedure.

A table of the updated membership of non-elected committees at the time of the site visit is included below. The updated table depicts a slight increase in the minority representation in the Finance Committee due to the departure of one member.

Body	White	Black	Asian	Hispanic
Population	86.7%	7.3%	3.0%	2.6%
Transit Board (elected)	86%	0%	0%	14%
Finance Committee	75%	0%	0%	25%
Personnel Committee	100%	0%	0%	0%
Programs Committee	100%	0%	0%	0%

Advisory Comment

GCTB should develop a written procedure that includes a description of the efforts GCTB has implemented to encourage participation of minorities on non-elected committees.

6.9 Monitoring Subrecipients and Providing Assistance to Subrecipients Requirement

Primary recipients must assist their subrecipients in complying with DOT's Title VI regulations, including the general reporting requirements. Primary recipients must provide to subrecipients, at a minimum, the documents required by FTA C 4702.1B, Chap. III-10, Sec. 11.

Primary recipients must monitor their subrecipients for compliance with the regulations. Importantly, if a subrecipient is not in compliance with Title VI requirements, then the primary recipient is also not in compliance. This includes documenting a process for ensuring all subrecipients are complying with its Title VI Program requirements, and collecting and reviewing the Title VI Programs of subrecipients. (FTA C 4702.1B, Chap. III-10, Sec. 12).

Discussion

During this compliance review this area was not applicable. At the time of the review, GCTB did not have any subrecipients.

6.10 Determination of Site or Location of Facilities Requirement

FTA recipients must complete a Title VI equity analysis 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. A recipient must also engage in outreach to persons potentially impacted by the siting of facilities. The analysis must compare the equity impacts of various siting alternatives, and must occur before the selection of the preferred site. (FTA C 4702.1B, Chap. III-11, Sec. 13).

Discussion

During this compliance review this area was not applicable. GCTB did not site a facility during the review period. GCTB stated it does not have plans to site a facility in the near future.

7. Transit Providers Findings and Advisory Comments**7.1 System-wide Service Standards and Policies Requirement**

FTA recipients that provide fixed route service shall set service standards and policies for each specific fixed route mode of service they provide. Fixed route modes of service include but are not limited to, local bus, express bus, commuter bus, bus rapid transit, light rail, subway, commuter rail, passenger ferry, etc. These standards and policies must address how service is distributed across the transit system, and must ensure that the manner of the distribution affords users access to these assets. (FTA C 4702.1B, Chap. IV-4, Sec. 4).

Discussion

During this compliance review this area was not applicable based on previous reviews of the agency. For the purposes of this Title VI review, no decision is being made with regard to the County's characterization of this service as demand response. If at any time it is determined that this service more appropriately meets the characteristics of fixed route, then related Title VI reporting (and ADA paratransit) requirements would apply.

GCTB has operated demand response public transit service including flex routes throughout Greene County since 2013. Its service has not changed in delivery since its inception. GCTB's flex routes have never been categorized as fixed route. As a result, the Title VI requirements for fixed route providers have not been applicable.

7.2 Demographic Data

Requirement

FTA recipients that provide fixed route transit and operate 50 or more vehicles in peak service and are located in a UZA of 200,000 or more in population must collect and analyze racial and ethnic data, as described in FTA C 4702.1B, Chap. IV-7, Part 5, to determine the extent to which members of minority groups are beneficiaries of programs receiving Federal financial assistance from FTA.

Discussion

During this compliance review this area was not applicable. GCTB does not provide fixed route transit and does not operate 50 or more vehicles in peak service or operate in a UZA of 200,000 or more in population.

7.3 Monitoring Transit Service

Requirement

FTA recipients must monitor the performance of their transit service relative to their system-wide service standards and service policies not less than every three years. Periodic service monitoring activities must be undertaken to compare the level and quality of service provided to predominantly minority areas with service provided in other areas to ensure that the end result of policies and decision-making is equitable service. If recipient monitoring determines that prior decisions have resulted in disparate impacts, it must take corrective action to remedy the disparities to the greatest extent possible, and discuss in the Title VI Program these disparate impacts and actions taken to remedy the disparities. (FTA C 4702.1B, Chap. IV-9, Sec. 6).

Discussion

During this compliance review this area was not applicable. GCTB does not provide fixed route transit and does not operate 50 or more vehicles in peak service or operate in a UZA of 200,000 or more in population.

7.4 Evaluation of Service and Fare Changes

Requirement

FTA recipients that provide fixed route transit service and operate 50 vehicles or more during peak service and operate within a UZA of 200,000 persons are required to prepare and submit service and fare equity analyses. FTA recipients must develop written procedures to evaluate, prior to implementation, any and all fare changes and all major service changes and new fixed guideways capital projects service changes, to determine whether those changes have a discriminatory impact. (FTA C 4702.1B, Chap. IV-10, Sec. 7).

Discussion

During this compliance review this area was not applicable. GCTB does not provide fixed route transit and does not operate 50 or more vehicles in peak service or operate in a UZA of 200,000 or more in population.

8. MPO Findings and Advisory Comments

8.1 Planning

Requirement

MPOs, as subrecipients of the state, must submit Title VI compliance reports for planning activities to the State and FTA. If the MPO passes planning funds through to one or more subrecipients, the MPO is responsible for ensuring those subrecipients comply with Title VI. (FTA C 4702.1B, Chap. VI-2, Sec. 3).

Discussion

During this compliance review this area was not applicable. GCTB is not an MPO.

8.2 Monitoring Subrecipients

Requirement

MPOs that are designated recipients, and suballocate funds to various entities (without receiving the actual funds from FTA) and/or retains funds to carry out its own projects or activities, must suballocate funds without regard to race, color, or national origin. Suballocations must be based on projects implementation priorities in the MTP, which includes a robust public participation process. Each MPO must have a locally developed process that establishes criteria for making determinations of funding priorities in a nondiscriminatory manner. (FTA C 4702.1B, Chap. VI-3, Sec. 4).

An MPO that receives funding directly from FTA for its own activities is a direct recipient, and must develop a Title VI Program and report Title VI compliance to FTA for those activities for which it is a direct recipient. When an MPO then passes funds to subrecipients, the MPO becomes a primary recipient under the DOT Title VI regulations and is responsible for monitoring the compliance of its subrecipients with Title VI, unless that subrecipient is also an FTA direct recipient. (FTA C 4702.1B, Chap. VI-3, Sec. 5).

Discussion

During this compliance review this area was not applicable. GCTB is not an MPO.

8.3 Requirements for Program Administration

Requirement

MPOs must document that they pass through FTA funds under any FTA programs to subrecipients without regard to race, color, or national origin, and assure that minority populations are not being denied the benefits of or excluded from participation in these programs. (FTA C 4702.1B, Chap. VI-3, Sec. 6).

Discussion

During this compliance review this area was not applicable. GCTB is not an MPO.

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9. Summary of Findings/Corrective Actions

Item	Title VI Requirements	Site Visit Finding(s)	Findings, Corrective Actions, Advisory Comments	Response Days/Date
1.	Annual Title VI Certification and Assurance	ND		
2.	Submit Title VI Program	D	<p>Findings: GCTB’s Title VI Program was not submitted timely to FTA. As a result, the previous program was in expired status.</p> <p>Corrective Actions: GCTB must submit to the FTA Office of Civil Rights a procedure that: 1) ensures future Title VI programs are submitted 60 days prior to the expiration of the program and reflects the appropriate Board approval; and 2) includes the general reporting requirements/guidelines outlined in FTA Circular 4702.1B</p>	60 days
3.	Notice to Beneficiaries of Protection Under Title VI	D	<p>Findings: The GCTB Title VI Notice to Beneficiaries does not include required contact information to request information if it is needed in a language other than English.</p> <p>Corrective Actions: GCTB must submit to the FTA Office of Civil Rights the following information:</p> <ul style="list-style-type: none"> • A revised Notice to Beneficiaries of Protection under Title VI that includes contact information on how to request information in another language; and • Evidence that the revised Notice has been posted or included in the locations listed in its Title VI Program. 	60 days

Findings at the time of the site visit: ND = No Deficiencies Found; D = Deficiency;
NA = Not Applicable; AC = Advisory Comment, *Within the date of the Final Transmittal

Item	Title VI Requirements	Site Visit Finding(s)	Findings, Corrective Actions, Advisory Comments	Response Days/Date
4.	Title VI Complaint Procedures and Complaint Form	D	<p>Findings: GCTB does not have a procedure to identify, track, and investigate Title VI complaints.</p> <p>Corrective Actions: GCTB must submit to the FTA Office of Civil Rights the following information:</p> <ul style="list-style-type: none"> • An updated Title VI complaint procedure that includes how staff will identify and categorize, track, and investigate Title VI complaints; this would include the evaluation of the Title VI complaints, and the report back the rider on how the complaint was resolved; • Evidence that received Title VI complaints were evaluated, and any necessary follow-up actions internally or with the pertinent riders were completed; • A revised and published complaint form that includes only race, color, and nation origin; and • Evidence that GCTB and First Transit staff have been trained on the categorization of Title VI complaints. 	60 days
5.	List of Title VI Investigations, Complaints and Lawsuits	ND		
6.	Inclusive Public Participation	D	<p>Findings: The GCTB Title VI Program does not include a summary of implemented outreach. The community group engagement does not actively consider or measure targeted demographic populations, strategies, or outcomes for minorities or LEP. Public outreach related to the 2016 route and schedule occurred after the GCTB Board had approved the changes.</p>	60 days

Findings at the time of the site visit: ND = No Deficiencies Found; D = Deficiency;
 NA = Not Applicable; AC = Advisory Comment, *Within the date of the Final Transmittal

Item	Title VI Requirements	Site Visit Finding(s)	Findings, Corrective Actions, Advisory Comments	Response Days/Date
			<p>Corrective Actions: GCTB must submit to the FTA Office of Civil Rights a revised Public Participation Plan that includes:</p> <ul style="list-style-type: none"> • A summary of outreach activities performed since 2015; • A procedure that describes how minority, LEP, and low-income populations will be considered in public outreach activities; • A procedure or process for how GCTB will ensure public outreach is conducted for all defined future route and schedule changes before GCTB Board approval; and • A summary of desired outcomes of outreach performed to minority, LEP, and low-income populations and how outcomes will be measured. 	
7.	Language Access to LEP Persons	D	<p>Findings: The GCTB four factor analysis did not use the most recent ACS data (Factor 1), include data regarding the frequency with which LEP access their service (Factor 2), consider analysis regarding the nature and importance of the program (Factor 3), or provide information regarding how translation/interpretation services can be accessed and associated costs (Factor 4). Additionally, neither GCTB nor First Transit staff have been trained on language assistance services or tracking LEP interactions.</p> <p>Corrective Actions: GCTB must submit to the FTA Office of Civil Rights an updated four factor analysis that includes:</p> <ul style="list-style-type: none"> • A revised demographic analysis of GCTB's service area based on the most recent ACS data available; • A procedure to ensure that contact with LEP persons is documented; • An analysis of the importance of GCTB's transit program to the community; and 	60 Days

Findings at the time of the site visit: ND = No Deficiencies Found; D = Deficiency;
 NA = Not Applicable; AC = Advisory Comment, *Within the date of the Final Transmittal

Item	Title VI Requirements	Site Visit Finding(s)	Findings, Corrective Actions, Advisory Comments	Response Days/Date
			<ul style="list-style-type: none"> • A specific list of available language assistance resources, including costs. <p>Additionally, GCTB must submit a revised Language Assistance Plan that includes:</p> <ul style="list-style-type: none"> • A plan for monitoring the Language Assistance Plan at least every three years, and ongoing monitoring of effectiveness; • Language assistance measures that will be used; • A training program that describes the elements of GCTB's Language Assistance Plan; and • Evidence of training performed for GCTB staff and First Transit staff relating to GCTB's Language Assistance Plan. 	
8.	Minority Representation on Planning or Advisory Bodies	AC	<p>Advisory Comment: GCTB should develop a written procedure that includes a description of the efforts GCTB has implemented to encourage participation of minorities on non-elected committees.</p>	
9.	Monitoring Subrecipients and providing assistance to Subrecipients	NA		
10.	Determination of Site or Locations	NA		
Fixed-Route Transit Providers Requirements				
1.	System wide Service Standards/Policies	NA		
2.	Demographic Data	NA		

Findings at the time of the site visit: ND = No Deficiencies Found; D = Deficiency;
 NA = Not Applicable; AC = Advisory Comment, *Within the date of the Final Transmittal

Item	Title VI Requirements	Site Visit Finding(s)	Findings, Corrective Actions, Advisory Comments	Response Days/Date
3.	Monitoring Transit System	NA		
4.	Evaluation of Fare/Service Changes	NA		
MPO Requirements				
1.	Planning	NA		
2.	Monitoring Subrecipients	NA		
3.	Requirements for Program Administration	NA		

Findings at the time of the site visit: ND = No Deficiencies Found; D = Deficiency;
 NA = Not Applicable; AC = Advisory Comment, *Within the date of the Final Transmittal

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Attachment A: Greene County Title VI Review Notification Letter



U.S. Department
Of Transportation
Federal Transit
Administration

Headquarters

East Building, 5th Floor, TCR
1200 New Jersey Ave., SE
Washington, D.C. 20590

November 30, 2018

Mr. Ken Collier
Executive Director
Greene County Transit Board
2380 Bellbrook Ave.
Xenia, OH 45385

Dear Mr. Collier:

The Federal Transit Administration (FTA) Office of Civil Rights is responsible for ensuring compliance with 49 CFR Part 21, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation (DOT)—Effectuation of Title VI of the Civil Rights Act of 1964 (Title VI)" by its award recipients and subrecipients. As part of its ongoing oversight efforts, the FTA Office of Civil Rights conducts a number of on-site Title VI compliance reviews of these award recipients. For this reason, the Greene County Transit Board has been selected for a review of its overall Title VI program, the site visit portion of which is scheduled to take place on February 26- March 1, 2019.

The purpose of this review will be to determine whether the Greene County Transit Board is honoring its commitment, as represented by certification to FTA, to comply with the all applicable provisions of 49 CFR Part 21 and FTA Title VI Circular 4702.1B.

The review process includes data collection before the on-site visit, an opening conference, an on-site review of Title VI program implementation (including, but not limited to discussions to clarify items and matters previously reviewed and interviews with staff), interviews with external interested parties, an exit conference, and draft and final reports. FTA has engaged the services of the Calyptus Consulting Group, Inc. (Calyptus) to conduct this compliance review. Calyptus and FTA representatives will participate in the opening and exit conferences, with FTA participating by telephone.

We request your attendance at an opening conference scheduled for **February 26, 2019, at 9:00 a.m. ET**, to introduce the Calyptus team and FTA representatives to Greene County Transit Board. Attendees should include you and other key staff. During the opening conference, the review team members will present an overview of the on-site activities.

Because review team members will spend considerable time on site during the week, please provide them with temporary identification and a workspace within or near your offices for the duration of their visit. Please let us know if you will designate a member of your staff to serve as

the liaison with the review team and to coordinate the on-site review and address questions that may arise during the visit.

So that we may properly prepare for the site visit, we request that you provide the information described in Enclosure 1, which consists of items that the review team must receive within 21 calendar days from the date of this letter. Please forward these materials, via email, to the following contact person:

Dr. George Harris
Calyptus Consulting Group, Inc.
43 Thomdike Street
Cambridge, MA 02141
617-577-0041
gharris@calyptusgroup.com

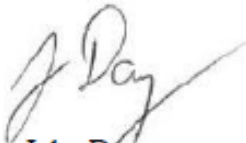
We request the exit conference be scheduled for **March 1, 2019, at 11:00 a.m. ET**, to afford an opportunity for the reviewer to discuss their observations with you and your agency. We request that you and other key staff attend the exit conference.

The FTA Office of Civil Rights will make findings and will provide a draft report. You will have an opportunity to correct any factual inconsistencies before FTA finalizes the report. The draft and final reports, when issued to Greene County Transit Board, will be considered public documents subject to release under the Freedom of Information Act, upon request.

Greene County Transit Board representatives are welcome to accompany the review team during the on-site activities, if you so choose. If you have any questions or concerns before the opening conference, please contact me at 202-366-1671, or via e-mail at *john.day@dot.gov*.

Thank you in advance for your assistance and cooperation as we undertake this process. We look forward to working with your staff.

Sincerely,



John Day
Program Manager for Policy
and Technical Assistance

Enclosure

cc: Kelley Brookins, Regional Administrator, FTA Region V
Gregory Danis, Acting Regional Civil Rights Officer, FTA Region V

**Greene County Transit Board
Title VI Program Compliance Review**

Enclosure 1

You must submit the following information to the [contractor] contact person within 21 calendar days from the date of this letter.

1. Current Title VI Program (which should include the Greene County Transit Board organization chart).
2. Any conducted service and fare equity analyses over the past three (3) years.
3. A list of any siting, locating, and/or constructing of facilities, and any associated Title VI equity analyses within the last three (3) years.
4. Current Title VI complaint/lawsuit or investigation list.
5. Summary of public outreach efforts/events since the last Title VI program submission, including any language efforts/activities to ensure limited English persons are able to participate and contribute during the held public outreach efforts/events.
6. List of any monitoring or technical assistance provide to subrecipient(s).
7. Summary of subrecipient(s) and their respective Title VI program status, as well as copies of their plans.
8. Names, titles, telephone numbers, and email addresses of interested parties (external organizations) with which Greene County Transit Board has interacted on Title VI issues.
9. Other pertinent information determined by Greene County Transit Board staff to be pertinent and demonstrative of its Title VI compliance efforts.

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Attachment B: Greene County Title VI Program Initial Information Submission



Title VI Program Compliance Review December 21, 2018

1. Title VI Program and Organizational Chart:
 - Submitted separately.
2. Service and fare equity analyses conducted over the past three (3) years:
 - No service or fare equity analysis has been conducted over the past three years.
3. List of any siting, locating, and/or constructing of facilities, and any associated Title VI equity analyses within the last three (3) years.
 - There has been no siting, locating, and or construction of facilities within the last three years.
4. Current Title VI complaint/lawsuit or investigation list:
 - There are no current Title VI complaint/lawsuits or investigations
5. Summary of public outreach efforts/events since the last Title VI program submission, including any language efforts/activities to ensure limited English persons are able to participate and contribute during the held public outreach efforts/events:
 - The notice on the GCTB landing page has been updated to include the updated program language and forms submitted for approval in June of 2108.
6. List of any monitoring or technical assistance provide to subrecipient(s).
 - The Greene County Transit Board does not provide monitoring or assistance to any subrecipients.
7. Summary of subrecipient(s) and their respective Title VI program status, as well as copies of their plans:
 - The Greene County Transit Board does not have any subrecipients.
8. Names, titles, telephone numbers, and email addresses of interested parties (external organizations) with which Greene County Transit Board has interacted on Title VI issues:
 - Zakiya Brown, Central State University, Interim Dean of Students, Student Affairs and Enrolment Management, (937) 376-6493, zbrown@centralstate.edu. No longer holds this position.
 - Thomas Webb, Wright State University, Director of Disabilities, University Hall 180, 3640 Colonel Glenn Hwy. 45435, (937) 775-5680, thomas.webb@wright.edu
9. Other pertinent information determined by Greene County Transit Board staff to be pertinent and demonstrative of its Title VI compliance efforts.
 - Updating our Title VI Program in 2018.
 - Finding a way to include Central State University, which serves a predominately African American student population, as a Time point on our weekend Flex Routes.
 - Installing automatic door opener for the main entrance to the facility in which the Administrative/Scheduling office for the GCTB is housed
 - Maintaining an 100% accessible fleet of vehicles.



U.S. Department
of Transportation
**Federal Transit
Administration**

Headquarters

East Building, 5th Floor, TCR 1200
New Jersey Avenue, SE
Washington, DC 20590

October 31, 2019

Mr. Ken Collier
Executive Director
Greene County Transit Board
2380 Bellbrook Ave.
Xenia, OH 45385

RE: Title VI Specialized Review Final Report

Dear Mr. Collier:

This letter concerns the Federal Transit Administration's (FTA) Title VI Specialized Review of the Greene County Transit Board (GCTB), conducted February 26-28, 2019. Enclosed is a copy of the Final Report, which will be posted on FTA's website on our Title VI page.

The FTA Office of Civil Rights is responsible for ensuring compliance with 49 CFR Part 21, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964" by its grant recipients and subrecipients. As part of our ongoing oversight efforts, FTA conducts a number of onsite reviews to ensure compliance with the Title VI and the applicable departmental regulations. FTA uses the findings from these reviews to provide direction and technical assistance to transit agencies in order to achieve compliance with Title VI.

Unless otherwise noted, all corrective actions identified in the Final Report must be undertaken within 60 days of the date of this letter. Once we have reviewed your submissions, we will either request clarification or additional corrective action, or will close out the finding if your response sufficiently addresses the Title VI requirements. Please email your responses to John Day at john.day@dot.gov.

We appreciate the cooperation and assistance that you and your staff have provided us during this review, and we are confident GCTB will take steps to correct the deficiencies. If you have any questions about this matter, please contact Shavon Nelson at (202) 366-0635, or via email at shavon.nelson@dot.gov.

Sincerely,

John R. Day
Program Manager
FTA Office of Civil Rights

Enclosure

cc: Kelley Brookins, Regional Administrator, FTA Region 5
Selene Faer Dalton-Kumins, Associate Administrator, FTA Office of Civil Rights