



# Cherokee Area Transportation System



## Title VI Plan

*Date Adopted: August/06/2019*



## Preface

This template has been developed by the Georgia Department of Transportation (GDOT) Transit division in order to assist transit agencies with the development of their Title VI Plan. Although each agency is different in size, organization structure, operations, etc., minimum Title VI compliance requirements are common to all. This template document is intended to assist smaller transit agencies that often do not have adequate resources to develop a Title VI Plan in accordance with the minimum requirements of Section 49 Code of Federal Regulations, Part 21 and Federal Transit Administration (FTA) Circular 4702.1B. It should be noted that this template covers the Title VI requirements for sub-recipient transit providers that operate less than 50 vehicles in peak service and are located in urbanized areas (UZA) of less than 200,000 population and rural transit providers.

While the development, adoption, and implementation of a Title VI Plan that complies, at a minimum, with the requirements set forth by FTA Circular 4702.1B is mandatory, the agencies have the prerogative to either utilize this template or enhance their existing Title VI Plan with the information contained in this document. If an agency decides to utilize this template, they will have to customize this document to fit their agency ensuring compliance with FTA Circular 4702.1B, adopt the document, and implement and comply with the Title VI Plan.

It is important to note that the Department is not requiring transit agencies to adopt this template. Transit agencies must, however, adopt a Title VI Plan which addresses all of the requirements of FTA Circular 4702.1B which apply to their agency. The intent of the Department was to develop a document which addresses the provisions of the circular and provide it to local transit agencies as a means of helping them reduce their administrative burden in preparing or updating their Title VI Plans. We believe this document will be invaluable to you in this regard. In developing this document, it was understood that some transit agencies may elect to adopt the template document in whole with little customization. This decision is up to the local transit agency. It must be understood, however, that future compliance reviews will examine your policies and observed practices to ensure that they are consistent with the Title VI Plan you have adopted, and also compliant with FTA Circular 4702.1B.

To use this template, open the electronic file and save the file with an appropriate name (e.g. "Cherokee Area Transportation System Bus System Title VI Plan.doc"). You will quickly note that the Template Document has been color coded to help you distinguish between the actual requirements of FTA Circular 4702.1B, and optional language we have provided that might assist you in developing your plan, or elaborating on how your agency is addressing the requirements of FTA Circular 4702.1B.

Remember, in the context of FTA Circular 4702.1B, some requirements are not always prescriptive and detailed. Some portions of FTA Circular 4702.1B simply obligate the agency to define or develop a policy or procedure to explain how the agency will meet the intent of the requirement. The language the Department has developed in the **green colored text** is optional or example language crafted to assist you in these instances. *You are not required to use it.* Whether you elect to use the optional **green text** is entirely up to you, but please ensure that any green text utilized applies precisely to your agency.

Regardless, your policy or procedure must comply with the requirements set forth by FTA Circular 4702.1B. Also, note that this Template is geared towards satisfying the requirements of FTA Circular 4702.1B only. You may have to incorporate additional policies and procedures to meet the requirements of other regulatory agencies, as appropriate. You can also customize the Appendices as needed to supplement the Title VI Plan. The document is provided in a format that is easily editable by the Agencies, a text formatting palette has been provided in the Appendix of the document specifying font type, text size, etc.

This template was created by the Florida Department of Transportation, modified and adopted for use by the Georgia Department of Transportation.

## Title VI Plan Activity Log

Date	Activity (Review/Update/Addendum/ Adoption/Distribution)	Concerned Person (Signature)	Remarks
	Adoption by Cherokee County Board of Commissioners	Harry B Johnston	Pending approval by GDOT
6/20/19	GDOT review of final draft	Michele Nystrom	GDOT concurrence letter – final draft
08/06/19	Adoption by Cherokee County Board of Commissioners	Harry B Johnston	Signed

**Title VI Plan Activity Log  
(Continued)**

Date	Activity (Review/Update/Addendum/ Adoption/Distribution)	Concerned Person (Signature)	Remarks

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

*49 CFR Part 21.7(a): Every application for Federal financial assistance to which this part applies shall contain, or be accompanied by, an assurance that the program will be conducted or the facility operated in compliance with all requirements imposed or pursuant to [49 CFR Part 21].*

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

Cherokee Area Transportation System further agrees to the following responsibilities with respect to its programs and activities:

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

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

Signature: 

Printed Name: Harry B. Johnston  
Chairman, Cherokee County Board of Commissioners      Date: \_\_\_\_\_

## 2.0 Introduction & Description of Services

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

Cherokee Area Transportation System is a sub-recipient of FTA funds and provides service in Cherokee County. A description of the current Cherokee Area Transportation System is included in Appendix B.

### **Title VI Coordinator**

Greg Powell, Director of Transportation.  
Cherokee County Board of Commissioners  
770-345-1800  
884 Univeter Road, Canton, GA 30115

Cherokee Area Transportation System has designated a liaison for Title VI issues and complaints within the County. The liaison is the focal point for Title VI implementation and monitoring of activities receiving federal financial assistance. Key responsibilities of the Title VI Liaison include:

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

## 2.1 First Time Applicant Requirements

*FTA Circular 4702.1B, Chapter III, Paragraph 3: Entities applying for FTA funding for the first time shall provide information regarding their Title VI compliance history if they have previously received funding from another Federal agency.*

Cherokee Area Transportation System is not a first-time applicant for FTA/GDOT funding. The following is a summary of Cherokee Area Transportation System's current and pending federal and state funding.

### Current and Pending FTA Funding

1. FTA Funding, FY2019, \$494,676, Current

### Current and Pending GDOT Funding

1. **Operating** Federal - \$152,467, FY2019, Current
2. **Capital**, Buses – Federal \$82,057.47, Buses-State - \$10,257.18, Small Equipment – Federal \$8,000, Small Equipment – State - \$1,000, FY2019, Current
3. **Operating** – Federal - \$157,467, FY2020, Pending
4. **Capital**-Buses – Federal \$128,059, Buses– State \$16,007.37, Small Equipment – Federal \$19,547.20, Small Equipment – State - \$2,443.40, FY2020, Pending

### Current and Pending Federal Funding (non-FTA)

5. Non-FTA Federal Funding, \$68,859, Current

### Current and Pending State Funding (non-GDOT)

1. DHS, FY 2019, \$410,081, Current
2. DHS, FY2020, \$410,081, Pending

During the previous three years, GDOT did complete a Title VI compliance review of Cherokee Area Transportation System. Cherokee Area Transportation System has not been found to be in noncompliance with any civil rights requirements.

The following is a summary of the compliance review.

- a. Date of the compliance review  
N/A
- b. The purpose or reason for the review  
N/A
- c. Agency or organization that performed the review  
N/A

- d. Summary of the finding and recommendations of the review  
N/A
- e. Report on the status of the findings and recommendations  
N/A
- f. Current status of the compliance review  
N/A

## 2.2 Annual Certifications and Assurances

*FTA Circular 4702.1B, Chapter III, Paragraph 2: Every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with the Title VI regulations.*

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

Cherokee Area Transportation System will remain in compliance with this requirement by annual submission of certifications and assurances as required by GDOT.

## 2.3 Title VI Plan Concurrence and Adoption

This Title VI Plan received GDOT concurrence on June 20, 2019. The Plan was approved and adopted by Cherokee County Board of Commissioners during a meeting held on 08/06/2019. A copy of the meeting minutes and GDOT concurrence letter is included in Appendix C of this Plan.

### 3.0 Title VI Notice to the Public

*FTA Circular 4702.1B, Chapter III, Paragraph 5: Title 49 CFR 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI.*

#### 3.1 Notice to Public

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

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

Cherokee County's notice is included in Appendix D of this Plan.

#### 3.2 Notice Posting Locations

The Notice to Public is posted prominently at several locations and is publicly displayed in Cherokee Area Transportation System facilities and in revenue service vehicles. This notice is also posted on the County website at: <http://www.cherokeega.com/transportation> to apprise the public of Cherokee Area Transportation System's obligations under Title VI and to inform them of the protections afforded them under Title VI. The notice is posted in public areas of Cherokee Area Transportation System's office including the reception desk and in meeting rooms, and on the Cherokee Area Transportation System's website at <http://www.cherokeega.com/transportation>. Additionally, Cherokee Area Transportation System will post the notices at stops.

*FTA Circular 4702.1B, Chapter III, Paragraph 6: All recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to member of the public.*

## 4.0 Title VI Procedures and Compliance

### 4.1 Complaint Procedure

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

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

Cherokee Area Transportation System has ninety (90) days to investigate the complaint. If more information is needed to resolve the case, Cherokee Area Transportation System may contact the complainant. The complainant has ten (10) business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within ten (10) business days, Cherokee Area Transportation System can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. A LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member or other action will occur. If the complainant wishes to appeal the decision, she/he has seven (7) days to do so from the time he/she receives the closure letter or the LOF.

The complaint procedure will be made available to the public on Cherokee Area Transportation System's website: <https://www.cherokeega.com/Transportation/documents.php>.

### 4.2 Complaint Form

A copy of Cherokee County's Title VI complaint form is used to submit the complaint information and is provided on Cherokee County's website(<https://www.cherokeega.com/Transportation/documents.php>).

#### 4.3 Record Retention and Reporting Policy

NA

#### 4.4 Sub-recipient Assistance and Monitoring

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

#### 4.5 Sub recipients and Subcontractors

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

##### **Nondiscrimination Clauses**

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

1. **Compliance with Regulations:** The Contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (hereinafter, "USDOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.
2. **Nondiscrimination:** The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. **Solicitations for Subcontractors, including Procurements of Materials and Equipment:** In all solicitations made by the Contractor, either by competitive bidding or negotiation for work to be performed under a subcontract, including procurements of materials or leases of equipment; each potential subcontractor or supplier shall be notified by the Contractor of the subcontractor's obligations under this contract and the Regulations relative to nondiscrimination on the basis of race, color, national origin, sex, age, disability, religion or family status.
4. **Information and Reports:** The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the *Georgia Department of Transportation and/or the Federal Transit Administration*, to be pertinent to ascertain compliance with such

Regulations, orders and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information the Contractor shall so certify to the *Georgia Department of Transportation*, and/or the *Federal Transit Administration*, as appropriate, and shall set forth what efforts it has made to obtain the information.

5. **Sanctions for Noncompliance:** In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, Cherokee Area Transportation System shall impose contract sanctions as appropriate, including, but not limited to:
  - a. withholding of payments to the Contractor under the contract until the Contractor complies, and/or
  - b. cancellation, termination or suspension of the contract, in whole or in part.
6. **Incorporation of Provisions:** The Contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as the Cherokee Area Transportation System, Georgia Department of Transportation, and/or the Federal Transit Administration, may direct as a means of enforcing such provisions including sanctions for noncompliance.

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

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

#### **E-Verify**

As a condition of our agreement with GDOT, vendors and contractors of Cherokee Area Transportation System shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by Cherokee Area Transportation System. Additionally, vendors and contractors shall expressly require any subcontractors performing work or providing services pursuant to work for Cherokee Area Transportation System shall likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Cherokee Area Transportation System. The Cherokee County People Resources Center participates in the E-Verify System ~ # 47188 as of July 7, 2007.

## 5.0 Title VI Investigations, Complaints, and Lawsuits

*FTA Circular 4702.1B, Chapter III, Paragraph 7: In order to comply with the reporting requirements of 49 CFR 21.9(b), FTA requires all recipients to prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin: active investigations....; lawsuits, and complaints naming the recipient.*

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

Cherokee Area Transportation System has had no investigations, complaints, or lawsuits involving allegations of discrimination on the basis of race, color, or national origin over the past three (3) years. A summary of these incidents is recorded in Table 1.

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

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

## 6.0 Public Participation Plan

*FTA Circular 4702.1B, Chapter III, Paragraph 4.a.4: Every Title VI Plan shall include the following information: A public participation plan that includes an outreach plan to engage minority and limited English proficient populations, as well as a summary of outreach efforts made since the last Title VI Plan submission. A recipient's targeted public participation plan of minority populations may be part of efforts that extend more broadly to include constituencies that are traditionally underserved, such as people with disabilities, low-income populations, and others.*

The Public Participation Plan (PPP) for Cherokee Area Transportation System was developed to ensure that all members of the public, including minorities and Limited English Proficient (LEP) populations, are encouraged to participate in the decision-making process for Cherokee Area Transportation System. Policy and service delivery decisions need to take into consideration community sentiment and public opinion based upon well-executed outreach efforts. The public outreach strategies described in the PPP are designed to provide the public with effective access to information about Cherokee Area Transportation System services and to provide a variety of efficient and convenient methods for receiving and considering public comment prior to implementing changes to services. The PPP is included as Appendix F to this Title VI Plan.

### Current Outreach Efforts

Cherokee Area Transportation System is required to submit a summary of public outreach efforts made over the last three (3) years. The following is a list and short description of Cherokee Area Transportation System's recent, current, and planned outreached activities.

- Various updates at Cherokee County Board of Commissioners Meetings, which are available on video
- Legal advertisements in local newspapers
- Other coordination meetings as requested

## 7.0 Language Assistance Plan

*FTA Circular 4702.1B, Chapter III, Paragraph 9: Recipients shall take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities for individuals who are limited English proficient (LEP).*

Cherokee Area Transportation System operates a transit system within Cherokee County. The Language Assistance Plan (LAP) has been prepared to address Cherokee Area Transportation System's responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals, who have a limited ability to read, write, speak or understand English are LEP. In Cherokee Area Transportation System's service area there are 8,265 residents or 4.0% who describe themselves as not able to communicate in English very well (Source: US Census, Cherokee County GA). Cherokee Area Transportation System is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. Cherokee Area Transportation System has utilized the U.S. Department of Transportation (DOT) LEP Guidance Handbook and performed a four-factor analysis to develop its LAP. The LAP is included in this Title VI Plan as Appendix G.

## 8.0 Transit Planning and Advisory Bodies

*FTA Circular 4702.1B, Chapter III, Paragraph 10: Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees.*

Cherokee Area Transportation System does not have a transit-related committee or board.

## 9.0 Title VI Equity Analysis

*FTA Circular 4702.1B, Chapter III, Paragraph 4.a.8: If the recipient has constructed a facility, such as vehicle storage, maintenance facility, operation center, etc., the recipient shall include a copy of the Title VI equity analysis conducted during the planning stage with regard to the location of the facility.*

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

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

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

## 10.0 System-Wide Service Standards and Service Policies

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

Cherokee Area Transportation System is a fixed route service provider.

FTA Circular 4702.1B requires that all fixed route service providers prepare and submit system-wide service standards and service policies as a part of their Title VI Plan. 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.

Cherokee Area Transportation System has adopted the following system-wide standards and policies to ensure service design and operations practices do not result in discrimination on the basis of race, color, or national origin. Service policies differ from service standards in that they are not necessarily based on a quantitative threshold.

### 10.1 Service Standards

FTA requires that all fixed route transit providers develop quantitative standards for all fixed route modes of operation for the following indicators. Cherokee Area Transportation System has prepared standards for all modes it operates including Paratransit Service.

#### a. Vehicle Load

Vehicle Type	Average Passenger Capacities			
	Seated	Standing	Total	Maximum Load Factor
15' Mini-Bus	--	--	--	--
40' Low Floor Bus	--	--	--	--
40' Standard Bus	44	16	60	1.4
Light Rail Vehicle	--	--	--	--

#### b. Vehicle Headway

POLICY HEADWAYS AND PERIODS OF OPERATION				
WEEKDAY	Peak	Base	Evening	Night
Regional Trunk	--	--	--	--

Urban Radial	--	60	--	--
Cross-Town	--	--	--	--
Secondary Radial	--	--	--	--
Feeder	--	--	-	--
Peak Express	--	--	--	--
Employer Feeder	--	--	--	--
<p><i>* Peak: 7-9 am and 4-6 pm; Base 9am - 4pm; Evening: 6-9:30 pm; Night: 9:30pm-Midnight;</i></p> <p><i>"--" means no service is provided during that time period.</i></p>				

<b>SATURDAY</b>	<b>Day</b>	<b>Evening</b>	<b>Night</b>
Regional Trunk	--	--	-
Urban Radial	--	--	--
Cross-Town	--	--	--
Secondary Radial	--	--	--
Feeder	--	--	--
Peak Express	--	--	--
Employer Feeder	--	--	--
<p><i>* Day 7am - 6pm; Evening: 6-9:30 pm; Night: 9:30pm - Midnight;</i></p> <p><i>"--" means no service is provided during that time period.</i></p>			

<b>SUNDAY</b>	<b>Day</b>	<b>Evening</b>	<b>Night</b>
Regional Trunk	--	--	--
Urban Radial	--	--	--
Cross-Town	--	--	--

Secondary Radial	--	--	--
Feeder	--	--	--
Peak Express	--	--	--
Employer Feeder	--	--	--
<p>* Day 7am - 6pm; Evening: 6-9:30 pm; Night: 9:30pm-Midnight;</p> <p>"--" means no service is provided during that time period.</p>			

c. On-Time Performance

A vehicle is considered on time if it departs a scheduled time point no more than one (1) minute early and no more than five (5) minutes late. The Cherokee Area Transportation System on-time performance objective is 90% or greater. Cherokee Area Transportation System continuously monitors on-time performance and system results are published and posted as part of monthly performance reports covering all aspects of operations.

d. Service Availability

Cherokee Area Transportation System will distribute transit service so that 90% of all residents in the service area are within a ¼ mile walk of bus service.

## 10.2 Service Policies

FTA requires fixed route transit providers to develop a policy for service indicators. Cherokee Area Transportation System has prepared the following policies for its transit system.

a. Distribution of Transit Amenities

Installation of transit amenities along bus and rail routes are based on the number of passengers boarding at stops and stations along those routes.

b. Vehicle Assignment

Vehicles will be assigned to the South, North, and East depots such that the average age of the fleet serving each depot does not exceed "10" years. Low-floor buses are deployed on frequent service and other high-ridership lines, so these buses carry a higher share of ridership than their numerical proportion of the overall bus fleet. Low-floor buses are also equipped with air conditioning and automated stop announcement systems.

Bus assignments take into account the operating characteristics of buses of various lengths, which are matched to the operating characteristics of the route. Local routes with lower ridership may be assigned 30-foot buses rather than the 40-foot buses. Some routes requiring tight turns on narrow streets are operated with 30-foot rather than 40-foot buses.

## 11.0 Appendices

APPENDIX A	FTA CIRCULAR 4702.1B REPORTING REQUIREMENTS FOR TRANSIT PROVIDERS
APPENDIX B	CURRENT SYSTEM DESCRIPTION
APPENDIX C	TITLE VI PLAN ADOPTION MEETING MINUTES AND GDOT CONCURRENCE LETTER
APPENDIX D	TITLE VI SAMPLE NOTICE TO PUBLIC
APPENDIX E	TITLE VI COMPLAINT FORM
APPENDIX F	PUBLIC PARTICIPATION PLAN
APPENDIX G	LANGUAGE ASSISTANCE PLAN
APPENDIX H	OPERATING AREA LANGUAGE DATA: CHEROKEE AREA TRANSPORTATION SYSTEM SERVICE AREA
APPENDIX I	DEMOGRAPHIC MAPS
APPENDIX J	TITLE VI EQUITY ANALYSIS
APPENDIX K	TEXT FORMATTING PALETTE

# **Appendix A**

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

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

## General Requirements

*All recipients must submit:*

- ☐ Title VI Notice to the Public, including a list of locations where the notice is posted
- ☐ Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)
- ☐ Title VI Complaint Form
- ☐ List of transit-related Title VI investigations, complaints, and lawsuits
- ☐ Public Participation Plan, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission
- ☐ Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance
- ☐ A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees
- ☐ Primary recipients shall include a description of how the agency monitors its sub-recipients for compliance with Title VI, and a schedule of sub-recipient Title VI Program submissions
- ☐ **A Title VI equity analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc.**
- ☐ A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program. For State DOTs, the appropriate governing entity is the State's Secretary of Transportation or equivalent. The approval must occur prior to submission to FTA.
- ☐ Additional information as specified in Chapters IV, V, and VI, depending on whether the recipient is a transit provider, a State, or a planning entity (see below)

## Requirements of Transit Providers

*All Fixed Route Transit Providers must submit:*

- ☐ All requirements set out in Chapter III (General Requirements)
- ☐ Service standards
  - Vehicle load for each mode
  - Vehicle headway for each mode
  - On time performance for each mode
  - Service availability for each mode
- ☐ Service policies
  - Transit Amenities for each mode
  - Vehicle Assignment for each mode

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

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

## **Appendix B**

### **Current System Description**

### Current System Description

Cherokee Area Transportation System's current and long-term focus as a transportation provider is on maintaining the best-coordinated transportation system possible for the community. Our goal is to create a coordinated system with the objective of providing safe, reliable, timely and efficient transportation services to all County residents.

1. Organizational structure, type of operation, number of employees, service hours, staffing plan and safety and security plan.

Cherokee Area Transportation System is a non-profit 501(c) (3) organization. Our organization is made up of 14 full-time employees, 4 part-time employees, and no volunteers. The Operations Manager is responsible for all of the day-to-day operations of our organization and reports to the Director of Senior Services. Our County is committed to this program and has, therefore, incorporated our service within the County's Public Transportation Program. Transportation services are provided in accordance with the BOC's approved Operations Manual/System Safety/Security Program and its Transportation Disadvantaged Service Plan (TDSP). Our agency staffing plan is outlined in our 2011 Transit Development Plan (page 201) and 2012 Operations Handbook (page 34). We will continue to operate at previous year (2011) service hours averaging 112 total fleet service hours per day or approximately 33,600 annual service hours (assuming 300 operating days).

2. Cherokee Area Transportation operates as a non-profit 501(c) (3) with a CTC agreement with the BCC. We have an executed CTC agreement dated [date].

Cherokee Area Transportation System Operations Manager is responsible for training and management of our transit program. All safety sensitive employees are required to complete GDOT approved safety and security training course as part of their new hire orientation. All new employees are also required to complete 80 hours of on-the-road drivers training, which includes riding with a training driver, behind-the-wheel training, and training on proper use of wheel chair lifts and securement devices. The Cherokee Area Transportation System Operations Manager is responsible for annual renewal of all liability insurance for both GDOT and agency owned vehicles, as well as vehicle registration renewal. It is the Transportation Manager's responsibility to administer all aspects of the transportation program and to control access and usage of all agency vehicles.

Maintenance on all agency vehicles is provided by the Cherokee County Fleet Maintenance Department. It employs ASE certified technicians with experience in working on commercial passenger vehicles our agency uses. All maintenance is performed using the Preventative Maintenance Plan, which conforms to the State Vehicle Maintenance Guidelines set forth in the GDOT Preventative Maintenance Guidelines document. All vehicle files and driver files are kept on-site at the Cherokee Area Transportation System offices located at 884 Univeter Rd Canton GA 30115 and are maintained by the Operations Manager. All records are maintained and retained for a minimum of four (4) years.

The Cherokee Area Transportation System has a total of 20 employees that include: 12 full-time drivers, 4 part-time drivers, 1 Office Manager, 1 Director of Operation and 2 support staff.

Only Cherokee Area Transportation System employees that have completed all the required safety and drivers training requirements will be allowed to drive the agency vehicles. Majority of our drivers are required to carry and maintain a Commercial Driver's License. This allows coverage of all of the larger vehicles and for the opportunity for the other drivers to fill in on service routes with the larger vehicles.

Transportation services provided through our program are available to the Public. Our service incorporates [services]. We provide a wide range of trip purposes that include: medical, nutrition, shopping, social service, training, employment, social and recreation. No medical trips are to medical facilities out of the county; therefore, our out of county services are directed to the nearby highway corridors that surround this community for optimum efficiency of trip duration and the most convenient route. Currently, we use a variety of vehicles to provide passenger services. Our fleet includes vans, modified vans, and buses. Sixteen of our vehicles are equipped for wheelchair service. We also have a contract provider that can supplement any services that we are unable to accommodate. We prioritize grouping trips and multi-loading to the maximum extent possible. We make 400 passenger trips per day on average and leverage our fleet resources so that all vehicles are used in a responsible manner to provide full coverage and retire the vehicles at a consistent pace and appropriate age and mileage.

# **Appendix C**

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

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

## **Appendix D**

### **Title VI Sample Notice to Public**

### Notifying the Public of Rights Under Title VI

## Cherokee Area Transportation System

- The Cherokee Area Transportation System operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with Cherokee Area Transportation System.
- For more information on Cherokee Area Transportation System's civil rights program, and the procedures to file a complaint, you may contact the Title VI Coordinator [mgpowell@cherokeega.com](mailto:mgpowell@cherokeega.com), 770-345-1800 or visit the Cherokee Area Transportation System administrative office at 884 Univeter Rd, Canton, 30115. For more information, visit [www.cherokeega.com](http://www.cherokeega.com)
- If information is needed in another language, contact 770-345-1800
- You may also file your complaint directly with the FTA at: Federal Transit Administration Office of Civil Rights Attention: Title VI Program Coordinator, East Building, 5th Floor - TCR 1200 New Jersey Ave., SE, Washington, DC 20590

### Notificar al público de los derechos bajo título VI

## Cherokee Area Transportation System

- The Cherokee Area Transportation System opera sus programas y servicios sin importar raza, color y origen nacional según el título VI de la ley de derechos civiles. Cualquier persona que cree que él o ella ha sido agraviado por cualquier práctica discriminatoria ilegal bajo el título VI puede presentar una queja con Cherokee Area Transportation System.
- Para más información sobre Cherokee Area Transportation System's Programa de derechos civiles y los procedimientos para presentar una queja, puede comunicarse con el Coordinador del título VI [mgpowell@cherokeega.com](mailto:mgpowell@cherokeega.com), 770-345-1800 or transitorio visitar Cherokee Area Transportation System administrativo oficina 884 Univeter Rd, Canton, 30115. Para obtener más información, visite [www.cherokeega.com](http://www.cherokeega.com)
- Si necesita información en otro idioma, póngase en contacto con 770-345-1800
- También puede presentar su queja directamente con la FTA en: Federal Transit Administration Office of Civil Rights Attention: Title VI Program Coordinator, East Building, 5th Floor - TCR 1200 New Jersey Ave., SE, Washington, DC 20590

# **Appendix E**

## **Title VI Complaint Form**



# Cherokee Area Transportation System

## Title VI Complaint Form

<b>Section I:</b>				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
<b>Section II:</b>				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party:				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No
<b>Section III:</b>				
I believe the discrimination I experienced was based on (check all that apply):				
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Family or Religious Status <input type="checkbox"/> Other (explain) _____				
Date of Alleged Discrimination (Month, Day, Year): _____				
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.				
_____ _____				
<b>Section IV</b>				
Have you previously filed a Title VI complaint with this agency?			Yes	No

**Section V**

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

☐ Yes ☐ No

If yes, check all that apply:

☐ Federal Agency: \_\_\_\_\_

☐ Federal Court \_\_\_\_\_

☐ State Agency \_\_\_\_\_

☐ State Court \_\_\_\_\_

☐ Local Agency \_\_\_\_\_

Please provide information about a contact person at the agency/court where the complaint was filed.

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Agency: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

**Section VI**

Name of agency complaint is against: \_\_\_\_\_

Contact person: \_\_\_\_\_

Title: \_\_\_\_\_

Telephone number: \_\_\_\_\_

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

Signature and date required below

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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

Cherokee County Board of Commissioners  
Greg Powell, Title VI Coordinator  
884 Univeter Road  
Canton, GA 30115



## Cherokee Area Transportation System

Título VI queja forma

<b>Sección I:</b>			
Nombre:			
Dirección:			
Teléfono (Teléfono):		Teléfono (Trabajo):	
Dirección de Correo Electrónico:			
¿Requisitos de formato accesible?	letra grande	Cinta de audio de	
	TDD	Otro	
<b>Sección II:</b>			
¿Está presentando esta queja en su nombre?		Sí *	No
* Si respondió "sí" a esta pregunta, vaya a la Sección III.			
De lo contrario, proporcione el nombre y la relación de la persona por la que se está quejando:			
explique por qué ha presentado una solicitud para un tercero:			
confirme que ha obtenido el permiso de la parte perjudicada si presenta la solicitud en nombre de un tercero partido.		Sí	No
<b>Sección III:</b>			
<p>Creo que la discriminación que experimenté se basó en (marque todo lo que corresponda):</p> <p><input type="checkbox"/> Raza <input type="checkbox"/> Color <input type="checkbox"/> Origen nacional <input type="checkbox"/> Edad</p> <p><input type="checkbox"/> Discapacidad <input type="checkbox"/> Estado familiar o religioso <input type="checkbox"/> Otro (explique)_ Fecha de presunta discriminación (mes, día, año): _____</p> <p>Explique lo más claramente posible qué sucedió y por qué cree que lo discriminaron. Describa todas las personas que estuvieron involucradas. Incluya el nombre y la información de contacto de las personas que lo discriminaron (si se conoce), así como los nombres y la información de contacto de los testigos. Si necesita más espacio, utilice el reverso de este formulario.</p>			
<b>Sección IV</b>			

¿Ha presentado anteriormente una queja del Título VI con esta agencia?	Sí	No
--	----	----

<b>Sección V</b>
<p>¿Ha presentado esta queja ante cualquier otra agencia federal, estatal o local, o ante cualquier tribunal federal o estatal? <input type="checkbox"/> Sí <input type="checkbox"/> No En caso afirmativo, marque todo lo que corresponda:</p> <p><input type="checkbox"/> Agencia Federal: _____</p> <p><input type="checkbox"/> Tribunal Federal _____ <input type="checkbox"/> Agencia Estatal _____ <input type="checkbox"/> Tribunal de Estado _____</p> <p><input type="checkbox"/> Agencia local _____</p>
Proporcione información sobre una persona de contacto en la agencia / corte donde se presentó la queja.
Nombre:
Título:
Agencia:
Dirección:
Teléfono:
<b>Sección VI El</b>
nombre de la queja de la agencia está en contra:
Persona de contacto:
Título:
Número de teléfono:

Puede adjuntar cualquier material escrito u otra información que considere relevante para su queja. Firma y fecha requerida abajo

\_\_\_\_\_  
Firma

\_\_\_\_\_  
Fecha

Envíe este formulario personalmente a la dirección que figura a continuación, o envíelo por correo a:

Cherokee County Board of Commissioners  
Greg Powell, Title VI Coordinator  
884 Univeter Road  
Canton, GA 30115

# **Appendix F**

## **Public Participation Plan (PPP)**

## Introduction

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

## Public Participation Goals

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

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

## Public Participation Methods

The methods of public participation included in this PPP were developed based upon best practices in conjunction with the needs and capabilities of Cherokee Area Transportation System. Cherokee Area Transportation System intends to achieve meaningful public participation by a variety of methods with respect to service and any changes to service.

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

The public will be invited to provide feedback on the Cherokee Area Transportation System website [www.Cherokeega.com](http://www.Cherokeega.com) and all feedback on the site will be recorded and passed on to Cherokee Area Transportation System management. The public will also be able to call the Cherokee Area Transportation System office at 770-345-6238 during its hours of operation. Feedback collected over the phone will be recorded and passed on to the Cherokee Area Transportation System's Operations Manager. Formal customer surveys to measure performance, and listening sessions to solicit input, will be conducted periodically. The comments recorded as a part of these participation methods will be responded to as appropriate.

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

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

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

- In-vehicle advertisement
- Posters or flyers located at the Cherokee Area Transportation System Office
- Posting information on the Cherokee Area Transportation System website
- Press releases and briefings to media outlets
- Flyers and information distribution through various libraries and other civic locations that currently help distribute timetables and other information
- Communications to relevant elected officials
- Other methods required by local or state laws or agreements

All information and materials communicating proposed and actual service adjustments will be provided in English and Spanish which meets the "safe harbor" criteria.

# **Appendix G**

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

## I. Introduction

Cherokee Area Transportation System operates a transit system within Cherokee County. The Language Assistance Plan (LAP) has been prepared to address Cherokee Area Transportation System's responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals, who have a limited ability to read, write, speak or understand English are LEP. In Cherokee Area Transportation System service area there are 8,265 residents or 4% who describe themselves as not able to communicate in English "very well" (Source: US Census). Cherokee Area Transportation System is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. Cherokee Area Transportation System has utilized the U.S. Department of Transportation (USDOT) LEP Guidance Handbook and performed a four-factor analysis to develop its LAP.

The U.S. Department of Transportation Handbook, titled "Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers, (April 13, 2007) " (hereinafter "Handbook"), states that Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations provide that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives Federal financial assistance (Handbook, page 5). The Handbook further adds that Title VI prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination (Handbook, page 5).

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

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

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

- Identification: Identifying LEP populations in service areas

- Notification: Providing notice to LEP individuals about their right to language services
- Interpretation: Offering timely interpretation to LEP individuals upon request
- Translation: Providing timely translation of important documents
- Staffing: Identifying Cherokee Area Transportation System staff to assist LEP customers
- Training: Providing training on LAP to responsible employees.

## II. Four Factor Analysis

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

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

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

Of the 211,322 residents in the Cherokee Area Transportation System service area 8,265 residents describe themselves as speaking English less than "very well". People of Spanish descent are the primary LEP persons likely to utilize Cherokee Area Transportation System services. For the Cherokee Area Transportation System service area, the American Community Survey of the U.S. Census Bureau shows that among the area's population 87% speak English "very well". For groups who speak English "less than very well", 4% speak Spanish and .04% speak Vietnamese

Appendix H contains a table which lists the languages spoken at home by the ability to speak English for the population within the Cherokee Area Transportation System service area.

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

The Federal guidance for this factor recommends that agencies should assess the frequency with which they have contact with LEP individuals from different language groups. The more

frequent the contact with a particular LEP language group, the more likely enhanced services will be needed.

Cherokee Area Transportation System has assessed the frequency with which LEP individuals come in contact with the transit system. The methods utilized for this assessment include analysis of Census data, examining phone inquiries, requests for translated documents, and staff survey. As discussed above, Census data indicates that Spanish speaking population is the most prominent in the service area. Phone inquiries and staff survey feedback indicated that Cherokee Area Transportation System dispatchers and drivers interact frequently with LEP persons. The majority of these interactions have occurred with LEP persons who mainly spoke Spanish. Over the past 3 years, Cherokee Area Transportation System has had zero requests for translated documents.

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

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

An on-board passenger survey was conducted to collect data on usage of and access to the CHEROKEE AREA TRANSPORTATION SYSTEM services. According to the survey, the most common age among all the participants in the survey was 60 or over. This supports the fact that Cherokee Area Transportation System can be considered a senior transit service as most of the patrons are over 60. The number of riders who "speak only English" is 720 for this age group, number of riders 60 and over who spoke English "very well" was 146 and the number of riders who spoke English less than very well" was 528.

To further assess personal mobility options, each respondent was asked how he or she would have made the surveyed trip had CHEROKEE AREA TRANSPORTATION SYSTEM not been available. The most frequent response was "friend or family member" (40 percent). An additional 25 percent indicated they would not have made the surveyed trip if the service was not available. This data indicates that the CHEROKEE AREA TRANSPORTATION SYSTEM Service is very important as a primary means of transportation for its customers.

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

Cherokee Area Transportation System assessed its available resources that are currently being used, and those that could be used, to provide assistance to LEP populations. These resources include the following: Cherokee Area Transportation System website, brochures, and I speak cards on each bus. Cherokee Area Transportation System provides a reasonable degree of services for LEP populations in its service area.

### **III. Language Assistance Plan**

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

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

The five elements are addressed below.

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

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

Cherokee Area Transportation System has identified the number and proportion of LEP individuals within its service area using United States Census data (see Appendix H). As presented earlier, 86.2% of the service area population speaks English only. The largest non-English spoken language in the service area is Spanish (9.6%). Of those who primary spoken language is Spanish approximately 4% identify themselves as speaking less than “very well”. Those residents whose primary language is not English or Spanish and who identify themselves as speaking English less than “very well” account for 4% of the service area population.

Cherokee Area Transportation System may identify language assistance need for an LEP group by:

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

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

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

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

Cherokee Area Transportation System has undertaken the following actions to improve access to information and services for LEP individuals:

1. Provide bilingual staff at community events, public hearings, and transit committee meetings.
2. Survey transit drivers and staff annually on their experience concerning any contacts with LEP persons during the previous year.
3. Provide Language Identification Flashcards onboard transit vehicles and in the Cherokee Area Transportation System offices.
4. Include statements clarifying that being bilingual is preferred on bus driver recruitment flyers and onboard recruitment posters.
5. When an interpreter is needed in person or on the telephone, staff will attempt to access language assistance services from a professional translation service or qualified community volunteers.
6. County Website ~ [cherokeega.com](http://cherokeega.com) has a select language box (powered by goggle Translate) at the bottom of the main page to assist LEP individuals.

CHEROKEE AREA TRANSPORTATION SYSTEM will utilize the demographic maps provided in Appendix I in order to better provide the above efforts to the LEP persons within the service area.

**c. Element 3: Training Staff**

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

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

In the case of Cherokee Area Transportation System, the most important staff training is for administrative staff and transit drivers. Several representatives are bilingual in English and Spanish.

The following training will be provided to Customer Service Representative:

1. Information on Title VI Procedures and LEP responsibilities

2. Use of Language Identification Flashcards
3. Documentation of language assistance requests
4. How to handle a potential Title VI/LEP complaint

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

Cherokee Area Transportation System will make Title VI information available in English and Spanish on the County 's website. Key documents are written in English and Spanish. Notices are also posted in Cherokee Area Transportation System office lobby, on buses, and the Cherokee Area Transportation System website. Additionally, when staff prepares a document or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

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

The plan will be reviewed and updated on an ongoing basis. Updates will consider the following:

- The number of documented LEP person contacts encountered annually
- How the needs of LEP persons have been addressed
- Determination of the current LEP population in the service area
- Determination as to whether the need for translation services has changed
- Determine whether Cherokee Area Transportation System's financial resources are sufficient to fund language assistance resources needed

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

**IV. Safe Harbor Provision**

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

" Cherokee Area Transportation System does have LEP Groups which speak English " less than very well" which exceeds either 5% or 1,000 persons." As shown in Appendix H, CHEROKEE AREA TRANSPORTATION SYSTEM 17,703 speakers qualify for the Safe Harbor Provision as the number of person which speak English less than "very well" is counted as 4.0% and 8,373 persons.

The Safe Harbor Provision applies to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. Cherokee Area Transportation System may determine, based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures.

**Appendix H**

**Operating Area Language Data:**

**Cherokee Area Transportation System**

**Service Area**

<u>Language</u>	<u>County</u>	<u>Percent of Population</u>
Total	211,322	
Speak only English	185,849	87%
Spanish or Spanish Creole	17,203	8%
Speak English "very well"	8,938	4%
Speak English less than "very well"	8,265	4%
French (incl. Patois, Cajun)	593	Less than 1%
Speak English "very well"	523	Less than 1%
Speak English less than "very well"	70	Less than 1%
French Creole	76	Less than 1%
Speak English "very well"	58	Less than 1%
Speak English less than "very well"	18	Less than 1%
Italian	209	Less than 1%
Speak English "very well"	156	Less than 1%
Speak English less than "very well"	53	Less than 1%
Portuguese or Portuguese Creole	133	Less than 1%
Speak English "very well"	49	Less than 1%
Speak English less than "very well"	84	Less than 1%
German	660	Less than 1%
Speak English "very well"	623	Less than 1%
Speak English less than "very well"	37	Less than 1%
Yiddish	0	Less than 1%
Speak English "very well"	0	Less than 1%
Speak English less than "very well"	0	Less than 1%
Other West Germanic languages	143	Less than 1%
Speak English "very well"	143	Less than 1%
Speak English less than "very well"	0	Less than 1%
Scandinavian languages	189	Less than 1%
Speak English "very well"	141	Less than 1%
Speak English less than "very well"	48	Less than 1%
Greek	46	Less than 1%
Speak English "very well"	46	Less than 1%
Speak English less than "very well"	0	Less than 1%
Russian	1,019	Less than 1%
Speak English "very well"	816	Less than 1%
Speak English less than "very well"	203	Less than 1%
Polish	405	Less than 1%
Speak English "very well"	275	Less than 1%
Speak English less than "very well"	130	Less than 1%
Serbo-Croatian	209	Less than 1%
Speak English "very well"	195	Less than 1%

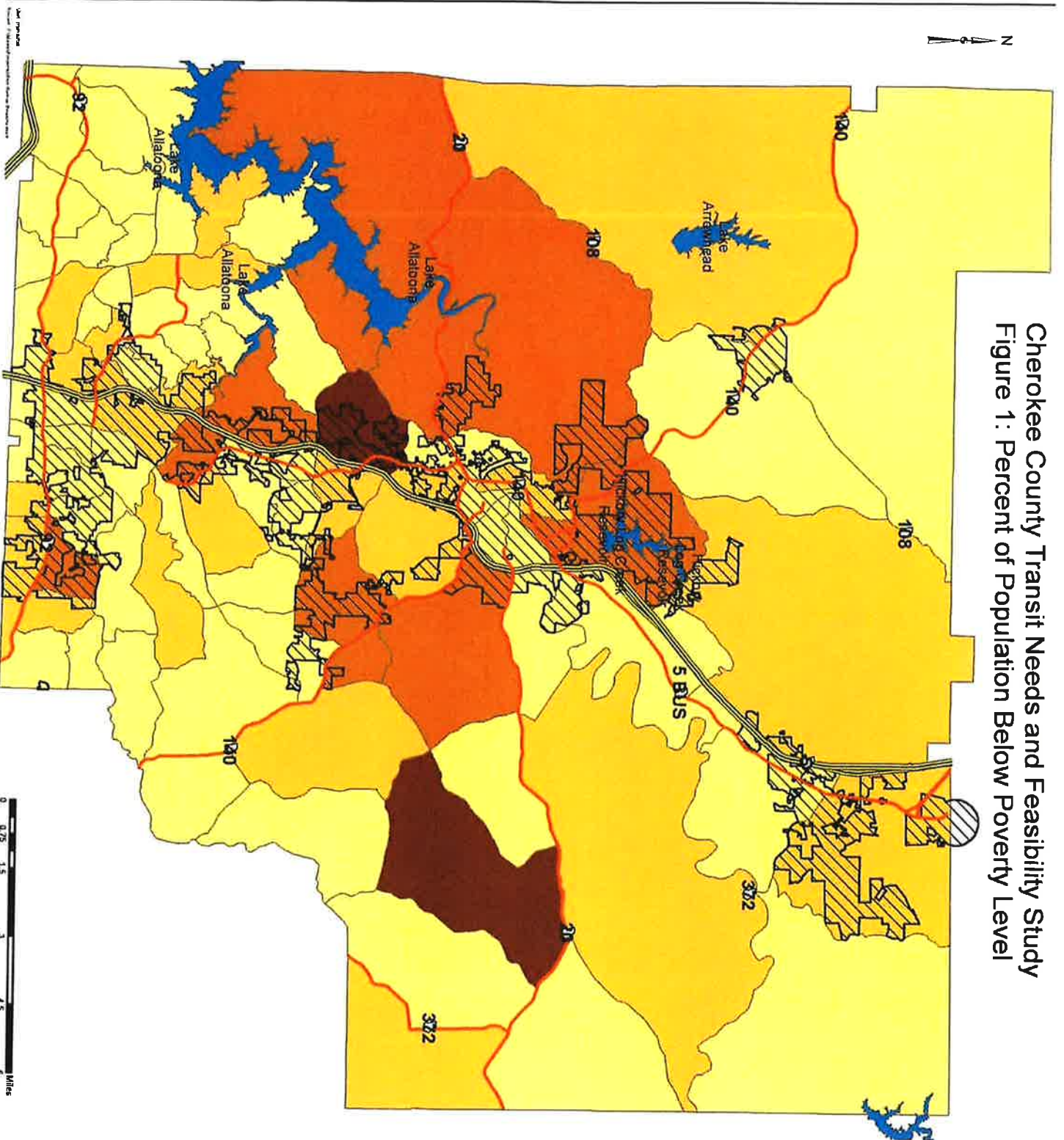
<u>Language</u>	<u>County</u>	<u>Percent of Population</u>
Speak English less than "very well"	14	Less than 1%
Other Slavic Languages	291	Less than 1%
Speak English "very well"	182	Less than 1%
Speak English less than "very well"	109	Less than 1%
Armenian	0	Less than 1%
Speak English "very well"	0	Less than 1%
Speak English less than "very well"	0	Less than 1%
Persian	387	Less than 1%
Speak English "very well"	157	Less than 1%
Speak English less than "very well"	230	Less than 1%
Gujarati	371	Less than 1%
Speak English "very well"	162	Less than 1%
Speak English less than "very well"	209	Less than 1%
Hindi	177	Less than 1%
Speak English "very well"	109	Less than 1%
Speak English less than "very well"	68	Less than 1%
Urdu	82	Less than 1%
Speak English "very well"	46	Less than 1%
Speak English less than "very well"	36	Less than 1%
Other Indic languages	40	Less than 1%
Speak English "very well"	40	Less than 1%
Speak English less than "very well"	0	Less than 1%
Other Indo-European Languages	245	Less than 1%
Speak English "very well"	95	Less than 1%
Speak English less than "very well"	150	Less than 1%
Chinese	388	Less than 1%
Speak English "very well"	65	Less than 1%
Speak English less than "very well"	323	Less than 1%
Japanese	211	Less than 1%
Speak English "very well"	186	Less than 1%
Speak English less than "very well"	25	Less than 1%
Korean	150	Less than 1%
Speak English "very well"	96	Less than 1%
Speak English less than "very well"	54	Less than 1%
Mon-Khmer, Cambodian	0	Less than 1%
Speak English "very well"	0	Less than 1%
Speak English less than "very well"	0	Less than 1%
Hmong	0	Less than 1%
Speak English "very well"	0	Less than 1%
Speak English less than "very well"	0	Less than 1%
Thai	72	Less than 1%

<u>Language</u>	<u>County</u>	<u>Percent of Population</u>
Speak English "very well"	72	Less than 1%
Speak English less than "very well"	0	Less than 1%
Laotian	166	Less than 1%
Speak English "very well"	119	Less than 1%
Speak English less than "very well"	47	Less than 1%
Vietnamese	457	Less than 1%
Speak English "very well"	214	Less than 1%
Speak English less than "very well"	243	.04
Other Asian languages	46	Less than 1%
Speak English "very well"	46	Less than 1%
Speak English less than "very well"	0	Less than 1%
Tagalog	276	Less than 1%
Speak English "very well"	245	Less than 1%
Speak English less than "very well"	31	Less than 1%
Other Pacific Island languages	151	Less than 1%
Speak English "very well"	24	Less than 1%
Speak English less than "very well"	127	Less than 1%
Navajo	0	Less than 1%
Speak English "very well"	0	Less than 1%
Speak English less than "very well"	0	Less than 1%
Other Native American languages	0	Less than 1%
Speak English "very well"	0	Less than 1%
Speak English less than "very well"	0	Less than 1%
Hungarian	89	Less than 1%
Speak English "very well"	89	Less than 1%
Speak English less than "very well"	0	Less than 1%
Arabic	424	Less than 1%
Speak English "very well"	277	Less than 1%
Speak English less than "very well"	147	Less than 1%
Hebrew	0	Less than 1%
Speak English "very well"	0	Less than 1%
Speak English less than "very well"	0	Less than 1%
African languages	479	Less than 1%
Speak English "very well"	348	Less than 1%
Speak English less than "very well"	131	Less than 1%
Other and unspecified languages	86	Less than 1%
Speak English "very well"	14	Less than 1%
Speak English less than "very well"	72	Less than 1%

# **Appendix I**

## **Demographic Maps**

Cherokee County Transit Needs and Feasibility Study  
Figure 1: Percent of Population Below Poverty Level



Percent of Population Below Poverty Level

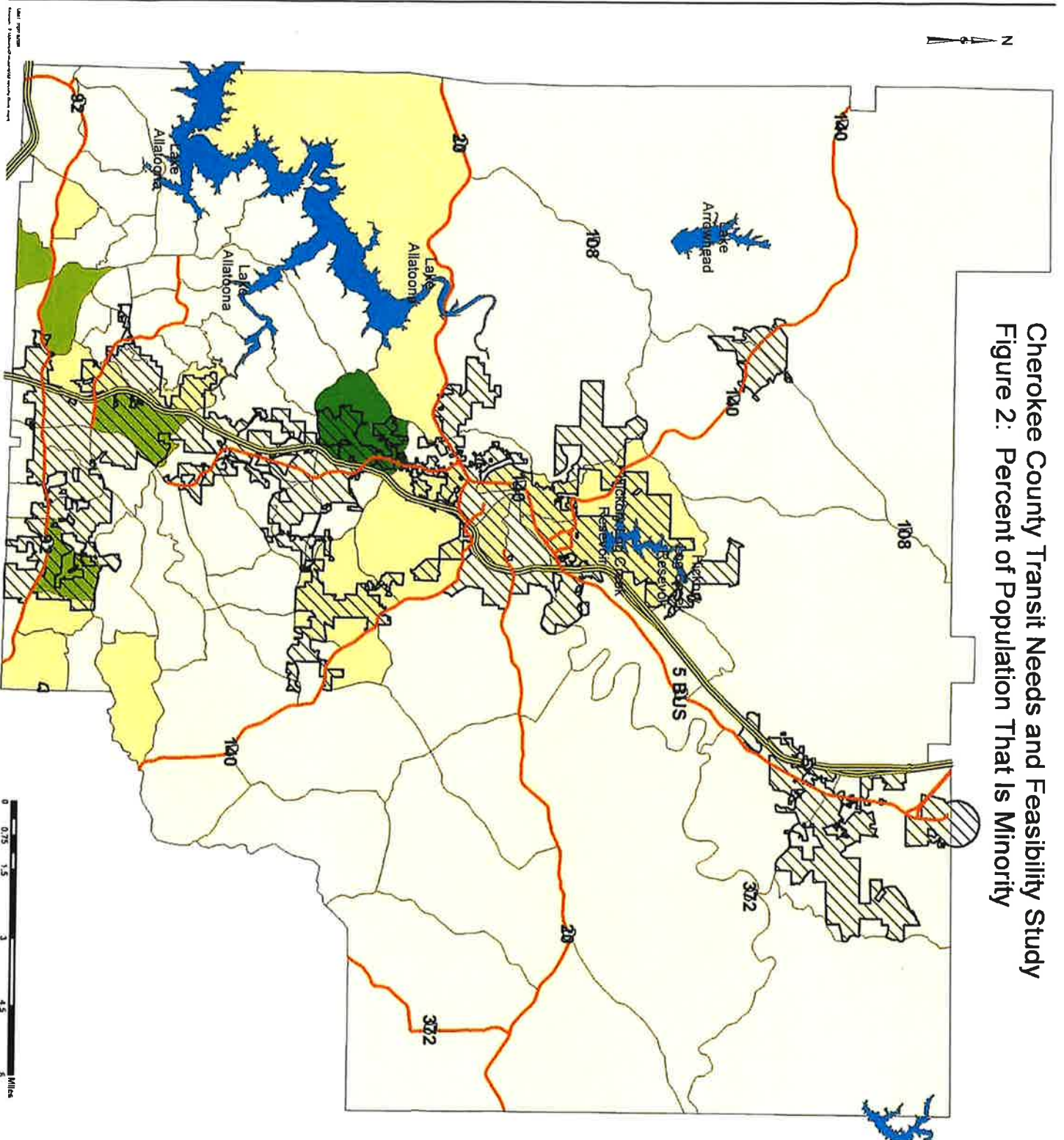
- 0 - 1.1%
- 1.2 - 2%
- 2.1 - 2.9%
- 3 + %

Map Description  
Pop Below Poverty  
Date of Creation  
12/13/2018  
Produced by  
Cherokee County GIS



The Map has been Certified from  
The Map is to Data and Quality  
Assurance Standards, Cherokee County  
or Cherokee County's Map, This Map  
No Warranties or Representations Are

Cherokee County Transit Needs and Feasibility Study  
Figure 2: Percent of Population That Is Minority



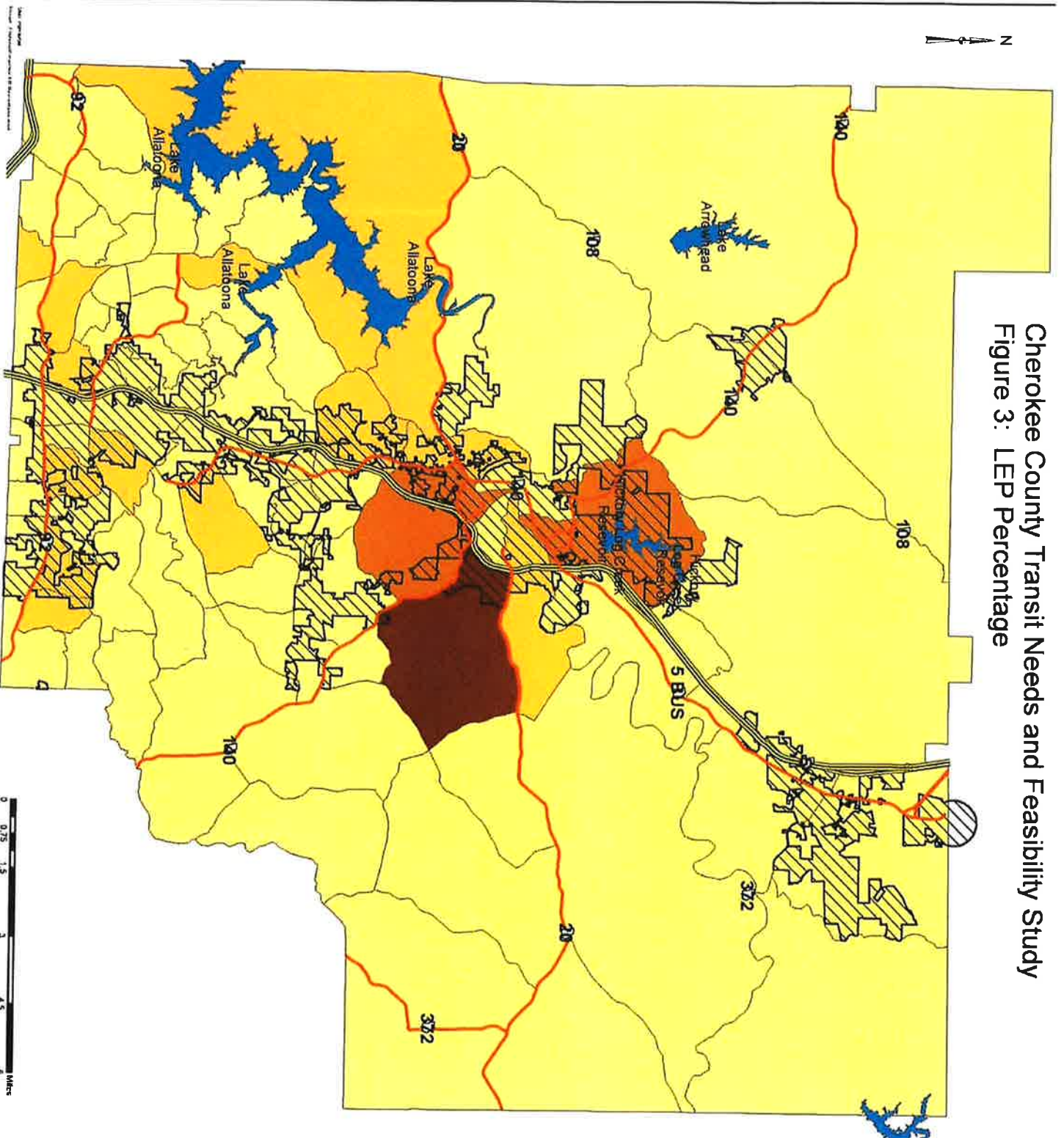
Percentage Of Population That Is Minority

- 0 - 1.9%
- 2 - 3.9%
- 4 - 5.8%
- 5.9 +

Map Description  
Minority Pop  
Date of Creation  
12/13/2018  
Produced by:  
Cherokee County GIS



Cherokee County Transit Needs and Feasibility Study  
Figure 3: LEP Percentage



Map Description  
LEP Percentage  
Date of Creation  
12/19/2018  
Produced by:  
Cherokee County GIS



This Map Has Been Compiled From  
The Most Up To Date Available  
Sources Available. Cherokee County  
Does Not Assume Responsibility For  
Or Omissions Contained Within This Map.  
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## **Appendix J**

# **Title VI Equity Analysis**

Cherokee Area Transportation System has not performed Title VI Equity Analysis.