

Kennebec Valley Community Action Program Title VI Plan

Non-Discrimination in the Federal Transit Program

Introduction

Title VI was enacted as part of the landmark Civil Rights Act of 1964. It prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. All recipients and subrecipients of Federal Transit Administration (FTA) funds must ensure that programs, policies and activities comply with FTA Title VI regulations. To provide recipients with specific guidance, FTA published Circular 4702.1B, October, 2012 (http://www.fta.dot.gov/legislation_law/12349_14792.html). The instruction provided in the circular is intended to ensure recipients meet the Title VI requirements and appropriately integrate them into FTA-funded programs throughout each state.

To meet all Title VI requirements, FTA-Funded programs must submit to the Maine Department of Transportation (MaineDOT) a Title VI plan that exhibits policy adoption, public outreach and involvement procedures and complaint procedures. Pursuant to MaineDOT's Title VI Plan, Subrecipients of FTA dollars through MaineDOT are required to provide an updated Title VI Plan to MaineDOT every three years. Plans will include or reference the following information:

- New signed Title VI Assurances
- A designated Title VI Coordinator responsible for Title VI compliance
- Appendix A & E included in contracts
- Title VI Complaint Process
- Four Factor Analysis
- LEP Plan
- Public Participation Plan

Title VI Assurances

Kennebec Valley Community Action Program affirms:

1. Title VI of the Civil Rights Act of 1964 prohibits discrimination in federally assisted programs. Title VI was amended by the Civil Rights Restoration Act of 1987 (P.L. 100-259), effective March 22, 1988, which added Section 606, expanding the definition of the terms "programs or activities" to include all of the operations of an educational institution, governmental entity, or private employer that receives federal funds if any one operation receives federal funds.
2. Kennebec Valley Community Action Program is a public non-profit entity. It is the policy of Kennebec Valley Community Action Program to ensure compliance with Title VI of the Civil Rights Act of 1964 and all related statutes or regulations in all programs and activities so administered.

3. The Kennebec Valley Community Action Program Title VI Coordinator is granted the authority to administer and monitor the Title VI Plan as promulgated under Title VI of the Civil Rights Act of 1964 and any subsequent legislation. The Title VI Coordinator will provide assistance as needed.
4. Kennebec Valley Community Action Program will take all steps to ensure that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, or be denied the benefits of, or be subjected to discrimination under any program or activity of the Agency.
5. The Agency recognizes the need for annual Title VI training for Agency personnel.

Suzanne Walsh

 Signed
 04/19/2022
 Chief Executive Officer

 Title: Date

MaineDOT Compliance/Monitoring Review and Training

Kennebec Valley Community Action Program agrees to participate in on-site reviews and cooperate with Compliance Staff throughout the review process. Kennebec Valley Community Action Program agrees to participate in training that includes Title VI and its requirements.

Certification and Assurance Submission

Kennebec Valley Community Action Program agrees to submit the annual Title VI assurance to MaineDOT as part of the annual Certification and Assurance submission.

Designated Title VI Coordinator

The designated Title VI Coordinator Kennebec Valley Community Action Program is Michele Prince, Chief Operating Officer.

Agency Subcontracts

Kennebec Valley Community Action Program agrees to include in all contracts Appendices A and E of the Maine Department of Transportation FTA Title VI Nondiscrimination Plan

Title VI Complaint Procedures

MaineDOT investigates and tracks Title VI complaints filed with MaineDOT against subrecipients.

Kennebec Valley Community Action Program has developed procedures for investigating and tracking Title VI complaints filed against it and has made those procedures for filing a complaint available to the public. The Kennebec Valley Community Action Program's complaint procedure is outlined below:

Any person who believes they have been discriminated against on the basis of race, color, or national origin by Kennebec Valley Community Action Program may file a Title VI complaint by completing and submitting the Agency's Title VI Complaint Form. Kennebec Valley Community Action Program investigates complaints received no more than 180 calendar days after the alleged incident. Kennebec Valley Community Action Program will process complaints that have completed all elements of the complaint form.

Once the complaint is received, Kennebec Valley Community Action Program will review it to determine whether or not Kennebec Valley Community Action Program has jurisdiction. The complainant will receive an acknowledgment letter providing information on whether the complaint will be investigated by Kennebec Valley Community Action Program.

Kennebec Valley Community Action Program has 10 business days to investigate the complaint. If more information is needed to resolve the case, Kennebec Valley Community Action Program may contact the complainant. The complainant has 10 business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 10 calendar days, the investigator can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue the case.

After the investigator reviews the complaint, Kennebec Valley Community Action Program will issue one of two letters to the complainant:

1. A closure letter that summarizes the allegations and states there was not a Title VI violation and that the case will be closed.
2. A Letter of Finding (LOF) that summarizes the allegations, the interviews and outcomes regarding the alleged incident.

If the complainant wishes to appeal the decision, she/he has 10 calendar days after the date of the closure letter or the LOF to do so. If an appeal has been submitted, Kennebec Valley Community Action Program will forward appeals to the MaineDOT Civil Rights Title VI Coordinator within 10 days.

When a complaint has been directly filed with another state or federal agency, the Agency is to inform the Title VI Coordinator where the complaint has been filed and coordinate any action needed by MaineDOT to resolve the complaint.

A person may also file a complaint directly with the Maine Department of Transportation at:

Maine Department of Transportation
Attn: Title VI Coordinator

16 State House Station
Augusta, Maine 04333

A person may also file a complaint directly with the Federal Transit Administration at:

FTA Office of Civil Rights
1200 New Jersey Avenue SE
Washington, DC 20590

Title VI Informal Complaint Policy

Title VI complaints may be resolved by informal means. When informal means are utilized, the complainant must be informed of their right to file a formal written complaint. Such informal attempts and their results will be summarized by Kennebec Valley Community Action Program's identified Title VI Coordinator. The coordinator will log the complaint in the required complaint log. If the complaint cannot be resolved informally, Kennebec Valley Community Action Program's identified Title VI Coordinator must inform the complainant of the formal process outlined above and instruct the complainant on how to proceed.

Title VI Log of Complaints/Lawsuits, etc.

Kennebec Valley Community Action Program will prepare and maintain a list of any alleged discrimination on the basis of race, color, or national origin, including any active investigations conducted by entities other than FTA, lawsuits, and complaints naming the Agency. The list will include the date that the investigation, lawsuit or complaint was filed; a summary of the allegation(s) and date resolved.

Title VI Notice to Beneficiaries

Kennebec Valley Community Action Program will provide information to the public regarding Kennebec Valley Community Action Program's obligations under FTA's Title VI regulations and apprise members of the public of the protection against discrimination afforded to them by Title VI. At a minimum, Kennebec Valley Community Action Program shall disseminate this information to the public by posting the notice on its website www.kvcap.org and in public common areas within the agency. Kennebec Valley Community Action Program will document where and when this information is posted.

Kennebec Valley Community Action Program will widely distribute its Title VI plan. The Title VI notifications are also included with all newly printed or revised agency publications, brochures and pamphlets meant for public consumption. The following notice is standard wording for publications, brochures, flyers, etc.:

Kennebec Valley Community Action Program is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and relevant guidance. The Agency assures that no person in the United States shall, on the grounds of race, color or nation origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

To request additional information on Kennebec Valley Community Action Program's Title VI policy, or to file a discrimination complaint, please contact Kennebec Valley Community Action Program at 207-859-1500.

The Complaint Procedure is located at KVCAP, 97 Water St, Waterville, ME 04901.

Title VI Poster

Kennebec Valley Community Action Program will provide a poster to meet the requirements listed below and will provide updates as required. Kennebec Valley Community Action Program will also keep a database of the location of all Title VI posters and ensure they are clearly posted in the appropriate public places. Posters will include the following information:

- Description of agency Title VI commitment
- Information for more of Agency's Title VI program and the procedures to file a complaint, contact information, email, and address
- For more information, visit www.kvcap.org
- FTA and MaineDOT Office of Civil Rights, Attention Title VI Program Coordinators, address to file a complaint directly with either the state or federal agency directly
- Additional information if another language is needed (207) 859-1500.

Limited English Proficiency

Four Factor Analysis

Kennebec Valley Community Action Program is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives. By completing the Four Factor Analysis below, Kennebec Valley Community Action Program assures that no person 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 FTA service, program, or activity.

1. Based on information contained in US Census 2020, Kennebec and Somerset Counties have a relatively low percentage of people who don't speak English very well. There are no languages in which the number of persons who speak English less than very well exceed the 1,000 person/5% threshold. Kennebec County currently has a population of 4.5% of the total populous who do not speak English as their primary language. Somerset County has an identified population of 3.1% who do not speak English as their primary language.
 - a. LEP persons can potentially interact with Kennebec Valley Community Action Program when they telephone the agency, when they board or exit a transit vehicle, or when they attend a meeting sponsored by Kennebec Valley Community Action Program.
 - b. There are no known LEP communities in Kennebec Valley Community Action Program's service area.

- c. Kennebec Valley Community Action Program has no data that suggests that LEP populations are underserved in our programs and services.
2. KVCAP has means by which LEP persons may come into contact with the programs:
 - a. Buses. Kennebec Valley Community Action Program has very little information that suggests that LEP populations are using its buses.
 - b. Public meetings. Kennebec Valley Community Action Program has no information available that suggests that LEP populations are attending its meetings.
 - c. Customer service interactions. There have been a very small number of customer service interactions with LEP persons during the past three years.
 - d. Surveys. Kennebec Valley Community Action Program has no data that suggests that LEP populations have participated in any customer surveys during the past three years.
 3. KVCAP Transportation services and the nature of importance of the service to the LEP population:
 - a. Kennebec Valley Community Action Program’s buses are accessible to persons with disabilities, but Kennebec Valley Community Action Program has no data that suggests that seniors and people with disabilities are part of Maine’s LEP population.
 - b. Kennebec Valley Community Action Program has “I Speak” language identification cards available on its buses and at public meetings. Should the need arise, Kennebec Valley Community Action Program can utilize translation services identified in MaineDOT’s FTA Title VI Plan. However, during the past three years, there have been no LEP persons requesting the use of these services.
 4. Kennebec Valley Community Action Program has “I Speak” language identification cards available on its buses and at public meetings. If the need for translation services arises, Kennebec Valley Community Action Program will utilize one or more of the translation services identified in MaineDOT’s FTA Title VI plan at a cost of approximately \$50 - \$65/hour.

Language Assistance Plan

Following completion of the Four Factor Analysis, Kennebec Valley Community Action Program assures that based on the results of the Analysis, a Language Assistance Plan will be created. The Kennebec Valley Community Action Program Language Assistance Plan includes the following:

1. The results of the Four Factor Analysis, including a description of the LEP Population(s) served. Based on information contained in US Census, 2020, Maine has a relatively low percentage of people who don’t speak English very well. Kennebec County currently has a population of 4.5% of the total populous who do not speak English as their primary language.

Somerset County has an identified population of 3.1% who do not speak English as their primary language.

2. There are no known LEP communities in Kennebec Valley Community Action Program's service area. Kennebec County currently has a minority population of 2.2% of the total populous. Somerset County has an identified minority population of 1.6%.
3. Kennebec Valley Community Action Program has "I Speak" language identification cards available on its buses and at public meetings. Should the need arise, Kennebec Valley Community Action Program will utilize translation services identified in MaineDOT's FTA Title VI Plan.
 - a. Vital written documents include Title VI Complaint Form, Notice to Beneficiaries, and other documents that provide access to services. Within the past three years, there have been no requests by LEP persons to have these documents provided in another language.
4. Kennebec Valley Community Action Program provides notice to LEP persons about the availability of language assistance. Kennebec Valley Community Action Program has "I Speak" language identification cards available on its buses and at public meetings. Kennebec Valley Community Action Program also posts Title VI posters in its offices and at other prominent places.
5. Kennebec Valley Community Action Program monitors, evaluates and updates the language assistance plan. On a yearly basis, Kennebec Valley Community Action Program's title VI Coordinator will review the Title VI plan in conjunction with Census data, FTA requirements, and any developments that would impact the plan including complaints and requests for language assistance services. Based on this review, Kennebec Valley Community Action Program's Language Assistance Plan will be updated accordingly.

Staff Ongoing Title VI Training Process/Description

All Kennebec Valley Community Action Program staff and volunteers will be trained on Title VI. Training will include the following documents:

- Non-discrimination poster
- Title VI complaint form
- Complaint log
- LEP (Four Factor Analysis and Language Assistance Plan)
- Title VI brochure
- MaineDOT sponsored training

Kennebec Valley Community Action Program will utilize MaineDOT staff to assist with trainings. Affidavits will be signed when training is completed and filed as part of the Title VI program documentation.

Public Participation Plan

Kennebec Valley Community Action Program will work with MaineDOT staff to identify targeted minorities within the service area. MaineDOT staff will supply demographic information to the lowest census level possible within the region to identify specifically what minority populations exist within the Kennebec Valley Community Action Program service area. Kennebec Valley Community Action Program will identify the appropriate locations to disseminate information to the identified populations (e.g., church, neighborhood gathering space) to seek comment, interest in new service or service revisions and/or extensions. Kennebec Valley Community Action Program will document and maintain on file all activities related to Title VI outreach. This plan and documentation will be made available at MaineDOT's request.

Kennebec Valley Community Action Program) participates in regional planning processes and those efforts include outreach to targeted populations within the Kennebec Valley Community Action Program service area and local service agencies who represent populations that are regular users of KVCAP services.

Kennebec Valley Community Action Program will provide a summary to MaineDOT of all outreach efforts upon request or prior to future plan submittals and review.

Kennebec Valley Community Action Program recognizes that future funding for new or revised service requires documentation of the above efforts.

APPENDIX A:

Table Depicting Minority Representation on Committees and Councils Selected by the Recipient.

Kennebec Valley Community Action Program does not collect or request information from committee members or advisory councils regarding participant's race, religious affiliations, ethnic backgrounds, income status or other factors. Every effort is made to include a broad range of representatives from a variety of backgrounds to ensure that the needs of the population are being met.

Appendix B

Public Notice/Poster

In accordance with the Civil Rights Act of 1964, Kennebec Valley Community Action Program operates its programs and services without regard to race, color or national origin. Any person who believes she or he has been aggrieved by any unlawful discriminatory practices under Title VI may file a complaint with the Maine Department of Transportation or the Federal Transit Administration. For more information on Kennebec Valley Community Action Program's civil rights program and the procedures to file a complaint, visit our website at:

Kennebec Valley Community Action Program
101 Water St, Waterville ME 04901
www.kvcap.org
207-859-1500

Language translation services available upon request.
Services de traduction langue disponibles sur demande
Servicios de traducción disponibles bajo petición.

要求提供的语言翻译服务。

Lugha ya tafsiri huduma inapatikana juu ya ombi.
Ladenan panarjamahan Basa aya kana paménta.

خدمات الترجمة اللغة متاحة عند الطلب

Appendix C

Kennebec Valley Community Action Program External Discrimination Complaint Form

(Title VI/Nondiscrimination and ADA/Section 504 Complaints)

Name	Phone	Name of Person(s) That Discriminated Against You
Address		Location and Position of Person (If Known)
City, State, Zip		City, State, Zip
Agency involved		Date of Alleged Incident
Discrimination Because of: <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Sex <input type="checkbox"/> Age <input type="checkbox"/> Disability		What Remedy are you requesting?
Explain As Briefly And Clearly As Possible What Happened And How You Were Discriminated Against. Indicate Who Was Involved. Be Sure To Include How Other Persons Were Treated Differently Than You. Also Attach Any Written Material Pertaining To Your Case.		
Signature		Date

Please Mail Complaint to:

Kennebec Valley Community Action Program
101 Water St, Waterville ME 04901
www.kvcap.org
1-800-542-8227

