

Title VI Program

Clovis Area Transit System

401 E. 7th Street

Clovis, NM 88101

Table of Contents

NOTICE TO THE PUBLIC	2
COMPLAINT INSTRUCTIONS AND FORM	3
TITLE VI COMPLAINTS, INVESTIGATIONS AND LAWSUITS	8
PUBLIC PARTICIPATION element	9
LIMITED ENGLISH PROFICIENCY (LEP) element	10
SUBGRANTEES.....	12
FACILITY LOCATION EQUITY ANALYSIS	12
ATTACHMENT A: Notice to the Public (English).....	13
ATTACHMENT B: NOTICE TO THE PUBLIC (SPANISH).....	14
ATTACHMENT C: Staff LEP Survey.....	15

TITLE VI PROGRAM

NOTICE TO THE PUBLIC

FTA requires that each grantee notify the public of its rights under Title VI and include the notice and where it is posted in the Title VI program:

The City of Clovis/Clovis Area Transit System operates its programs and services without regard to race, color, or national origin in accordance with Title VI of the 1964 Civil Rights Act. Any person who believes that she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with our agency.

For information on the City of Clovis' civil rights program and the procedure to file a complaint, please contact Andre Moquin, HR Director at 575-763-9652, email amoquin@cityofclovis.org or visit the office at 321 Connelly, Clovis, NM 88101.

CATS is a grantee of the NM Department of Transportation, so a complainant may file a complaint directly with the NM Department of Transportation's civil rights program. For information on the procedure to file a complaint you may call 1-800-554-0936 or (505) 827-1774, email damian.segura@state.nm.us, or visit administrative offices at 1596 Pacheco St., Santa Fe, NM 87503.

CATS receives FTA funding through the NMDOT, so a complainant may file a complaint directly with the Federal Transit Administration (FTA), Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 Jersey Ave., SE, Washington, DC 20590. For more information call (202) 366-4043.

Public Notices (attachment A & B) with the above information have been printed in English and Spanish and posted in the reception area and driver area of the CATS offices. This notice is also printed in the Customer Brochure and is posted on the CATS website. A shorter version (attachment D) is also posted in all CATS buses.

COMPLAINT INSTRUCTIONS AND FORM

FTA requires each grantee to have instructions for the public to follow and a form for the public to use for filing a Title VI complaint:

CATS Title VI Complaint Procedures

The complaint procedures cover the following:

- Title VI of the Civil Rights Act of 1964
- Section 504 of the Rehabilitation Act of 1973
- Civil Rights Restoration Act of 1973
- Civil Rights Restoration Act of 1987
- Americans with Disabilities Act of 1990
- Executive Order 12898
- Executive Order 13166

Any person believing he or she has been excluded from, denied participation in, denied the benefits of, or otherwise has been subjected to discrimination under any CATS service, program or activity (whether Federally funded or not) due to that person's race, color, national origin, gender, age, disability, economic status, or limited English proficiency has the right to file a complaint.

Title VI Complaint Reporting

An individual, group of individuals or entity may file a formal Title VI complaint with the City of Clovis. Complaints shall be submitted to the City HR Director in writing, signed and dated, within 180 days of the alleged discriminatory act (or latest occurrence). The complaint should be submitted to the following address:

Andre Moquin
HR Director
City of Clovis/Clovis Area Transit System
P.O. Box 760
Clovis, New Mexico 88101

The complaint should include the name, address, phone number and signature of complainant. The formal complaint should describe the alleged discriminatory act that violates Title VI in detail.

Title VI complaints may also be filed directly with the Federal Transit Administration, and or the New Mexico Department of Transportation within the 180-day period of the alleged discriminatory act (or latest occurrence). For information on how to file contact:

NM Department of Transportation
1800-554-0936

Federal Transit Administration
202-366-4043

The HR Director will be responsible for notifying the respondent (CATS) of the complaint within five working days of receipt. A copy of the complaint will also be forwarded to the CATS Director. Additionally, the HR Director will forward a copy of the complaint to the City's General Counsel for review.

**City of Clovis/Clovis Area Transit System
Title VI Complaint Form**

Section I

Name:

Address:

Telephone (Home/Cell):

Telephone (Work):

Email Address:

Section II

Are you filing this complaint on your own behalf: Yes No

*If you answered "yes" to this question, go to Section III.

If you answered "no" please enter the name and relationship of the person you are filing the complaint against:

Name:

Relationship:

If you are filing a complaint as a third party, please explain why in the space below:

Have you have obtained permission of the aggrieved party if you are filing on behalf of a third party: Yes No

Section III

I believe the discrimination I experienced was based on (check all that apply):

Race

Color

National Origin

Other

Date of Alleged Discrimination (Month, Day, Year):

Date:

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 the names and contact information of any witnesses. If more space is needed please attach additional sheets to this form:

Section IV

Have you previously filed a Title VI complaint with the Clovis Area Transit System? 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, please check and name 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: _____

Signature: _____

Date: _____

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

Andre Moquin, HR Director
321 Connelly or PO Box 760

Clovis, New Mexico 88102

TITLE VI COMPLAINT INVESTIGATIONS

An investigation by the HR Director or an otherwise qualified investigator will be initiated within 15 working days of receipt of the complaint.

The complainant should submit any documentation he/she perceives as relevant to proving his/her complaint.

The respondent will be given the opportunity to respond to all aspects of the complainant's allegations.

The HR Director or qualified investigator will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned.

Once the investigation is completed, a final report will be provided to the respondent, the complainant and the NMDOT's Transit & Rail Division. The final report will include the following:

- The written complaint containing the allegations, basis, and date of filing;
- Summarized statements taken from witnesses;
- Findings of fact;
- Conclusions (based on all evidence in the record) that the complaint is substantiated or unsubstantiated;
- Action(s) the respondent must take to correct deficiencies and to ensure Title VI compliance (if applicable);
- If corrective action(s) is required the respondent will be given thirty calendar days to inform the City's HR Director of the actions taken for compliance;
- The respondent may implement corrective actions after the initial thirty calendar days with projected time period(s) in which those actions are scheduled to be completed. All corrective actions must be implemented within sixty calendar days;
- If the corrective action(s) have not been completed within the initial thirty day time period allowed, or the additional 60 days granted; the respondent will be found to be in noncompliance with Title VI and implementing rules and regulations, and a referral will be made to NMDOT for further action in regards to noncompliance.

The complainant shall be notified of all appeal rights pursuant to 49 CFR 21.

TITLE VI COMPLAINT LOG

The City of Clovis HR Director shall maintain a log of Title VI complaints received. The log shall include the date the complaint was filed, a summary of the allegations, the status of the complaint, and actions taken in response to the complaint.

TITLE VI COMPLAINTS, INVESTIGATIONS AND LAWSUITS

FTA requires that the Title VI program include a list of transit-related Title VI complaints, investigations, and lawsuits. NMDOT obtains this information with grant applications. Please note that Equal Employment Opportunity (EEO) and Americans with Disabilities Act (ADA) complaints are not Title VI complaints so do not list them. If the agency is a part of a city, county, or human service agency, only list Title VI complaints, investigations, or lawsuits related to transit service.

1. Since submitting the last grant application to NMDOT, has CATS had any Title VI complaints, investigations, or lawsuits related to your transit program? If yes, please complete the following table.

Type	Date	Summary	Status	Action(s) Taken
Complaint				
Investigation				
Lawsuit				
Notes:				
Complaint				
Investigation				
Lawsuit				
Notes:				
Complaint				
Investigation				
Lawsuit				
Notes:				

PUBLIC PARTICIPATION ELEMENT

FTA requires that the Title VI program include a public participation plan that includes an outreach plan to engage minority and Limited English Proficient (LEP) populations. The plan may include other constituencies that are traditionally underserved, such as people with disabilities, low-income populations, and others.

The Clovis Area Transit System provides several opportunities for public participation.

Outreach efforts include:

- During the application for funding process, notices of intent to apply are sent to all area providers and a public notice published.
- CATS participates in and is included in our regional (Southeast Regional Transportation Planning Organization) public transit/human services transportation coordinated plan.
- The City's boards and commission meetings are all opened to the public. All these meetings are publicized with the dates, times and locations both by press release and on the website. The City Commission meetings are held at the public library and the meeting space is accessible to persons with disabilities. Regular meetings are generally held the first and third Thursdays of the month beginning at 5:15 p.m. CATS buses are available and operating during these hours and patrons may contact their office to schedule transportation to and from the meeting.
- On an annual basis, at the end of summer the CATS program is placed on the City Commission's agenda to request permission to apply for federal funding. The same is done during the City's budget process in the spring.
- Customer service surveys are gathered annually.
- Throughout the year, CATS administrative staff participate in various marketing efforts such as fairs, etc. Presentations are also given to various service & civic organizations.
- Comment cards are carried in all buses.
- Brochures are printed in English and Spanish

LIMITED ENGLISH PROFICIENCY (LEP) ELEMENT

FTA requires that the Title VI program include a plan for providing language assistance to LEP persons. An LEP person is someone “who speaks English less than very well,” as per US Census Bureau designation. To document what languages are spoken by LEP persons and to help determine what language assistance efforts the grantee should undertake, FTA requires that the grantee analyze the following four factors:

- the number and proportion of LEP persons served or encountered in your service area
- the frequency with which LEP individuals come into contact with your transit service
- the nature and importance of your transit service
- the language assistance resources potentially available to assist LEP persons

By completing this questionnaire, the grantee will have completed the required four-factor analysis.

Population 5 Years and Over by Language Spoken at Home and Ability to Speak English	City of Clovis 1	Percentage of Population 5 Years and Older
Population 5 Years and Over	34,221	
Speak English less than “very well”	8%	
Spanish	22.1%	
Speak English less than “very well”	32.9%	
Other Indo-European	0.6%	
Speak English less than “very well”	38.1%	
Asian and Pacific Island	1.2%	
Speak English less than “very well”	20.1%	
All Other	0.4%	
Speak English less than “very well”	52.2%	

Survey staff members, including bus drivers, reservationists/dispatchers, customer service agents, and office personnel, to determine the frequency of contact with LEP persons, what languages are spoken by these persons, and the languages they speak and/or understand. Attachment C presents a sample survey form. After conducting the survey, please complete the following table.

Table 2 Frequency of Contact with LEP Persons	
Frequency	Languages Spoken by LEP Persons
Daily	Spanish
Weekly	
Monthly	
Less frequently than monthly	

1. Provide a description of your service (type, days and hours) and list the major activity centers served (communities, employers, Rail Runner stations, park and ride lots, government and human service agencies, medical facilities, shopping centers, and recreational facilities). This information can be found in your most recent grant application.

CATS provides 100% demand response service within the city limits of Clovis, NM; Mon-Thu 6:30 am-8:00 pm; Friday 6:30 am-6:30 pm; Saturday 8:00 am-5:00 pm at a cost to the passenger of .75 each way. Major activity centers served are Municipal, Magistrate and District Court, hospital, medical complex, college, shopping centers, library, pharmacies, grocery stores, etc.

2. Discuss trip purpose from passenger surveys or transit development plans, if conducted.

Medical, employment, education, shopping, other.

3. Does staff speak languages other than English? If so, what languages? What percentage of staff speaks another language? Does grantee utilize staff to translate? **Yes**

Current staff total 13, 4 of which speak Spanish.

4. Has grantee translated documents into Spanish or another language? If yes, please list the documents and the languages they are translated into. **Yes**

Service policy, Passenger policy and all signs posted announcing holiday closure.

5. Does the agency use Google Translate for your web site? **No** If yes, what languages?
6. What other language assistance efforts is the agency undertaking? **None at this time**
7. Has the agency made arrangements with other organizations to provide language assistance efforts? If yes, what organizations and what services? **None at this time**
8. How are LEP persons notified of language assistance services?
9. Discuss outreach programs, such as travel training, school presentations, and community presentations and if these efforts potentially reach LEP persons.

Radio promotions on Spanish Radio and placement of brochures at local businesses.

10. Describe how language assistance efforts are monitored, evaluated, and updated.

A tally sheet is kept of all calls where a Spanish-speaking clerk is requested.

11. Describe how employees are trained in language assistance efforts.

All employees are instructed to ask Spanish speaking customers to hold for another clerk and given translation sheets for "Days of the Week", "Cancel", "one moment please"

SUBGRANTEES

FTA requires the Title VI program to include procedures for monitoring subgrantees for compliance with Title VI.

The Clovis Area Transit System does not currently provide FTA funds to any other transit-related agency.

FACILITY LOCATION EQUITY ANALYSIS

FTA requires the Title VI program to include procedures for ensuring an equity analysis of facility locations is conducted during the planning for a construction of a new facility. The Transit and Rail Division ensures compliance with this requirement when providing FTA funding for a new facility.



TITLE VI NOTICE TO THE PUBLIC

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For information on the City of Clovis' civil rights program and the procedure to file a complaint, please contact Andre Moquin, HR Director at 575-763-9652, email amoquin@cityofclovis.org or visit the office at 321 Connelly, Clovis, NM 88101.

A complainant may file a complaint directly with the NM Department of Transportation's civil rights program. For information on the procedure to file a complaint you may call 1-800-554-0936 or (505) 470-9668, email linda.ramos@state.nm.us.dot, or visit administrative offices at 1590 Pacheco St., Suite A-10, Santa Fe, NM 87505 or visit www.dot.state.nm.us.

A complainant may file a complaint directly with the Federal Transit Administration (FTA), Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 Jersey Ave., SE, Washington, DC 20590. For more information call (202) 366-4043.



TITLE VI AVISO AL PUBLICO

La Ciudad de Clovis / Clovis Area Transit System opera sus programas y servicios, sin distinción de raza, color u origen nacional, de conformidad con el Título VI de la Ley de Derechos Civiles de 1964. Cualquier persona que cree que él o ella ha sido agraviada por cualquier práctica discriminatoria ilegal bajo el Título VI puede presentar una queja con nuestra agencia.

Para obtener información sobre el programa de derechos civiles de la ciudad de Clovis y el procedimiento para presentar una queja, por favor póngase en contacto con Andre Moquin, director de recursos humanos en el 575-763-9652, correo electrónico amoquin@cityofclovis.org o visite la oficina al 321 Connelly, Clovis, NM 88101.

Un demandante puede presentar una queja directamente con el NM Departamento de Transportationâ programa de derechos civiles. Para obtener información sobre el procedimiento para presentar una queja, puede llamar 1-800-554-0936 o (505) 827-1774, correo electrónico damian.segura@state.nm.us, o visitar las oficinas administrativas en 1596 Pacheco St, Santa Fe , NM 87503.

Un demandante puede presentar una queja directamente con la Administración Federal de Tránsito (FTA), Oficina de Derechos Civiles, Atención: Coordinador del Programa Título VI, East Building, 5th Floor-TCR, 1200 Jersey Ave., SE, Washington, DC 20590. Para más información llame al (202) 366-4043.

ATTACHMENT C: STAFF LEP SURVEY

STAFF LEP SURVEY

CATS is studying the language assistance needs of its riders so that we can better communicate with them and increase ridership. Please complete the following survey and return it to the Dispatcher as soon as possible.

How often do you come into contact with passengers who do not speak English or have trouble understanding you when you speak English to them? (Circle one)

Daily

Weekly

Monthly

Less frequently than monthly

What languages do these passengers speak? Please list.

What languages other than English do you understand or speak?

Would you be willing to serve as a translator when needed?

CATS operates its program and service without regard to race, color, and national origin or disability in accordance with Title VI of the 1964 Civil Rights Act & ADA. To find out more about our nondiscrimination obligations or to file a complaint, please contact our HR Department at 575-763-9652.

CATS opera su programa y el servicio sin tener en cuenta raza, color y origen nacional, de conformidad con el Título VI del Acta de Derechos Civiles de 1964 y ADA. Para saber más acerca de nuestras obligaciones de no discriminación o para presentar una queja, por favor póngase en contacto con nuestro Departamento de Recursos Humanos al 575-763-9652.

CATS operates its program and service without regard to race, color, and national origin or disability in accordance with Title VI of the 1964 Civil Rights Act & ADA. To find out more about our nondiscrimination obligations or to file a complaint, please contact our HR Department at 575-763-9652.

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