



**Russell R. McMurry, P.E., Commissioner**  
One Georgia Center  
600 West Peachtree NW  
Atlanta, GA 30308  
(404) 631-1990 Main Office

August 23, 2021

Ms. Samantha McKinney, Transit Director  
Heard County Transit  
470 Old Field Road  
Franklin, GA 30217

Dear Ms. McKinney,

The Department has completed its review of your Title VI Plan and has determined that it meets the requirements established in the Federal Transit Administration's (FTA) Circular 4702.1B, "Title VI Program Guidelines for Federal Transit Administration Recipients," effective October 1, 2012.

Thank you for your ongoing cooperation and compliance of the FTA Civil Rights Program requirements. Should you need assistance or have any questions, please do not hesitate to contact Ashley Finch, Rail/Transit Planner directly at [afinch@dot.ga.gov](mailto:afinch@dot.ga.gov) or (470) 432-1751.

Sincerely,

Kaycee Mertz

Digitally signed by Kaycee Mertz,  
DN: c=US, e=kmertz@dot.ga.gov,  
o=GDOT, ou=Intermodal,  
cn=Kaycee Mertz  
Reason: I am approving this  
document  
Date: 2021.08.01 22:20:33-0400'

Kaycee Mertz  
Transit Program Manager  
Division of Intermodal

This Title VI Plan has been duly accepted and approved on this 24th day of August 2021 by the Heard County Board of Commissioners as evidence by the signature below.

Approved by:

Lee Boone – Commission Chairman

Lee Boone

Signature

08-24-2021

Date

# HEARD COUNTY TRANSIT



*Date Adopted: August 24, 2021*

## **Title VI Plan**









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

Heard County Transit assures the Georgia Department of Transportation that no person shall on the basis of race, color, and national origin 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.

Heard County Transit 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 Executive Director or authorized representative, 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 Heard County Transit.
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: Lee Boone

Printed Name: Lee Boone-Commission Chairman Heard County Transit Date: 08/ 24 /2021  
Executive Director/Signatory Authority, Your Transit System, Date: Month/Day/Year

## 2.0 Introduction & Description of Service

Heard County Transit 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.

Heard County Transit is a sub-recipient of FTA funds and provides service in Heard County. A description of the current Heard County Transit system is included in Appendix B.

### **Title VI Liaison**

Samantha McKinney – Transit Director  
Heard County Transit  
706-675-1410  
470 Old Field Rd Franklin, Ga 30217

### **Alternate Title VI Contact**

Hope Cole – County Clerk/HR Director  
Heard County Board of Commissioners  
706-675-3821  
P.O. Box 40/201 Park Ave Franklin, Ga 30217

Heard County Transit must designate a liaison for Title VI issues and complaints within the organization. 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, color, 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 complaint



## 2.1 First Time Applicant Requirements

Heard County Transit is not a first-time applicant for FTA/GDOT funding. The following is a summary of Heard County Transit's current and pending federal and state funding.

### Current and Pending FTA Funding

1. 5311 FY22 Operations \$70,000.00

During the previous three years, FTA or GDOT did not complete a Title VI compliance review of Heard County Transit. Heard County Transit has not been found to be in noncompliance with any civil rights requirements.

## 2.2 Annual Certifications and Assurances

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.

Heard County Transit will remain in compliance with this requirement by annual submission of certifications and assurances as required by GDOT and any other primary recipient.

## 2.3 Title VI Plan Concurrence and Adoption

This Title VI Plan received GDOT concurrence on 8/23/2021. The Plan was approved and adopted by Heard County Board of Commissioners during a meeting held on 8/24/2021. A copy of the meeting minutes and GDOT concurrence letter is included in Appendix C of this Plan.

## 2.4 Notice to Public

### Notifying the Public of Rights Under Title VI

## HEARD COUNTY TRANSIT

- Heard County Transit 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 Heard County Transit.
- For more information on Heard County Transit's civil rights program, and the procedures to file a complaint, contact 706-675-1410, (TTY 711); email [transit@heardcountyga.com](mailto:transit@heardcountyga.com); or visit our administrative office at 470 Old Field Rd. Franklin, Ga. 30217. For more information, visit [heardcountyga.com](http://heardcountyga.com).
- If information is needed in another language, contact 706-675-1410.
- 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

## 2.5 Notice Posting Locations

The Notice to Public will be posted at many locations to apprise the public of Heard County Transit's obligations under Title VI and to inform them of the protections afforded them under Title VI. At a minimum, the notice will be posted in public areas of Heard County Transit's office(s) including the reception desk and meeting rooms, and on the Heard County Transit's website at [www.heardcountyga.com](http://www.heardcountyga.com) under the Transit Department. Additionally, Heard County Transit will post the notice at stations, stops and on transit vehicles.

## 3.0 Title VI Procedures and Compliance

### 3.1 Complaint Procedure

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

Once the complaint is received, Heard County Transit 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.

Heard County Transit has ninety (90) days to investigate the complaint. If more information is needed to resolve the case, Heard County Transit 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, Heard County Transit 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 Heard County Transit's website [www.heardcountyga.com](http://www.heardcountyga.com) under the Transit Department.

### **3.2 Complaint Form**

A copy of the complaint form in English is provided in Appendix E and on Heard County's Government website at [www.heardcountyga.com](http://www.heardcountyga.com).

### **3.3 Record Retention and Reporting Policy**

FTA requires that all direct and primary recipients (GDOT) document their compliance by submitting a Title VI Plan to their FTA regional civil rights officer once every three (3) years. Heard County Transit will submit Title VI Plans to GDOT for concurrence on an annual basis or any time a major change in the Plan occurs.

Compliance records and all Title VI related documents will be retained for a minimum of three (3) years and reported to the primary recipient annually.

### **3.4 Sub-recipient Assistance and Monitoring**

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



### 3.5 Sub recipients and Subcontractors

Heard County Transit is responsible for ensuring that subcontractors (TPOs) are in compliance with Title VI requirements. Sub recipients may not discriminate in the selection and retention of any subcontractors. Subcontractors also may not discriminate in the selection and retention of any subcontractors. Heard County Transit, subcontractors, and/or TPOs may not discriminate in their employment practices in connection with federally assisted projects. Subcontractors and TPOs are not required to prepare or submit a Title VI Plan. However, the following nondiscrimination clauses will be inserted into every contract with contractors and subcontractors subject to Title VI regulations.

#### 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, and national origin 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, and national origin.
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, Heard County Transit 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 Heard County Transit, 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, Heard County Transit 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. Heard County Transit and its contractor and subcontractors shall not discriminate on the basis of race, color, national origin 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 your agreement with GDOT, vendors and contractors of Heard County Transit shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the vendor or contractor while contracted with Heard County Transit. Additionally, vendors and contractors shall expressly require any subcontractors performing work or providing services pursuant to work for Heard County Transit 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 subcontractor while working for Heard County Transit.



### 4.0 Title VI Investigations, Complaints, and Lawsuits

In accordance with 49 CFR 21.9(b), Heard County Transit 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 Heard County Transit 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.

Heard County Transit 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				
1.				
2.				
Lawsuits				
1.				
2.				
Complaints				
1.				
2.				

## 5.0 Public Participation Plan

The Public Participation Plan (PPP) for Heard County Transit 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 Heard County Transit. 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 Heard County Transit 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

Heard County Transit 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 Heard County Transit's recent, current, and planned outreach activities.

- [Activity 1] Planned Public Meeting at Heard County Public Library for 8/18/2021
- [Activity 2] Planned Public Meeting at Heard County Public Library for 11/18/2021

## 6.0 Language Assistance Plan

Heard County Transit operates a transit system within Heard County with travel to Carroll, Coweta and Troup Counties. The Language Assistance Plan (LAP) has been prepared to address Heard County Transit'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 Heard County Transit service area there are 118 residents or 1.06% who describe themselves as not able to communicate in English very well (US Census, 2019 American Community Survey). Heard County Transit 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. Heard County Transit 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.

## 7.0 Transit Planning and Advisory Bodies

Heard County Transit does not have a transit-related committee or board, therefore this requirement does not apply.





## 8.0 Title VI Equity Analysis

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, Heard County Transit will ensure the following:

1. Heard County Transit 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. Heard County Transit 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, Heard County Transit will 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 Heard County Transit determines that the location of the project will result in a disparate impact on the basis of race, color, or national origin, Heard County Transit 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. Heard County Transit must demonstrate and document how both tests are met. Heard County Transit 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.

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

## 9.0 System-Wide Service Standards and Service Policies

Heard County Transit is not a fixed route service provider.

## 10.0 Appendices

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APPENDIX C	TITLE VI PLAN ADOPTION MEETING MINUTES AND GDOT CONCURRENCE LETTER
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# 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)

# Appendix B

## Current System Description

### Current System Description

1. An overview of the organization including its mission, program goals and objectives.  
Heard County Transit's current and long-term focus as a transportation provider is on maintaining the best-coordinated transportation system possible for this community. Our goal is to create a coordinated system with the objective of providing safe, reliable, timely and efficient transportation services to county residents.
2. Organizational structure, type of operation, number of employees, service hours, staffing plan and safety and security plan.  
Heard County Transit is a unit of local government. Our organization is made up of 2 full-time employees, 2 part-time employees. Our Transit Director is responsible for all of the day-to-day operations of our organization and reports directly to our Board of County Commissioners (BCC). Our BCC 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 BCC's approved Safety and Security Plan. We will continue to operate at previous year's (2019-2020) service hours averaging 16 total fleet service hours per day or approximately 4,800 annual service hours (assuming 300 operating days).
3. Indicate if your agency is a government authority.  
Heard county Transit operates directly under the government authority of Heard County Board of Commissioners.
4. Who is responsible for insurance, training and management, and administration of the agency's transportation programs?  
Heard County Transit's Director is responsible for training and management of our transportation 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 wheelchair lifts and securement devices. The Transportation Services 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.
5. Who provides vehicle maintenance and record keeping?  
Maintenance on all agency vehicles is provided by Heard County Vehicle Maintenance. 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 our operations base located at 470 Old Field Rd Franklin, Ga 30217 and are maintained by the Transit Director. All records are maintained and retained for a minimum of four (4) years.

6. Number of current transportation related employees

Our transportation department has a total of 4 employees that include: 1 full-time drivers, 2 part-time drivers, 1 administrator.

7. Who will drive the vehicle, number of drivers, CDL certifications, etc.?

Only transportation employees that have completed all of the required safety and drivers training requirements will be allowed to drive the agency vehicles.

8. A detailed description of service routes and ridership numbers

Transportation services provided through our program are available to the public. We provide a wide range of trip purposes that include: medical, nutrition, shopping, social service, training, employment, social and recreation. Approximately 60% of the medical trips we provide 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 2 buses one of which is equipped for wheelchair service. We prioritize grouping trips and multi-loading to the maximum extent possible. We make 20 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 Notice to Public

### Notifying the Public of Rights Under Title VI

#### HEARD COUNTY TRANSIT

- Heard County Transit 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 Heard County Transit.
- For more information on Heard County Transit's civil rights program, and the procedures to file a complaint, contact 706-675-1410, (TTY 711); email [transit@heardcountyga.com](mailto:transit@heardcountyga.com); or visit our administrative office at 470 Old Field Rd. Franklin, Ga. 30217. For more information, visit [heardcountyga.com](http://heardcountyga.com).
- If information is needed in another language, contact 706-675-1410.
- 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

# Appendix E

## Title VI Complaint Form

### HEARD COUNTY TRANSIT

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"/> 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.				
_____				
_____				

**Section IV**

Have you previously filed a Title VI complaint with this agency?

Yes

No

**Section V**

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

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:

Samantha McKinney-Transit Director  
470 Old Field Rd  
Franklin, Ga 30217



# Appendix F

## Public Participation Plan (PPP)

### Introduction

The Public Participation Plan (PPP) for Heard County Transit 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 Heard County Transit. 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 Heard County Transit services and to provide a variety of efficient and convenient methods for receiving and considering public comment prior to implementing changes to services. Heard County Transit 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 Heard County Transit and its operations. The goals for this PPP include:

- **Inclusion and Diversity:** Heard County Transit will proactively reach out and engage low-income, minority, and LEP populations for the Heard County Transit 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:** Heard County Transit 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 Heard County. Heard County Transit intends to achieve meaningful public participation by a variety of methods with respect to service and any changes to service.

Heard County Transit 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 to Heard County Transit via [www.heardcountyga.com](http://www.heardcountyga.com) or by sending an e-mail to: [transit@heardcountyga.com](mailto:transit@heardcountyga.com). All feedback on the site will be recorded and passed on to the Heard County Transit Director. The public will also be able to call the Heard County Transit office at 706-675-1410 during its hours of operation. Feedback collected over the phone will be recorded and passed on to the Heard County Transit Director. 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, Heard County Transit 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 in transit center
- Posting information on website

All information and materials communicating proposed and actual service adjustments will be provided in English and any other language that meets the "safe harbor" criteria.

### Public Hearing

Heard County Transit is not required to perform public hearings, however Heard County Transit provides public information regarding changes, events, performances, activities, and/or any other federal or state regulated dicussion, and the public can request a public hearing.

No public hearings have been requested at this time.

LCB Meetings

Heard County Transit operates under the Heard County Board of Commissioners and they conduct monthly board meetings to discuss policies, RFP's, contracts. ect.....



# Appendix G

## Language Assistance Plan (LAP)

### I. Introduction

Heard County Transit operates a transit system within Heard County, Georgia. The Language Assistance Plan (LAP) has been prepared to address Heard County Transit'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 Heard County's service area, there are 118 residents or 1.06% who describe themselves as not able to communicate in English "very well" (Source: US Census). Heard County Transit 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. Heard County Transit 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 Heard County Transit be able to communicate effectively with all of its riders. When Heard County Transit 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. Heard County Transit 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 Heard County Transit 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 Heard County Transit 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 Heard County Transit 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 Heard County Transit program, activity or service.
2. The frequency with which LEP persons come in contact with Heard County Transit programs, activities or services.
3. The nature and importance of programs, activities or services provided by Heard County Transit to the LEP population.
4. The resources available to Heard County Transit 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 11,080 residents in the Heard County Transit service area 1.06% of residents describe themselves as speaking English less than “very well”. People of French descent are the primary LEP persons likely to utilize Heard County Transit services. For the Heard County Transit service area, the American Community Survey of the U.S. Census Bureau shows that among the area’s population 98.9% speak English “very well”. For groups who speak English “less than very well”, 1.04% speak Spanish and 0.58% speak Other Indo-European Languages.

Appendix H contains a table which lists the languages spoken at home by the ability to speak English for the population within Heard County Transit 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.

Heard County Transit 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 our service area lacks a prominent LEP group. Phone inquiries and staff survey feedback indicated that Heard County Transit dispatchers and drivers interact infrequently with LEP persons. Over the past 3 years, Heard County Transit has had 0 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 Your Transit System services.

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

Heard County Transit 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: Providing notice to LEP individuals about their right to language services, Offering timely interpretation to LEP individuals upon request, Providing timely translation of important documents. Heard County Transit 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.

Heard County Transit has identified the number and proportion of LEP individuals within its service area using United States Census data (see Appendix H). As presented earlier, 99.92% of the service area population speaks English only. The largest non-English spoken language in the service area is French (0.08%).

Heard County Transit 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 Heard County Transit Meetings. This will assist Heard County Transit 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 Heard County Transit management to follow-up.
4. Vehicle operators and front-line staff (i.e. Dispatchers, Transit Operation Supervisors, etc.) will be asked about 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.

Heard County Transit 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 other front-line 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 Heard County Transit offices.
4. 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.

Heard County Transit 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 Heard County Transit, the most important staff training is for Customer Service Representatives and transit drivers.

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**

Heard County Transit will make Title VI information available in English on the Agency's website. Key documents are written in English . Notices are also posted in Heard County Transit office and on buses. 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 Heard County Transit's financial resources are sufficient to fund language assistance resources needed

Heard County Transit 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. Heard County Transit is open to suggestions from all sources, including customers, Heard County Transit 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.

Heard County Transit service area does not have LEP populations which qualify for the Safe Harbor Provision. As shown in Appendix H, Your Transit System does not have LEP groups which speak English less than "very well" which exceed either 5.0% or 1,000 person.

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. Heard County Transit 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: Heard County Transit Service Area

Language	County	Percent of Population
Total	11,080	
Speak only English	10,809	
Spanish or Spanish Creole	186	
Speak English "very well"	70	
Speak English less than "very well"	116	
French (incl. Patois, Cajun)		
Speak English "very well"	0	
Speak English less than "very well"		
French Creole	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Italian	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Portuguese or Portuguese Creole	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
German	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Yiddish	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Other West Germanic languages	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Scandinavian languages	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Greek	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Russian	0	



Language	County	Percent of Population
Speak English "very well"	0	
Speak English less than "very well"	0	
Polish	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Serbo-Croatian	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Other Slavic Languages	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Armenian	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Persian	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Gujarati	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Hindi	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Urdu	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Other Indic languages	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Other Indo-European Languages	59	
Speak English "very well"	57	
Speak English less than "very well"	2	
Chinese	3	
Speak English "very well"	3	
Speak English less than "very well"	0	
Japanese	1	
Speak English "very well"	1	
Speak English less than "very well"	0	
Korean	17	
Speak English "very well"	17	
Speak English less than "very well"	0	



<u>Language</u>	<u>County</u>	<u>Percent of Population</u>
Mon-Khmer, Cambodian	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Hmong	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Thai	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Laotian	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Vietnamese	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Other Asian languages	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Tagalog	4	
Speak English "very well"	2	
Speak English less than "very well"	2	
Other Pacific Island languages	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Navajo	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Other Native American languages	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Hungarian	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Arabic	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Hebrew	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
African languages	0	
Speak English "very well"	0	

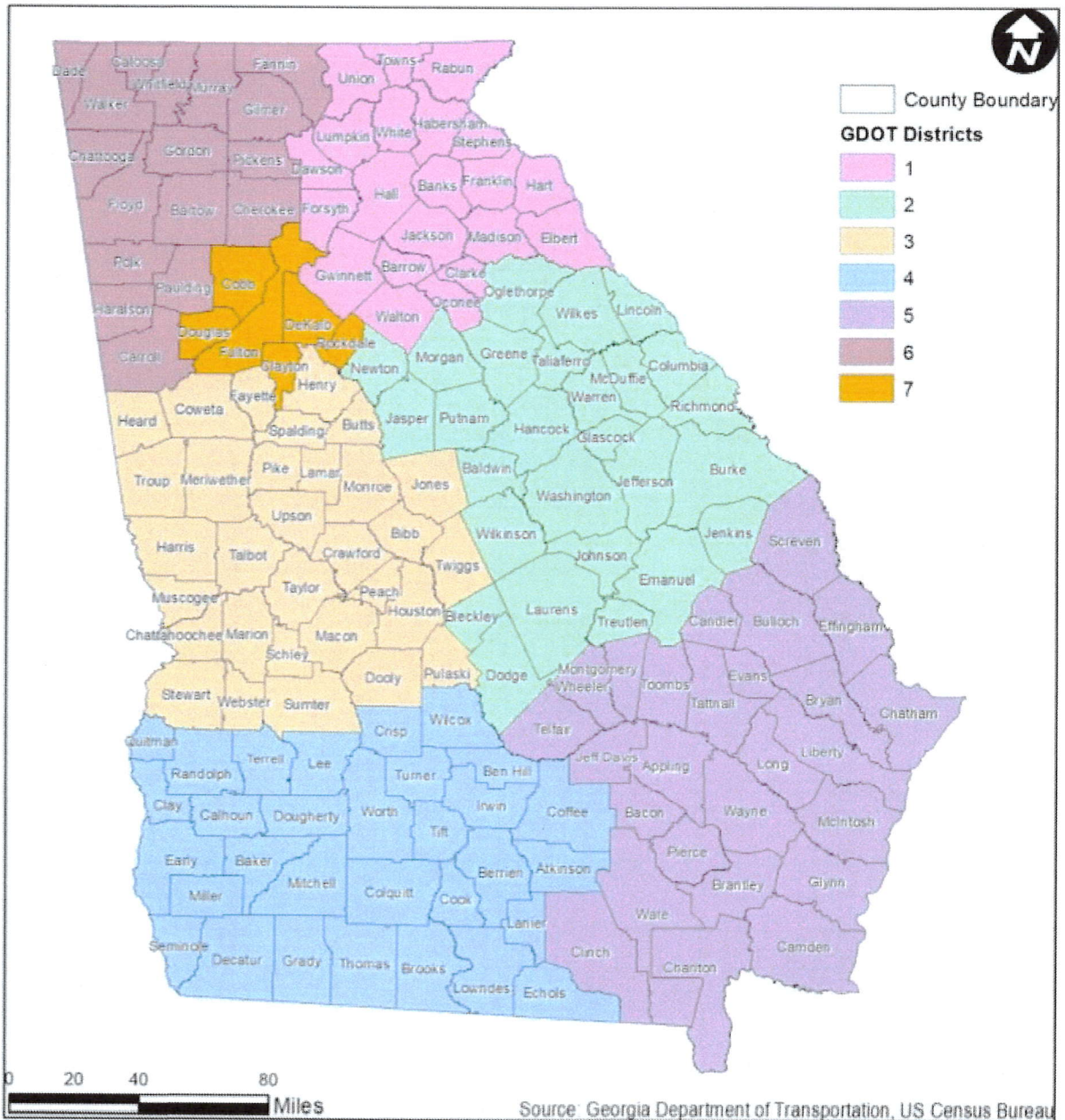


Language	County	Percent of Population
Speak English less than "very well"	0	
Other and unspecified languages	0	
Speak English "very well"	0	
Speak English less than "very well"	0	

# Appendix I

## Demographic Maps

Figure 1: GDOT District Map



# Appendix J

## Title VI Equity Analysis

Heard County Transit has not performed Title VI Equity Analysis.



