



The City of Durham 2023 Title VI & LEP Program Update

**Prepared March 8, 2024
Title VI Compliance Officer**

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1.1	July 20, 2016	3-year plan update submitted to FTA
1.2	December 17, 2020	3-year plan updated submitted to FTA
2.0	March 8, 2024	Plan update using information from the previous review period of <u>October 2020 – October 2023</u> . The City received written approval from FTA on 1/4/2024 for submission deadline of 3/31/2024.
2.1	May 21, 2024	Updated to incorporate new service standards and service change process.
EXECUTIVE SUMMARY		
<p>The Title VI Program is a compilation of documents, plans, maps, policies, and standards, etc., that demonstrate City of Durham's compliance with Title VI. Guidance provided by the FTA Title VI Circular requires approval of the Title VI Program by the City of Durham Director of Transportation who is responsible for the program and policies. This document details how The City of Durham 's transit system (GoDurham) incorporates nondiscrimination policies and practices in providing services to the public.</p>		
APPROVAL OF AUTHORIZING OFFICAL		
Signature of the approving authority is located within the document (Title VI Policy Statement and Plan Approval Document)		

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I. INTRODUCTION

Appendix I: Title VI Plan Signature Pages

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides 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 subjected to discrimination under any program or activity receiving Federal financial assistance." (42 U.S.C. Section 2000d).

The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of Federal-aid recipients, sub-recipients, and contractors whether those programs and activities are federally funded or not.

In recent years, the Federal Transit Administration ("FTA") has placed renewed emphasis on Title VI issues, including providing meaningful access to persons with Limited English Proficiency ("LEP").

In accordance with the FTA Title VI Circular, 4702.1B, City of Durham is required to submit a Title VI Program once every three years or as otherwise directed by FTA.

The Title VI Program is a compilation of documents, plans, maps, policies, and standards, etc., that demonstrate City of Durham's compliance with Title VI. Guidance provided by the FTA Title VI Circular requires approval of the Title VI Program by the City of Durham Director of Transportation who is responsible for the program and policies. This document details how The City of Durham 's transit system (GoDurham) incorporates nondiscrimination policies and practices in providing services to the public.

II. OVERVIEW

Our Mission

The City of Durham's mission is to provide and maintain a safe, equitable, inclusive, and sustainable multimodal transportation system with high-quality infrastructure to improve mobility and to offer everyone in Durham access to necessities and opportunities.

History

The City of Durham (GoDurham Transit; formerly Durham Area Transit Authority-DATA) provides fixed route bus and paratransit (Demand Response) services for residents and visitors of the City and County of Durham. GoDurham is the name and brand for transit services managed and funded by the City of Durham and delivered by third-party contractors, currently RATP Dev for fixed-route services and National Express Transit for paratransit services. During FY23, GoDurham provided over 5.6 million annual fixed route trips and approximately 138,000 annual paratransit trips to the City and County residents as well as visitors (the highest among our peer systems in the state of North Carolina). Additionally, GoDurham provides bus services to Duke University, Duke University Hospital, VA Hospital, Research Triangle Park, and North Carolina Central University. GoDurham managed to deliver all these services with a total of 60 buses and 51 paratransit vans.

GoDurham currently operates 19 bus routes. Service is provided seven days a week generally from 5:30 a.m. until 12:30 a.m., Monday through Saturday, and 6:30 a.m. until 9:30 p.m. on Sundays and holidays. Working together, GoDurham and the City of Durham will continue to build and operate a safe, efficient, and effective transit system that is the preferred choice of transportation now and in the future.

In 2010, an interlocal agreement was created with GoTriangle for management, oversight, planning, and marketing of the GoDurham service. First Transit was the fixed-route operator, and the Durham City Transit Company (DCTC) was the employment entity for transit service personnel as a subsidiary to First Transit. GoTriangle also held the contract with First Transit on behalf of GoDurham. Together, GoTriangle and DCTC managed and operated GoDurham until June 30th, 2023. GoTriangle also contracted with National Express Transit for the management, operations, and maintenance of the GoDurham ACCESS on-demand system.

In late 2023, the City of Durham and GoTriangle agreed to a mutual termination of the interlocal agreement from 2010, and the City of Durham procured a new contract for a full turnkey contract for the management, operations, and maintenance of the fixed-route system. Effective July 1, 2023, The City of Durham contracted with RATP Dev for the fixed-route system. In addition, the contract between GoTriangle and National Express Transit was assigned to the City of Durham.

The City of Durham has developed its Title VI program that commits the transit authority to ensure that no person, shall, on the grounds of race, color, national origin, social or disability status, be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination under any program or activity which is managed by GoDurham, its recipients and contractors, regardless of the funding source. The City of Durham complies with the Title VI requirements, in conformity with Title 23 CFR Part 200 and Title 49 CFR 21. The existence of this program also offers the opportunity to receive complaints from people who feel discriminated against. The key objective of the program is to guarantee that no discrimination is made against any current and future riders of the transit service.

III. POLICY STATEMENT AND AUTHORITIES

Title VI Policy Statement

The City of Durham is committed to ensuring that no person shall, on the grounds of race, color, national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, whether those programs and activities are federally funded or not.

The City of Durham’s Title VI Compliance Officer is responsible for initiating and monitoring Title VI activities, preparing required reports, and other responsibilities as required by Title 23 Code of Federal Regulations (“CFR”) Part 200, and Title 49 CFR Part 21.

Sean C. Egan

3/22/24

Signature of Authorizing Official
Director of Transportation, City of Durham

Date

Authorities

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (refer to 49 CFR Part 21). The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub recipients, and contractors, whether such programs and activities are federally assisted or not.

Additional authorities and citations include: Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d); Federal Transit Laws, as amended (49 U.S.C. Chapter 53 et seq.); Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601, et seq.); Department of Justice regulation, 28 CFR part 42, Subpart F, “Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs” (December 1, 1976, unless otherwise noted); U.S. DOT regulation, 49 CFR part 21, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation— Effectuation of Title VI of the Civil Rights Act of 1964” (June 18, 1970, unless otherwise noted); Joint FTA/Federal Highway Administration (FHWA) regulation, 23 CFR part 771, “Environmental Impact and Related Procedures” (August 28, 1987); Joint FTA/FHWA regulation, 23 CFR part 450 and 49 CFR part 613, “Planning Assistance and Standards,” (October 28, 1993, unless otherwise noted);

U.S. DOT Order 5610.2, “U.S. DOT Order on Environmental Justice to Address Environmental Justice in Minority Populations and Low-Income Populations,” (April 15, 1997); U.S. DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient Persons, (December 14, 2005), and Section 12 of FTA’s Master Agreement, FTA MA 13 (October 1, 2006).

City of Durham Title VI – Policy Statement

As a federal grant recipient, the City of Durham complies with Title VI of the Civil Rights Act of 1964 and its amendments. Title VI of the Civil Rights Act of 1964 requires that no person in the United States, on the grounds of race, color, or national origin, including the denial of meaningful access for Limited English Proficient (LEP) persons, be excluded from participation in, be denied the benefits of, or be subjected to discrimination, under any program or activity receiving federal financial assistance.

The City of Durham is committed to enforcing the provisions of Title VI and protecting the rights and opportunities of all persons associated with GoDurham and GoDurham ACCESS or affected by its programs. The City of Durham's commitment includes vigorously enforcing all applicable laws and regulations that affect GoDurham, GoDurham ACCESS, and those organizations, both public and private, which participate and benefit through our programs.

The City of Durham will take positive and realistic affirmative steps to ensure that all persons and/or firms wishing to participate in its programs are given an equal and equitable chance to participate. The City of Durham's subrecipients and contractors are required to prevent discrimination and ensure nondiscrimination in all of their programs, activities, and services.

The City of Durham's Transportation Department / Mobility Services Division is responsible for providing leadership, direction, and policy to ensure compliance with Title VI of the Civil Rights Act. Any person(s) or firm(s) who feel that they have been discriminated against based on race, color or national origin are encouraged to report such violations to the Title VI Coordinator:

Title VI Coordinator
101 City Hall Plaza, Ste. 4200
Durham, NC 27701
Email: titlevi@durhamnc.gov
Phone: 919-560-4366

Complaints should be filed within 180 days of the alleged violation.

Additional information on the City of Durham's Title VI obligations and procedures to file a complaint is available at: www.godurhamtransit.org.

IV. NONDISCRIMINATION ASSURANCES FROM THE CITY OF DURHAM

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from FTA is accompanied by an assurance that the City of Durham will carry out the program in compliance with DOT's Title VI regulations. This requirement is fulfilled when the City of Durham submits its annual certifications and assurances to FTA.

As part of the Certifications and Assurances all grant applications submitted including awards shall contain Nondiscrimination Assurance statements which addresses compliance with Title VI as well as nondiscrimination in hiring ("EEO") and contracting ("DBE"), and nondiscrimination because of a disability ("ADA").

In signing and submitting the assurance, the City of Durham confirms our commitment to nondiscrimination and compliance with federal and state requirements.

V. PLAN APPROVAL DOCUMENT

I hereby acknowledge the receipt of the City of Durham- Title VI Implementation Plan FY-2023-2025 (this date should cover three (3) years from whenever the template is executed) I have reviewed and approved the Plan. I am committed to ensuring that no person is excluded from participation in or denied the benefits of GoDurham and GoDurham ACCESS transportation services on the basis of race, color, or national origin, as protected by Title VI according to FTA Circular 4702.1 B, Title VI requirements and guidelines for Federal Transit Administration sub-recipients.

Sean C. Egan

3/22/24

Signature of Authorizing Official
Director of Transportation, City of Durham

Date



Title VI Plan Update Meeting

March 20, 2024

Attendees:

- Sean Egan, Director of Transportation
- Brian Fahey, Mobility Services Manager / Title VI Coordinator
- Jennifer Green, Mobility Services Planning Manager

Meeting Minutes:

- Final draft of the plan was provided to the department director and other key Transportation staff on March 18th for review prior to the meeting.
- As previously discussed with the director, Brian confirmed that the period of the updated plan is from October 2023 – October 2025. On January 4, 2024, the FTA Civil Rights Office gave the City approval for an extended submission deadline of March 31, 2024. This is noted in the file information on page 2.
- Brian noted that all data used as part of the analysis was from fiscal year 2023, and tracking of any civil rights complaints, investigations and/or lawsuits was for the previous period (none reported).
- Major updates to the plan include:
 - Updated language to reflect the new management arrangement and direct oversight of the fixed-route and paratransit contractors
 - Using updated performance data from fiscal year 2023
 - Using updated rider data from the 2022 onboard survey for analysis
 - Incorporation of updated GoDurham Service Standards, approved by the Transportation Director in March 2024
- Brian noted that the next step in our process is to review best practices and create more defined procedures for monitoring contractors' compliance with Title VI. The new procedures will be implemented by June.
- Upon final review the director approved the updated Title VI plan and signed the approval pages in the final draft of the plan.
- The plan will be uploaded into TrAMS by 3/27 for review by FTA.

VI. ORGANIZATION AND TITLE VI PROGRAM RESPONSIBILITIES

Under the authority of the City of Durham- the Mobility Services Manager will serve as the Title VI Compliance Officer and be responsible for ensuring implementation of the agency’s Title VI program. (Please Note: more than one official may be designated to serve as the responsible Title VI official for each area listed below). The specific areas of responsibility are described below.

Overall Organization for Title VI

The Title VI Compliance Officer and staff are responsible for coordinating the overall administration of the Title VI program, plan, and assurances, including complaint handling, data collection and reporting, annual review and updates, and internal education.

Title VI Compliance Officer Responsibilities

The Title VI Compliance Officer is charged with the responsibility for implementing, monitoring, and ensuring compliance with Title VI regulations. Title VI responsibilities are as follows:

1. Process the disposition of Title VI complaints received.
2. Collect statistical data (race, color, or national origin) of participants in and beneficiaries of agency programs, (e.g., affected citizens, and impacted communities).
3. Conduct annual Title VI reviews of agency to determine the effectiveness of program activities at all levels.
4. Conduct Title VI reviews of construction contractors, consultant contractors, suppliers, and other recipients of federal-aid fund contracts administered through the agency.
5. Coordinate training opportunities on Title VI and other related statutes for agency employees.
6. Prepare a yearly report of Title VI accomplishments and goals, as required.
7. Develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English.
8. Identify and eliminate discrimination.
9. Establish procedures for promptly resolving deficiency status and writing the remedial action necessary, all within a period not to exceed 90 days.

General Title VI Responsibilities of the Agency

The Title VI Compliance Officer is responsible for ensuring the aforementioned elements of the plan are appropriately implemented and maintained, and for coordinating with designated staff who are responsible for public outreach and involvement and service planning and delivery.

1. Data Collection

To ensure that Title VI reporting requirements are met, the City of Durham will maintain:

- A database or log of Title VI complaints received that tracks the investigation and response to each complaint.
- A log of the public outreach and involvement activities undertaken to ensure that minority and low-income people had a meaningful access to these activities.

2. Annual Report and Updates

As a recipient of FTA funds, the City of Durham is required to submit a log, as part of its Quarterly Report to the FTA, that documents any Title VI complaints received during the preceding quarter and for each year. The City of Durham will also maintain and provide on an annual basis, the log of public outreach and involvement activities undertaken to ensure that minority and low-income individuals have meaningful access to these activities.

Furthermore, the City of Durham will submit updates to any of the following items subsequent to its previous submission, or a statement to the effect that these items have not been changed since the previous submission:

- A copy of any compliance review report for reviews conducted in the last three (3) years, along with the purpose or reason for the review, the name of the organization that performed the review, a summary of findings and recommendations, and a report on the status or disposition of the findings and recommendations.
- Limited English Proficiency (“LEP”) plan,
- Procedures for tracking and investigating Title VI complaints,
- A list of Title VI investigations, complaints or lawsuits filed with the agency since the last submission, and
- A copy of the agency’s notice to the public that it complies with Title VI and instructions on how to file a discrimination complaint.

3. Annual Review of the Title VI Program

Each year the Title VI Compliance Officer will review the agency’s Title VI program to ensure implementation of the Title VI plan. Additionally, the Title VI Compliance Officer will review the agency’s operational guidelines and publications, including those for contractors, to verify that Title VI language and provisions are incorporated, as appropriate.

4. Dissemination of Information Related to the Title VI Program

Information on the City of Durham’s transit Title VI program will be disseminated to agency employees, contractors, and beneficiaries, as well as to the public, as described in the “public outreach and involvement” section of this document and in accordance with applicable federal and state rules, laws/regulations, and FTA Title VI Circular. The Title VI program will be available in other languages when/if needed according to the LEP plan.

5. Resolution of Complaints

Any individual may exercise his or her right to file a complaint if that person believes that he, she, or any other program beneficiaries have been subjected to unequal treatment or discrimination in the receipt of benefits/services or prohibited by non-discrimination requirements. The City of Durham will report the complaint to FTA within three (3)

business days (per FTA requirements) and make a concerted effort to resolve complaints locally using the agency’s Title VI Complaint Procedures. All Title VI complaints and their resolution will be logged as described under Section 1. Data collection is tracked and reported to the FTA in the Quarterly Report (in addition to immediately).

6. Written Policies and Procedures

The City of Durham’s Title VI policies and procedures are documented in this plan and its appendices and attachments. This plan will be updated periodically to incorporate changes and additional responsibilities that arise. During the course of the Annual Title VI Program Review (item 3 above), the Title VI Compliance Officer will determine whether or not an update is needed.

7. Internal Education

Transit-related employees involved with the GoDurham and GoDurham ACCESS services receive training on Title VI policies and procedures upon hiring and upon promotion, including but not limited to “Diversity & Inclusion” and “Advancing Equity” training courses. This training will include requirements of Title VI, the City of Durham's obligations under Title VI (LEP requirements included), required data that must be gathered and maintained. In addition, training will be provided when any Title VI-related policies or procedures change (agency-wide training), or when appropriate in resolving a complaint.

Coordination of Title VI training is the responsibility of the Mobility Services Manager.

8. Title VI Clauses in Contracts

In all federal procurements requiring a written contract or Purchase Order (PO), The City of Durham’s contract/PO will include appropriate non-discrimination clauses. The Title VI Compliance Officer will work with the Business Services Administrator who is responsible for procurement contracts to ensure appropriate non-discrimination clauses are included.

City of Durham's Title VI Program Goals and Objectives

- Ensure that no individual citizens or patrons of the GoDurham service is denied any service, program, activity, or related transit benefits because of that "individual's race, color or national origin".
- Assure that GoDurham provides the same or similar service or benefits to all who desire the service and that those services are equitable and well provided by the transit authority to the extent that the resources can support.
- Ensure that GoDurham does not segregate or provide different/separate treatment in any manner related to the delivery of its current or future transit services.
- Ensure that the service standards set by the City do not segregate or provide different/separate treatment in any manner to all persons.
- Encourage full participation of minority and low-income populations in the planning and transit decision-making process.
- Ensure non-discrimination activity in any facility built in whole or in part with federal funds.
- Ensure that GoDurham provides information and related transit resources in languages other than English when significant numbers of users of Limited English proficiency are identified.
- Ensure that route planning process in no way limits or impedes access to a federally funded service or benefit.
- Assure that contractors and subcontractors adhere to Title VI non-discriminatory requirements.

VII. GENERAL REPORTING REQUIREMENTS

Title 49 CFR Section 21.9(d) requires the City of Durham to provide information to the public regarding its obligations under DOT's Title VI regulations and members of the public of the protections against discrimination afforded to them by Title VI. The multilingual Title VI notice in English and Spanish informs the public that GoDurham operates its programs without regard to race, color, or national origin and includes information on how to file a Title VI complaint. The complaint forms are located at: www.godurhamtransit.org.

Appendix A: Title VI Notice to the Public

GoDurham Title VI Notice to the Public (English)

The City of Durham is committed to ensuring that every person can participate in — and no one is denied — the benefits of its services on the basis of race, color or national origin, in accordance with Title VI of the Civil Rights Act of 1964, as amended. Any person who believes he or she has been subjected to discrimination under Title VI may file a complaint with the City of Durham

The complaint must be in writing and submitted to the City's Title VI Coordinator within one hundred eighty (180) days following the date of the alleged violation. If information is needed in another language, please call the telephone number below.

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

For more information regarding the City of Durham's civil rights program or to file a complaint, visit our website at www.godurhamtransit.org, or contact:

Brian Fahey
Title VI Coordinator
101 City Hall Plaza, Ste. 4200
Durham, NC 27701
Phone: 919-560-4366 ext. 36404

GoDurham Title VI Notice to the Public (Spanish)

Notificación al público sobre el Título VI

La Ciudad de Durham se compromete a garantizar que ninguna persona será excluida de participar en, ni se le negará los beneficios de sus servicios debido a su raza, color del origen nacional, de conformidad con el Título VI de la Ley de Derechos Civiles de 1964, en su forma enmendada. Cualquier persona que crea que ha sido objeto de discriminación en virtud del Título VI puede presentar una queja ante GoDurham.

La queja se debe presentar por escrito y enviarla al Coordinador del Título VI de GoDurham dentro de los ciento ochenta (180) días posteriores a la fecha de la presunta violación de la ley. Si necesita información en otro idioma, llame al número de teléfono que se encuentra al pie de la página.

El demandante puede presentar una queja directamente ante la Administración Federal de Transporte (FTA, por sus siglas en inglés) haciendo llegar el reclamo a la Oficina de Derechos Civiles: Title VI Program Coordinator, East Building, 5th Floor — TCR, 1200 New Jersey Ave., SE Washington, DC 20590.

Para obtener más información sobre el programa de derechos civiles de GoDurham o para presentar una queja, visite nuestro sitio web en www.godurhamtransit.org, o comuníquese con el:

Coordinador de Título VI
101 City Hall Plaza, Ste. 4200
Durham, NC 27701
Phone: 919-560-4366 ext. 36404
titlevi@durhamnc.gov

At a minimum, GoDurham shall disseminate this information to the public by posting to the following locations:

- All GoDurham and GoDurham ACCESS Revenue Vehicles
- GoDurham's Website
- Durham Station
- Bulletin Boards in Common Areas of the Operations and Maintenance Facility

Title VI Complaint Procedures and Form

In order to comply with the reporting requirements established in 49 CFR Section 21.9(b), the City of Durham is required to develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public. The City of Durham must also develop a Title VI complaint form, and procedure for filing a complaint which must be available on GoDurham's website.

Title VI Complaint Procedures (English)

Title VI of the Civil Rights Act of 1964 provides that no person shall, on the grounds of race, color or national origin, including the denial of meaningful access for Limited English Proficient (LEP) persons, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Any person who believes that they have been subjected to discrimination in the provision of transit services may file a written complaint with the Title VI Coordinator. The complaint must be filed no later than one-hundred eighty (180) days after the alleged incident.

The complainant may submit a written statement or complete the Title VI Complaint Form on GoDurham's website. The complaint should include the following information:

- The complainant's name, mailing address, telephone number, email address, etc.
- Describe how, when, where, and why the complainant believes he or she was discriminated against. Include the location, names, and contact information of any witnesses.
- Include any additional information the complainant considers relevant to the complaint.
- The complainant's signature and date.

Once the complaint is received, the Title VI Coordinator (along with the Transportation Director, Deputy City Attorney, and the Equity & Inclusion Director) will review the complaint to determine if the City has jurisdiction. The complainant will receive an acknowledgment letter informing him/her whether the complaint will be investigated by our office. In the event the City has jurisdiction an investigation will begin within fifteen (15) working days of receipt of complaint.

The Title VI Coordinator will contact the complainant in writing no later than thirty (30) working days after receipt of complaint for additional information, if needed to investigate the complaint. If the complainant fails to provide the requested information within fifteen (15) days, the Title VI Coordinator may administratively close the complaint. A case can also be administratively closed if the complainant no longer wishes to pursue the complaint. The Title VI Coordinator will complete the investigation within ninety (90) days of receipt of the complaint.

A written investigation report will be prepared by the investigator. The report shall include a summary description of the incident, findings, and recommendations.

The Transportation Director, Deputy City Attorney, and the Equity & Inclusion Director will review the report. After the review, one of two letters will be issued 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 actions will occur. If the complainant wishes to appeal the decision, she/he has fifteen (15) days after the date of the closure letter or the LOF to do so.

The complaint may be emailed, mailed, or faxed to the following address:

Title VI Coordinator
101 City Hall Plaza, Ste. 4200
Durham, NC 27701
Phone: 919-560-4366 ext. 36404
titlevi@durhamnc.gov

A person may also file a complaint directly with the Federal Transit Administration Office of Civil Rights Attention:

Title VI Program Coordinator East Building
5th Floor – TCR 1200 New Jersey Avenue, SE Washington, DC 20590
Phone: (888) 446-4511

Information provided must include:

- A summary of the complainant's allegations and any supporting documentation.
- Sufficient details for an investigator to understand why the complainant believes the public transit provider has violated their rights, with specifics such as names, dates and times of incidents, route numbers, witnesses, and any other information that would assist in the investigation of the allegations.
- Any related correspondence from the transit provider.
- The complaint must be signed, as the FTA cannot accept the complaint without a signature.



Title VI Complaint Form

Section I:	
Name:	
Address:	
Telephone (Home):	Telephone (Work):
Electronic Mail Address:	
Accessible Format Requirements?	<input type="checkbox"/> Large Print <input type="checkbox"/> Audio Tape
	<input type="checkbox"/> TDD <input type="checkbox"/> Other
Section II:	
Are you filing this complaint on your own behalf? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<i>*If you answered "yes" to this question, go to Section III.</i>	
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. <input type="checkbox"/> Yes <input type="checkbox"/> No	
Section III:	
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	
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? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Section V	

<p>Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, check all that apply: <input type="checkbox"/> Federal Agency: <input type="checkbox"/> Federal Court <input type="checkbox"/> State Agency <input type="checkbox"/> State Court <input type="checkbox"/> Local Agency</p>		<p>You may</p>
<p>Please provide information about a contact person at the agency/court where the complaint was.</p> <p>Name: Title: Agency: Address: Telephone :</p>		
<p>Section VI</p>		
<p>Name of agency complaint is against:</p>		
<p>Contact person:</p>		
<p>Title:</p>		
<p>Telephone number:</p>		

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:

Title VI Coordinator
101 City Hall Plaza, Ste. 4200
Durham, NC 27701
titlevi@durhamnc.gov
919-560-4366 ext. 36404

Title VI Complaint Procedures (Spanish)

El Título VI de la Ley de Derechos Civiles de 1964 establece que ninguna persona, por motivos de raza, color u origen nacional, incluida la denegación de acceso significativo a personas con dominio limitado del inglés (LEP), será excluida de la participación en, ni se le negará el beneficios de, o estar sujeto a discriminación bajo cualquier programa o actividad que reciba asistencia financiera federal.

Cualquier persona que crea que ha sido objeto de discriminación en la prestación de servicios de tránsito puede presentar una queja por escrito ante el Coordinador del Título VI. La denuncia deberá presentarse a más tardar ciento ochenta (180) días después del presunto incidente.

El demandante puede presentar una declaración escrita o completar el Formulario de queja del Título VI en el sitio web de GoDurham. La queja debe incluir la siguiente información:

- Nombre del demandante, domicilio postal, número de teléfono, dirección de correo electrónico, etc.
- Describa cómo, cuándo, dónde, y porqué el demandante considera que él o ella fue discriminado. Incluya la ubicación, nombres, e información de contacto de cualquiera de los testigos.
- Incluya cualquier información adicional que el demandante considere relevante a la queja/demanda.
- Fecha y firma del demandante.

La queja/demanda debe ser enviada por correo o por fax a la siguiente dirección:

Title VI Coordinator
101 City Hall Plaza, Ste. 4200
Durham, NC 27701
Phone: 919-560-4366 ext. 36404
titlevi@durhamnc.gov

Una vez recibida la queja, el Coordinador del Título VI (junto con el Director de Transporte, el Fiscal Municipal Adjunto y el Director de Equidad e Inclusión) revisarán la queja para determinar si la Ciudad tiene jurisdicción. El denunciante recibirá una carta de acuse de recibo informándole si nuestra oficina investigará la denuncia. En caso de que la Ciudad tenga jurisdicción, se iniciará una investigación dentro de los quince (15) días hábiles posteriores a la recepción de la queja.

El Coordinador del Título VI se comunicará con el denunciante por escrito a más tardar treinta (30) días hábiles después de recibir la queja para obtener información adicional, si es necesario para investigar la queja. Si el denunciante no proporciona la información solicitada dentro de los quince (15) días, el Coordinador del Título VI podrá cerrar administrativamente la denuncia. Un caso también puede cerrarse administrativamente si el denunciante ya no desea continuar con la denuncia. El Coordinador del Título VI completará la investigación dentro de los noventa (90) días posteriores a la recepción de la denuncia.

El investigador preparará un informe de investigación escrito. El informe incluirá una descripción resumida del incidente, los hallazgos y las recomendaciones.

El Director de Transporte, el Fiscal Municipal Adjunto y el Director de Equidad e Inclusión revisarán el informe. Después de la revisión, se enviará una de dos cartas al denunciante: una carta de cierre o una carta de conclusión (LOF). Una carta de cierre resume las acusaciones y establece que no hubo una violación del Título VI y que el caso se cerrará. Una LOF resume las acusaciones y las entrevistas sobre el presunto incidente y explica si se tomará alguna medida disciplinaria, capacitación adicional del miembro del personal u otras acciones. Si el denunciante

desea apelar la decisión, tiene quince (15) días después de la fecha de la carta de cierre o de la LOF para hacerlo. Una persona también puede presentar una queja/demanda directamente ante atención:

Administración de Tránsito Federal Oficina/Agencia de Derechos Civiles Coordinador del Título VI
East Building, 5th Floor - TCR 1200 New Jersey Avenue, SE Washington, DC 20590
Teléfono: (888) 446-4511

Por favor proporcione:

- Un resumen de sus acusaciones y cualquier documentación de apoyo.
- Suficientes detalles para que un investigador entienda por qué cree que el proveedor de transporte público ha violado sus derechos, con detalles exactos como nombres, fechas y horas de los incidentes, números de la ruta, testigos, y cualquier otra información que ayude en la investigación de las acusaciones.
- Cualquier correspondencia relacionada del proveedor de transporte público.
- Por favor firme la queja, ya que la Administración Federal de Tránsito (FTA) no la aceptará sin una firma



Formulario de Oueia de Título VI

Sección I:		
Nombre:		
Domicilio:		
Teléfono (Particular):	Teléfono (Laboral):	
Dirección de correo electrónico:		
Requerimientos de formato accesible?	<input type="checkbox"/> Texto Grande	<input type="checkbox"/> Audio
	<input type="checkbox"/> TDD	<input type="checkbox"/> Otro
Sección II:		
¿Presenta esta demanda por su cuenta? <input type="checkbox"/> Si <input type="checkbox"/> No		
*Si su respuesta a esta pregunta fue "sí", diríjase a la Sección III.		
Si su respuesta es "no", por favor indique el nombre y la relación de la persona en cuya representación presenta la demanda:		
Por favor explique porqué presenta una demanda en nombre de un tercero:		
Por favor confirme que obtuvo el permiso de la parte agraviada si usted presenta esta demanda en nombre de un tercero. <input type="checkbox"/> Si <input type="checkbox"/> No		
Sección III:		
Considero que la discriminación que experimenté se basó en (marque las que correspondan): <input type="checkbox"/> Raza <input type="checkbox"/> Color <input type="checkbox"/> Origen nacional		
Fecha de la discriminación alegada (Mes, día, año):		

<p>Explique con la mayor claridad posible qué ocurrió y porqué considera que fue discriminado/a. Describa todas las personas involucradas. Incluya el nombre y la información de contacto de la(s) persona(s) que lo/la discriminaron (si lo sabe) como así también los nombres e información de contacto de cualquier testigo. Si necesita más espacio, por favor use la parte posterior de este formulario.</p>
<p>Sección IV</p>
<p>¿ya presentó alguna demanda sobre el Título IV con esta agencia? <input type="checkbox"/> Si <input type="checkbox"/> No</p>
<p>Sección V</p>
<p>¿Presentó esta demanda ante cualquier otra agencia local, Federal o Estatal o ante cualquier otro tribunal Federal o Estatal? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Si respondió "sí", marque lo que corresponda: <input type="checkbox"/> Agencia Federal <input type="checkbox"/> Tribunal Federal <input type="checkbox"/> Agencia Estatal <input type="checkbox"/> Tribunal Estatal <input type="checkbox"/> Agencia Local</p>
<p>Por favor brinde información sobre una persona de contacto en la agencia/tribunal donde presentó la demanda.</p> <p>Nombre: Título/Cargo: Agencia: Domicilio: Teléfono:</p>
<p>Sección VI</p>
<p>Nombre de la agencia a la que va dirigida la demanda:</p>
<p>Persona de contacto:</p>
<p>Título/Cargo:</p>
<p>Número de teléfono:</p>

Puede adjuntar cualquier material escrito u otra información que considere relevante a su demanda A continuación debe colocar su firma y fecha:

Firma _____

Fecha _____

Envíe este formulario en persona a la dirección que figura a continuación, o envíe este formulario a:

Title VI Coordinator
101 City Hall Plaza, Ste. 4200
Durham, NC 27701
titlevi@durhamnc.gov
919-560-4366 ext. 36404

Title VI Investigations, Complaints and or Lawsuits Filed During the Review Period

	Date	Summary	Status	Actions
INVESTIGATIONS	None	n/a	n/a	n/a
COMPLAINTS	None	n/a	n/a	n/a
LAWSUITES	None	n/a	n/a	n/a

Transit-Related Investigations, Complaints and Lawsuits

In order to comply with the reporting requirements of 49 CFR Section 21.9(b), FTA requires that the City of Durham prepare and maintain a list of any of the following that allege discrimination on the basis of race, color or national origin, active investigations conducted by entities other than FTA: lawsuits: and complaints naming the recipient.

The City of Durham had no Title VI investigations, complaints and or lawsuits filed during the review period of October 1, 2020 – October 31, 2023.

VIII. PUBLIC OUTREACH AND INVOLVEMENT ACTIVITIES (PUBLIC PARTICIPATION PLAN)

Overview

As a federal grant recipient, the City of Durham is committed to complying with the provisions of Title VI of the Civil Rights Act of 1964 and its amendments and to protecting the rights and opportunities of all people associated with the City of Durham or affected by its programs.

Title VI requires that no person in the United States, on the grounds of race, color, or national origin, including the denial of meaningful access for Limited English Proficient (LEP) persons, be excluded from participating in, be denied the benefits of, or be subjected to discrimination, under any program or activity receiving federal financial assistance.

The City of Durham takes steps to ensure that all people and firms wishing to participate in its programs receive equal and equitable opportunities to do so. The City of Durham's sub-recipients and contractors are required to prevent discrimination and to ensure nondiscrimination in all their programs, activities, and services.

To ensure that public engagement is consistent with those requirements, staff use the metrics, methods and approach outlined below.

Introduction

The purpose of this plan is to promote public involvement in transit planning decision making activities. This plan will establish formal procedures that allow for, encourage, and monitor public participation within GoDurham's service areas including, but not limited to, minority and disabled individuals, persons with Limited English Proficiency (LEP), and low-income populations. This document describes proactive public outreach strategies and procedures.

The plan ensures that the City of Durham utilizes effective means of providing information and receiving public input on transportation decisions from low-income, minority and LEP persons as required by Title VI of the Civil Rights Acts of 1964 and its implementing regulations.

The City of Durham's Public Participation Plan explicitly describes the proactive strategies, procedures, and desired outcomes that underpin our agency's public participation activities. The updated plan is to provide options and strategies from which to guide a customized, systematic, and strategic public involvement approach that seeks out and considers the viewpoints of the public and other stakeholders in the course of conducting public outreach and involvement activities. Of particular importance are those methodologies that specifically address linguistic, institutional, cultural, economic, historical, or other barriers that may be preventing minority, low-income and limited English proficient (LEP) populations from participating effectively in the decision-making process.

The plan also reflects and reinforces the primary goal of the City of Durham and GoDurham's public involvement activities: to offer early and continuous opportunities for the public to learn about a particular project or initiative while meeting the particular needs of the groups being presented to, such as language, schedule or location accommodations, in order to maximize their involvement in the identification of social economic and environmental impacts of proposed transportation decisions.

Public Participation Guidelines and Prior Outreach

The Federal Transit Administration (FTA) guidelines for general Title VI program involvement are fairly broad and allow the transit providers to choose specific strategies that will best meet the needs of their rider demographics. However, it is required that every Title VI program include a public participation plan that outlines the strategies for engaging minority, low income, and limited English proficient populations.

Goals and Objectives

The goal of the plan is to offer a variety of opportunities for the general public to engage in transit planning and decision-making activities at the City of Durham in accordance with FTA Circular 4702.1B Chapter III-5 Promoting Inclusive Public Involvement.

The overall goal of this plan is to outline the strategies that will be implemented to raise awareness and provide valuable input to be used in the decision-making process. The objectives of the Public Participation Plan, in support of this goal, include:

- Solicit participation and feedback from target populations,
- Hold meetings early in the process,
- Provide frequent notification of opportunities to be involved,
- Provide equitable access to relevant project information,
- Monitor and evaluate outreach activities to determine effectiveness,
- Strategies to conduct ongoing public engagement,
- Determine what non-English languages and other barriers may exist to public participation within GoDurham’s service areas,
- Provide a general notification of meetings, particularly forums for public input, in a manner that is understandable to all populations in the area,
- Scheduling meetings at times and locations which are convenient and accessible to all area residents, including, but not limited to, minority, LEP, and low-income members of the public;
- Coordinating with community-and-faith-based organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority, low income and/or LEP communities; and
- To utilize a variety of communication methods to capture public input from populations which are typically not likely to attend or engage in public meetings.

Identification of Stakeholders

Stakeholders are those who are either directly or indirectly affected by a plan, project, or program based on decisions related to recommendations or implementation actions.

General stakeholders within GoDurham’s service area includes, but are not limited to:

- Durham County residents
- Public (including minority, LEP, and low-income populations),
- Major employers,
- Major colleges, universities, and school districts,
- Non-profit and private business community,
- Local Chambers of Commerce, and

- Regional transit partners.

Meetings and Outreach

Appendix C.2: October 2020 Service Change Public Engagement Summary

A variety of public participation methods will be used to facilitate public involvement and engage the community in transit planning and decision-making activities at the City of Durham. The following section lists the methods for engaging the target audience and stakeholders:

- Presentations to non-profit and civic groups serving seniors, youth, persons with disabilities, low-income, LEP and other populations,
- Presentations to schools, churches, and interest groups,
- Open houses,
- Informational handouts,
- Translated written materials,
- Informational websites,
- Social media sites (Twitter, Facebook, etc.) announcements,
- Press releases,
- Public service announcements
- Surveys,
- Questionnaires,
- Comment forms,
- Hotline/Toll free telephone number,
- Online surveys and comment forms,
- Interagency coordination,
- Community interviews,
- Community recreational events/festivals,
- Staffed booths at events,
- Targeted outreach to organizations serving Title VI (and LEP) populations, and
- Pass programs targeted to Title VI populations.

Agency Coordination

The City of Durham works closely with regional transit agencies, local and state agencies, government agencies, etc., as they play a vital role in project planning and development.

The City of Durham’s Transportation Director shall review and approve policies, service and fare changes, and review or identify mitigation for Title VI impacts.

Public Meetings

Public meetings - Refers to any meetings held by the City of Durham, contractor staff or our consultants that are intended to communicate information to our customers and the public or to receive input from those groups. Typically, these events are advertised in advance and held in a location that is accessible for the target population. We make translation and/or interpretive accessibility services available at these meetings. All meetings are held in ADA accessible locations with access to transit services as well as they may be virtual. Meetings are scheduled at

convenient times to allow people the opportunity to attend the meeting that best fits their schedules. The City of Durham typically advertises in media that targets low income, underrepresented and LEP populations.

Public outreach activities: The City of Durham and GoDurham goes out to customers or the public on-board buses, at bus stops, or in other public places to share or solicit information. These activities are not typically communicated in advance but are an excellent way to reach individuals who are unlikely to participate in a public meeting. These activities are sometimes also conducted online. Meeting notifications and advertisements include information in Spanish and instructions on how to request accessibility services if needed for the meeting.

Public Hearings

Public Hearing- This is a formal opportunity for the public to comment on a proposed change to the fixed-route or paratransit fares . It must be advertised at least 10 days before the scheduled hearing.

Other Meetings and Events

The City of Durham and GoDurham staff also attend community events and/or meetings across the service area in an effort to engage a broader audience and specifically target Title VI populations and those interested in transit related concerns/issues and information. If LEP populations are present in the area, translation/interpretive services are available at the meetings. Community Group Briefings are attended by staff and project team members. These events and meetings are held by community organizations to further educate Title VI populations and other community members about the project and solicit public comment.

Communication Tools and Techniques

Notifications

The City of Durham and GoDurham employ several notification strategies to ensure the public is aware of upcoming meetings and activities. Notifications are translated based on the LEP population that is identified in the area. Strategies include:

- Flyers placed in strategic locations (ex: transit centers, buses, etc.) to reach the target audience that convey key project information and to advertise public forums,
- Comment forms (English & Spanish) distributed at community events and public workshops with staff assisting in completion of forms at canvassing opportunities,
- Staff presentations,
- Advertisements,
- Media: Email, Social Media
- Organizational list services,
- Posting to community websites, and
- GoDurham website.

Web-Based Communications and Social Media

Web-based communication and social media outreach is another method of public outreach strategies that is a highly effective tool in providing information quickly to a wide and diverse audience, for little or no cost.

GoDurham staff and our consultants develop content and strategies on how it will be submitted, and where it will be uploaded, as well as when/how updates will be provided.

Community organizations are identified to whom web page, social media and electronic notifications are to be distributed. A description of the types of planned electronic notifications are distributed to community organizations and stakeholders which also includes an instruction and an overview of whom and how they should be distributed.

Press releases are developed and circulated to media outlets across the region and provided updates on projects and important meeting notifications. News releases are distributed to minority and Spanish language media outlets to support outreach to Title VI minority population groups and LEP populations.

Media Releases

News releases are used to provide information about public workshops. Newspapers, radio and television broadcast stations and online forums are the media routinely used.

Measuring Success

Quantifiable performance measures are essential for determining the success of public participation strategies. Both qualitative and quantitative approaches will be used to evaluate the effectiveness of outreach. The following list measures of effectiveness:

Accessibility

- Meeting and community event locations represent the target demographics,
- All meetings are ADA accessible, and
- All meetings have language accessibility.

Decision Integration

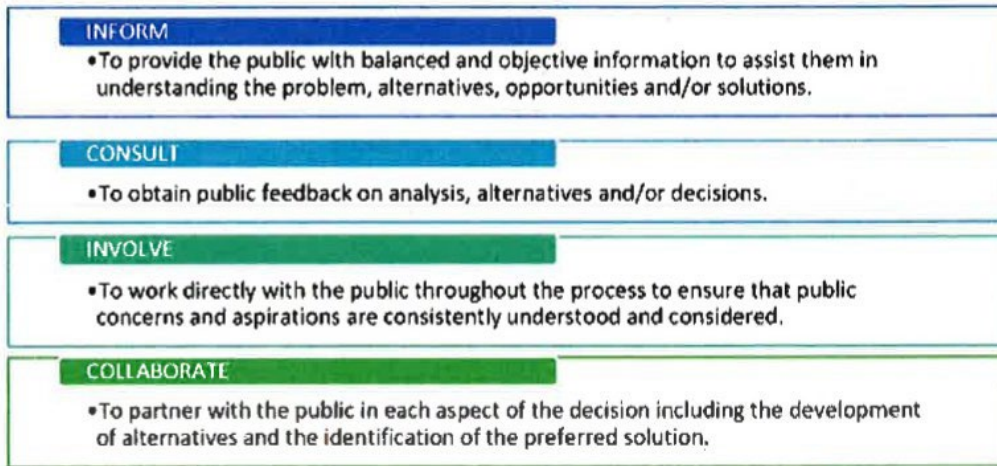
- All comments are analyzed and summarized to the project team in a timely manner for decision (posted online at the GoDurham public meeting web site, posted online at project-specific web sites, direct response to persons who submitted a comment and requested a response, etc.),
- All comments requiring response are responded to within 15 business days, and
- Comments requiring response and actions taken in response to comments are tracked.

Public Participation Schedule

A project schedule should be included noting key and public participation milestones. If appropriate, note that activities and dates are subject to change throughout a study or project process and will be updated as needed.

Public Engagement Approach

Outreach conducted by the Public Engagement team involves four levels of engagement, outlined in the chart below and drawn from best practices in the field of community involvement. Each level serves a unique purpose, and some efforts accomplish more than one type of involvement. The Public Engagement team works with project leaders to determine strategically the appropriate level of engagement for a specific effort as well as the activities involved, known as an Outreach Plan. The Public Engagement teams coordinates with all areas of the Community & Public Affairs department including marketing, communications, public relations, social media, and design when developing outreach plans and materials.



Source: [International Association of Public Participation \(IAP2\) Public Participation Spectrum.](#)

Public Engagement Methods

Appendix D: Public Outreach Efforts

The Public Engagement team uses a variety of tools to involve the community at the four levels of engagement. Engaging various stakeholders requires using methods that address their specific needs and goals. Methods utilized by the public engagement team can be found in the chart below:

Method	Description (What is it?)	Strategy	Method	Description (What is it?)
Public Meeting	Public meetings engage a wide audience in information sharing and discussion.	Public meetings are useful for introducing new information, services, or plans to the public, and creating opportunities for discussion and the collection of feedback.	General public (likely those more in tune with the planning process)	Inform + Consult
Pop-Ups	Pop-ups consist of setting up tables at major festivals, local fairs and other community events to distribute information. Pop-ups can also be in neighborhoods or as part of door-to-door canvassing.	These events allow for deeper conversations with people in less formal settings. Pop-ups are useful when trying to reach people who may not have the opportunity to attend formal meetings.	General public (in their daily life)	Inform + Consult

Method	Description (What is it?)	Strategy	Method	Description (What is it?)
Community Meetings	The community related to issues pertinent to that community organizes these meetings, which take many forms. Staff attend to present information or establish a relationship.	Community meetings are a great opportunity to present new information and answer community specific questions in an informal setting.	Targeted audience based on a geographic area or community issue	Inform + Consult
Presentations	A presentation is the act of presenting a topic or idea to an audience.	Presentations are useful in communicating new information to the public and creating a space to answer questions, promote conversation, and gain feedback.	Particular audience at a meeting or event	Inform + Consult
Surveys	A survey is a research method used to collect information from a variety of individuals. Surveys deployed online and on paper at events.	Surveys are useful for gathering specific information or feedback regarding a project, plan, or engagement effort. Surveys are also useful in engaging a diverse group of people and doing targeted outreach due to the various distribution platforms including printed questionnaires, telephone, by mail, in person, or on the web.	General public or targeted audience, depending on distribution	Consult
Advisory Committee	An advisory committee is a group of individuals, typically volunteers or community members that work to identify issues and propose solutions and recommendations	Advisory committees are a great way to involve the community and bring a diverse set of opinions and experiences to the table, which can facilitate both	Members of the advisory committee, which may represent larger populations	Collaborate

Method	Description (What is it?)	Strategy	Method	Description (What is it?)
	to a business or organization.	innovation and improvement within the organization and project.		
Email Blast	An email blast is an informational email sent to a listserv or large group of individuals or organization contacts.	Email blasts are useful in creating a consistent flow of communication with stakeholders and updating them on various project developments.	Individuals and organizations	Inform
Online/Website	Project documents posted to the project website in a timely, organized, and accessible fashion.	Utilizing a website is helpful when you want to create longevity for documents and store them in a place that allows easy access to all information at any time.	General public (computer literate)	Inform
Online Comment Box	A comment box is similar to a comment card, but the card is accessible online.	An online comment box is useful for engaging a larger variety of stakeholders, as online forums allow stakeholders to submit comments at a time and place most convenient for them.	General public (computer literate)	Consult
Paper Comment Cards	A comment card is a tool that allows various stakeholders to give their opinion or provide feedback on a topic.	Paper comment cards are useful for engaging stakeholders with limited access to technology, or for providing quick opportunities for stakeholders to submit feedback at meetings or community events.	General public (non- computer literate)	Consult
Multilingual Material	Both print materials and a variety of online content will	Offering content in multiple languages is useful in further	General public, non- English speakers	Inform + Consult

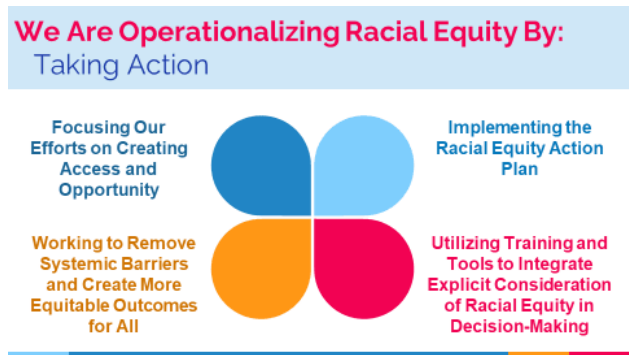
Method	Description (What is it?)	Strategy	Method	Description (What is it?)
	be available in multiple languages.	engaging underserved populations.		

Minority Representation on Committees and Councils Selected by the Recipient (General Requirement)

Background

The City of Durham has several committees or task forces that advise and provide input and feedback on mobility services. The Equity & Inclusion Department works within all aspects of City government to closely examine policies, practices, budget allocations, and programs that may perpetuate institutional racism and systemic inequities (as shown in image 1 below). **This includes using racial equity tools in the selection processes for committees to ensure participation of minorities.**

Image 1. Racial Equity Action Plan Goals (Equity & Inclusion Department)



The Equity & Inclusion Department is responsible for:

- Development and implementation of the City of Durham Racial Equity Action Plan.
- Development and implementation of equitable decision-making tools and processes.
- Development and implementation of equity, inclusion, belonging, and tools training for City staff.
- Ongoing monitoring, assessment, and reporting on City equity efforts and initiatives.
- Supporting the work of the Racial Equity Commission and the Mayor's Committee for Persons with Disabilities.

In general, the City of Durham advertises for open committee/commission positions through the [City of Durham web site](#), through stakeholder groups, in City Council meeting agenda releases, and through various community groups.

Durham Bicycle & Pedestrian Advisory Commission

The primary purpose of the Commission is to provide advice to the City Council and the Board of County Commissioners on questions relating to bicycle and pedestrian issues. Nine (9) members are appointed by the City Council representing the following constituencies which have an interest and expertise in the following categories: Recreation / Urban Trails and Greenways; Transportation Planning Policy; Walking/Running/Pedestrian Community for Marginalized Groups; Public Transit / Paratransit; North Carolina Central University (student or staff person); Youth Representative; and three (3) At-Large positions.

Mayor’s Hispanic/Latino Committee

The mission of the Committee shall be to improve the opportunities and quality of life of Hispanic/Latinos in the city of Durham through civic engagement by promoting the interests and needs of the Community at large, and to serve as liaison and consultative body between the Hispanic/Latino residents and City government officials in order to further promote and protect equal opportunities for all.

To meet the mission, the Committee will function to serve as a communication channel between Hispanic/Latino community groups and individuals living, working, and/or playing in Durham and City government, including, but not limited to, the Mayor and City Council. The Committee will advise and inform the Mayor and City Council regarding any concerns of specific impact to the Hispanic/Latino Community and the broader Durham community at large. The Committee will help establish collaborative efforts to improve services and outreach to the Hispanic/Latino Community in the areas including, but not limited to, fair and equitable housing opportunities, economic development, civil rights and justice, culture, recreation and fine arts, and public safety. The Committee will provide a regular and open forum for the discussion of issues pertaining to Hispanic/Latino community members living, working and/or playing in the city of Durham.

The Committee shall consist of eleven (11) members with at least six (6) members being Hispanic/Latino individuals of Hispanic/Latino descent.

Mayor’s Committee for Persons with Disabilities

The role of the Durham Mayor's Committee for Persons with Disabilities is to act as an educational and advocacy group focusing on the needs of individuals with disabilities. One of the committee's primary objectives is to raise public awareness and foster a greater sense of sensitivity towards people with disabilities. Additionally, the committee aims to establish collaborative efforts in order to dismantle existing barriers that affect individuals with disabilities. In pursuit of these goals, the committee maintains open communication with the Mayor and other community leaders, addressing any concerns or requirements related to housing, education, recreation, transportation, and employment for persons with disabilities.

Paratransit Task Force

The Paratransit Task Force was developed to improve customer and stakeholder coordination with the goal of achieving 95% on-time performance, improving customer communication, and providing same-day reservations for the GoDurham ACCESS service. The task force is comprised of staff from the City of Durham (2), Durham County (1), and the paratransit service contractor (1); as well as customers who use the GoDurham ACCESS service (6), all who are persons with disabilities. Recruiting for the task force was done by issuing a notice to all GoDurham ACCESS customers and through other key stakeholders (such as Durham Exchange Club Industries, Lions Club Industries, and Vision Insights) requesting interest in rider participation. Selection of participants was performed based on a representative population of minorities for the City and GoDurham ACCESS services, as well as ensuring 100% of riders have a permanent disability.

Table 1 shows the membership of the committees/task forces broken down by race.

Table 1: Membership of Committees and Task Forces Demographic Breakdown

Body	Members Appointed by City Council?	Caucasian	Latino	African American	Asian American	Native American
Population	-	45%	13%	37%	5%	0%
Durham Bicycle & Pedestrian Advisory Commission	Yes	48%	22%	18%	4%	8%

Mayor's Hispanic/Latino Committee	Yes	9%	73%	18%	0%	0%
Mayor's Committee for Persons with Disabilities	Yes	45%	10%	40%	5%	0%
Paratransit Task Force	No	53%	0%	47%	0%	0%

Monitoring Subrecipients

The City of Durham does not have any subrecipients and therefore no monitoring is required in accordance with 49 CFR 21.9(b).

Determination of Site or Location of Facilities

The City of Durham has not constructed any facilities such as a vehicle storage facility, maintenance facility, operation center during the plan period. Major improvements are planned at the Durham Station (at the current station site) beginning in fiscal year 2025 that do not require an analysis.

IX. ACCESS FOR LIMITED ENGLISH PROFICIENT (LEP) PERSONS

Appendix G: 2022 GoDurham Onboard Survey, Language Spoken Most Often at Home

Introduction

Pursuant to FTA guidance, The City of Durham must take reasonable steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are Limited-English proficiency in a competent and effective manner, to help ensure City of Durham’s services are safe, reliable, convenient, and accessible to LEP customers.

Most individuals in the United States read, write, speak, and understand English. However, there are many individuals whose primary language is not English. Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English may be Limited English Proficient, or “LEP”. This language barrier may prevent individuals from accessing services and benefits.

There are two pieces of legislation that establish the manner in which agencies which are recipients of federal funds must address the needs of LEP persons. Title VI of the Civil Rights Act of 1964 and Executive Order 13166 clarifies requirements for LEP persons under Title VI.

Title VI of the Civil Rights Act of 1964 and implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance.

Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state and local agencies, and governments, private and non-profit entities, and subrecipients. The purpose of this LEP guidance is to clarify the responsibilities of recipients of federal financial assistance from the U.S. Department of Transportation and assist them in fulfilling their responsibilities to LEP persons. The Executive Order also requires agencies to examine the services it provides and develop and implement a Language Implementation Plan which includes a system by which LEP persons can meaningfully access those services.

Program Objectives

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

Plan Summary

The City of Durham's Limited English Proficiency Plan (LEP) has been developed to ensure that LEP persons will have meaningful access to the transit system's services as required by Executive Order 13166.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates.

The City of Durham was guided by U.S. Department of Transportation's four-factor LEP analysis in developing the plan which essentially describes the extent of the Transit system's obligation to provide LEP services as described below: 1) The number or proportion of LEP persons eligible in City of Durham service area who may be served or likely to encounter a City of Durham program, activity, or service; 2) the frequency with which LEP individuals come in contact with the GoDurham fixed route and GoDurham ACCESS paratransit services; 3) the nature and importance of the program, activity or service provided by GoDurham to the LEP population; and 4) the resources available to GoDurham and overall costs to provide LEP assistance. A brief description of these considerations is provided in the following section.

Four-Factor Analysis

As part of Title VI general requirements and guidelines, a Four-Factor Analysis must be completed to ensure equal and meaningful access to programs and activities for persons with limited English proficiency. A Four-Factor Analysis assesses the following: the number or proportion of LEP persons in the service area; the frequency with which LEP individuals come into contact with the service; the nature and importance of the service to LEP persons; and the agency resources available and costs for outreach. The purpose of this process is to determine if language access is needed.

1. The Number or Proportion of LEP Persons Eligible to be Served or Likely to Encounter a Program, Activity, or Service of the City of Durham

The City of Durham operates GoDurham Transit Service. The daily operation and management of the system is done through GoDurham Transit to provide joint effort to offer assistance to LEP groups in the city. The City's Public Affairs Office, and Police, Technology Solutions and Human Resources Departments have established processes for identifying and engaging Durham's LEP population. GoDurham examined several data sources for demographic data of its service areas to assess whether there are any underserved LEP populations. LEP persons interact with GoDurham on a daily basis. GoDurham operates fixed-route bus and shuttle service, paratransit services, ride-matching, and vanpool services for the City of Durham and Durham County. For FY 23, GoDurham's annual ridership on fixed-route was 5,616,072 riders and annual trips on GoDurham ACCESS was 124,628. The system currently has 19 fixed routes and a fleet of 40 buses between peak pullouts. The system also has a paratransit unit called GoDurham ACCESS for patrons/individuals who have been qualified with an assessed disability, are unable to independently ride a bus, get on/off a bus, or get to/from a bus stop. The GoDurham ACCESS service currently operates 38 peak vehicles. Services on both divisions are provided seven days a week, generally from 5:30 a.m. until 12:30 a.m., Monday through Saturday and 6:30 a.m. until 9:30 p.m. on Sundays and holidays.

The City of Durham works with GoTriangle and other transit agencies in the Triangle Area to provide a unified regional call center. Bilingual (English & Spanish) call center representatives interact daily with LEP customers, assisting them with planning transit trips, fare and schedule information, real-time bus status, paratransit trip scheduling and applications and several other services through their Regional Information Center. Additionally, the Regional Transit Center ("RTC") provides customer service for window and pass sales, lost-and-found, route and informational brochure requests, transit agency policy information, trip planning, fare and schedule and other services to customers. The RTC is staffed with bilingual representatives to assist LEP persons. The operators of this call center

are often the first line of interaction our customers have with our services and are trained to help the Triangle's LEP population utilize appropriate language assistance resources.

The City of Durham reviewed information from the U.S. Census Bureau; American Community (ACS) for 2022 for Durham County.

The 2022 –ACS Survey estimated Language Spoken at Home for the population 5 years and over for Durham County was 305,519. That total includes:

Speaks only English- 248,256 or 81.3%; speaks English only or well- 283,313 or 92.7%; speaks English less than very well- 22,206 or 7.3%; speaks a language other than English- 57,263 or 18.7%. The ACS indicates that Spanish speaking LEP persons are most likely to be encountered. Spanish speaking persons comprise 36,040 or 11.8% of the population in Durham County, of which 16,920 are LEP persons.

The ACS estimates that Chinese (including Mandarin and Cantonese) LEP speakers are the other most likely group to be encountered. Chinese speakers comprise 3,453 persons or 1.1% of the population in Durham County. The ACS estimates that 2,298 or 66.6% of the Chinese (including Mandarin and Cantonese) groups speak English very well, while 1,155 or 33.4% speak English less than very well.

Durham Public Schools (DPS) demographics for 2022-2023 were reviewed. DPS enrollment was 31,124; down slightly from 32,928 from 2019-2020. DPS race/ethnic composition comprised of:

Black or African American, 38.5% down from 41.6%; White 19.4%, up from 19.0%; Hispanic/Latino 34.3%, up from 32.8%, Asian 2.1%, unchanged; Multiracial 5.5%, up from 4.3%; American Indian 0.1%, down from 0.2%; and Hawaiian/Pacific Islander 0.1%, unchanged.

Table 2: Language Spoken Most Often at Home

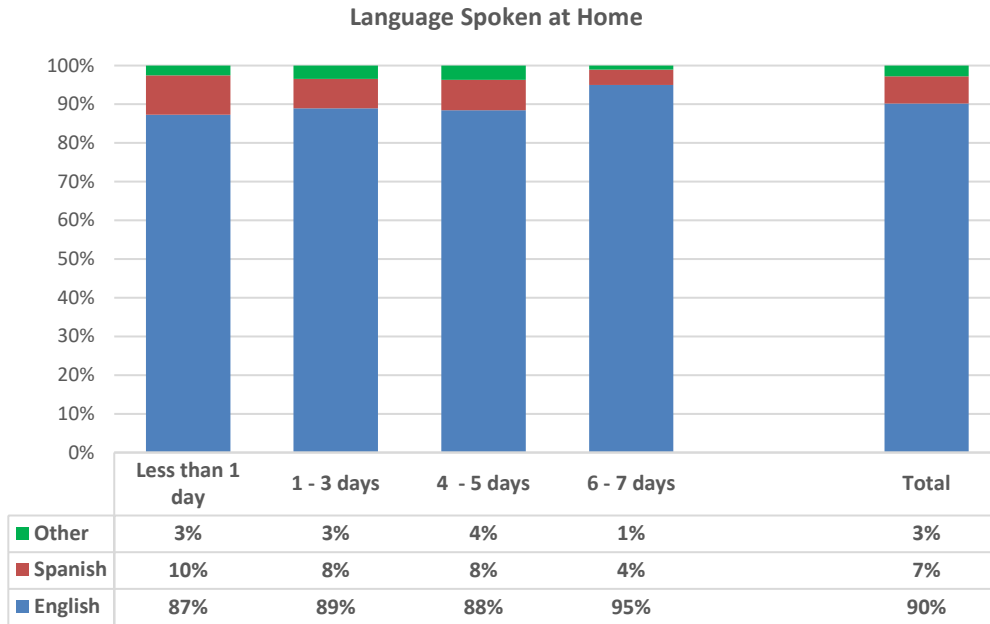


Table 2 presents the language that GoDurham riders speak most often at home. The overwhelming majority (90%) of GoDurham customers most often speak English at home while 7% speak Spanish and 3% another language. The rider frequency segments do not vary significantly in this respect.

The Safe Harbor Provision

The Safe Harbor Provision stipulates that 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 to be served or likely to be affected or encountered. 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.

These safe harbor provisions apply to the translation of written documents only.

Based on GoDurham’s Onboard Passenger Survey feedback from its employees, requests for translated documents, etc., the City of Durham will continue to focus on translation of vital documents for Spanish LEP individuals. The City of Durham has not received any documented requested for any translated documents or language assistance other than Spanish.

2. The Frequency with which LEP Individuals come in Contact with the Program

The City of Durham assesses the frequency at which staff has or could possibly have contact with LEP persons. This includes reviewing GoDurham’s records of contact with customers from the RTC and Durham Station; Onboard passenger Survey; phone inquiries; request for translated documents; and staff feedback.

A past Onboard Passenger Survey noted that GoDurham’s communication with its riders was evolving as to how they preferred to obtain service change updates. Transit systems are experiencing a transition from the use of printed materials to communicate with riders to electronic and increasingly mobile electronic modes.

Frequency of Using GoDurham

Riders were asked how many days in a typical week did they use GoDurham in 2020 and 2021 during the pandemic. The findings are presented in Table 3. For the purpose of further analysis, the customers are grouped into four sets, or “segments”, depending upon how frequently they use GoDurham. The analysis refers to them as:

- Less than one day: Those who use GoDurham less than one day a week (11%)
- One-to-three day: Those who use GoDurham one, two, or three days a week (21%)
- Four-to-five day: Those who use GoDurham four or five days a week (32%)
- Six-to-seven day: Those who use GoDurham six or seven days a week (34%)

Table 3: Frequency of Using GoDurham

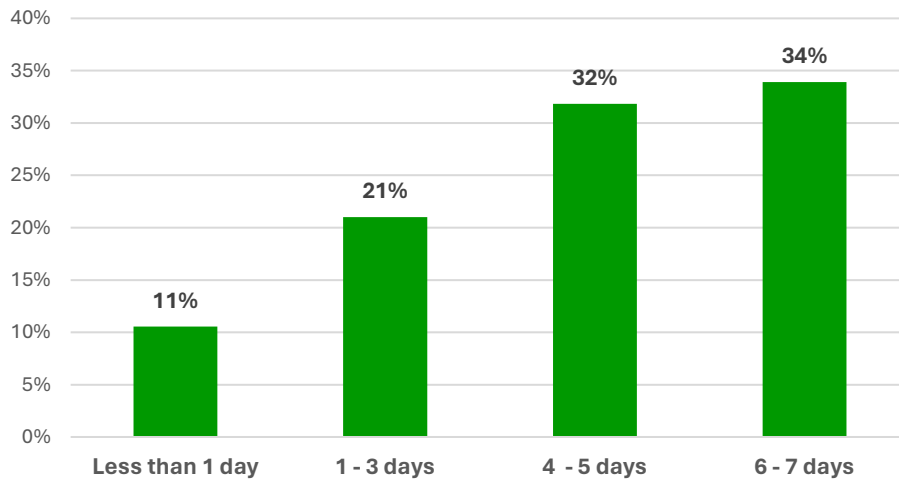


Table 4: Service Use Compared to Before the COVID-19 Pandemic

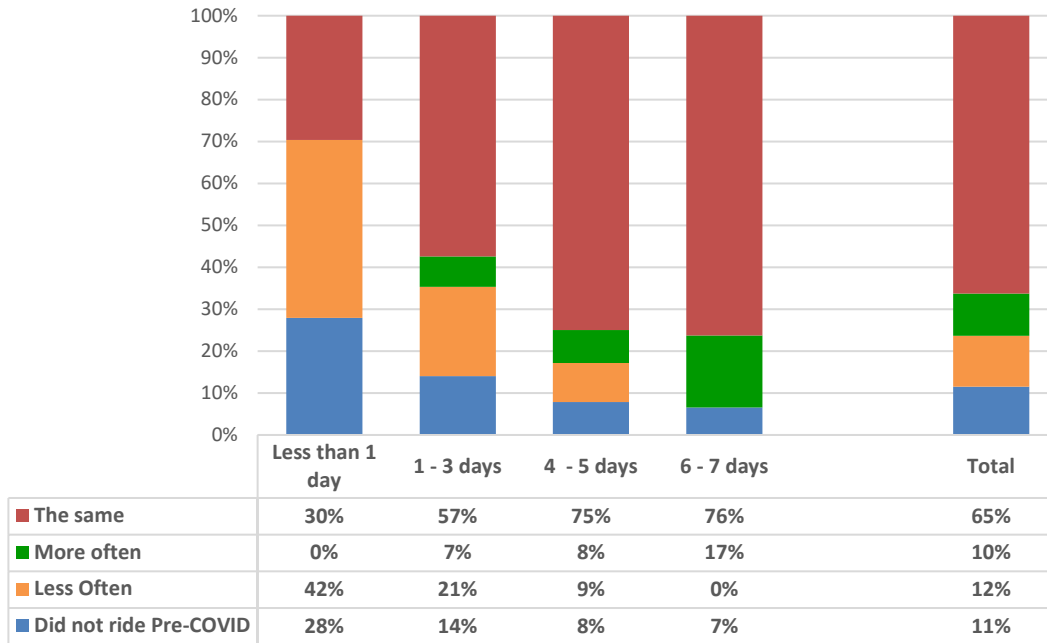


Table 4 presents Service use comparisons of riders before and after the COVID-19 Pandemic. Overwhelmingly, respondents say that they are riding with the same frequency (65%) as before the pandemic, a comparable share (10% and 12%) say that they are riding more or less often, and 11% say they are new riders. The less than one day riders are the most likely to say that they are riding less often (42%) followed by one-to-three day riders (21%), while the most frequent riders are more likely (17%) than the other segments to say they are riding more often.

Table 5: GoDurham Ridership Fiscal Year Comparison 2020-2023

Consumption	FY 2020	FY 2021	FY 2022	FY 2023
Total Annual Ridership	5,602,299	4,403,671	4,744,135	5,616,072

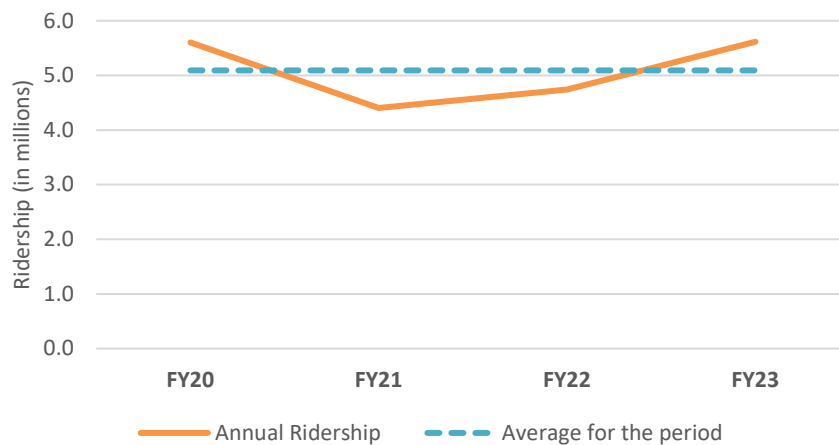


Figure 1: GoDurham Ridership FY 2020 to 2023

As shown in Table 5 and Figure 1, ridership and survey figures are not strictly comparable. Thus, the finding that 21% say they are either new riders or riding more often may or may not be entirely consistent with the ridership data; during the pandemic in 2020 and 2021, GoDurham ridership was the lowest in FY21 and increased in the following years, by 8% in FY22 and 18% in FY23 going back to the ridership levels in 2020.

3. The Nature and Importance of the Program, Activity or Service Provided by GoDurham to People’s Lives

GoDurham’s role as a public transportation agency is critical in providing people access to employment, education opportunities, medical care, shopping, entertainment, recreational opportunities, and access to childcare to those who rely on public transportation.

The Onboard passenger survey findings presented in Figure 2 indicates that of those purposes listed above, the main trip purpose of a GoDurham’s rider’s specific trips is usually for employment and shopping purposes. A substantial majority of the four-to-five-day riders (75%) and six-to-seven-day riders (71%), but fewer of the less than one day (43%) and one-to-three-day riders (37%) had made work trips. The less than one day and one-to-three-day week riders are more likely than the other segments to have used GoDurham for non-work purposes, including school/college trips (20% and 12%), shopping (18% and 28%), and other purpose trips (8% and 11%) respectively.

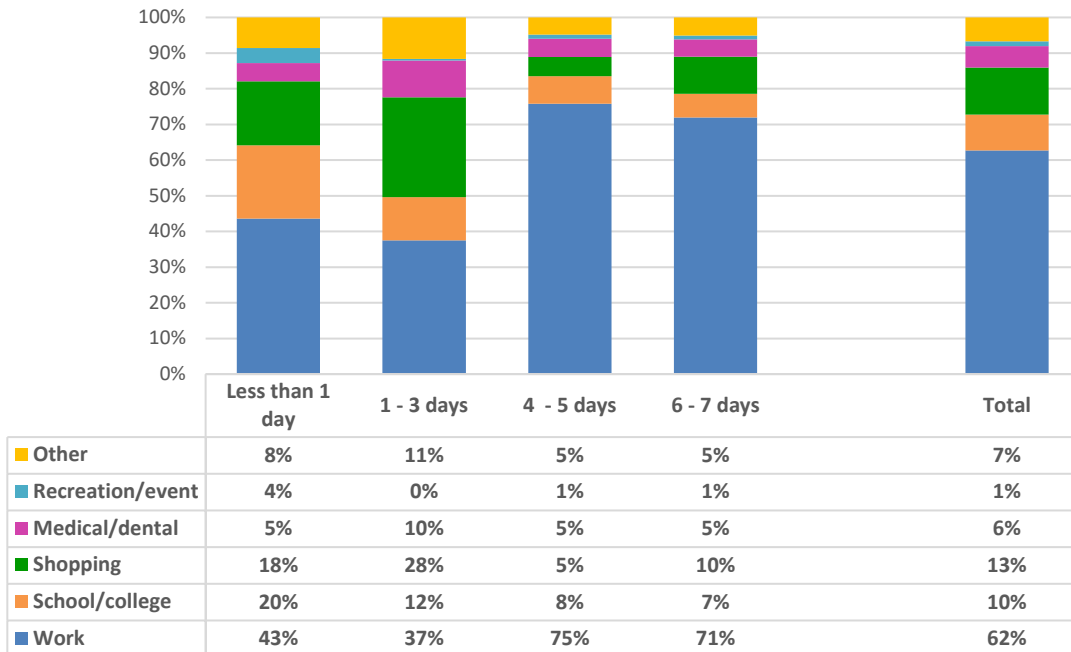


Figure 2: Main Trip Purpose for Using GoDurham Buses

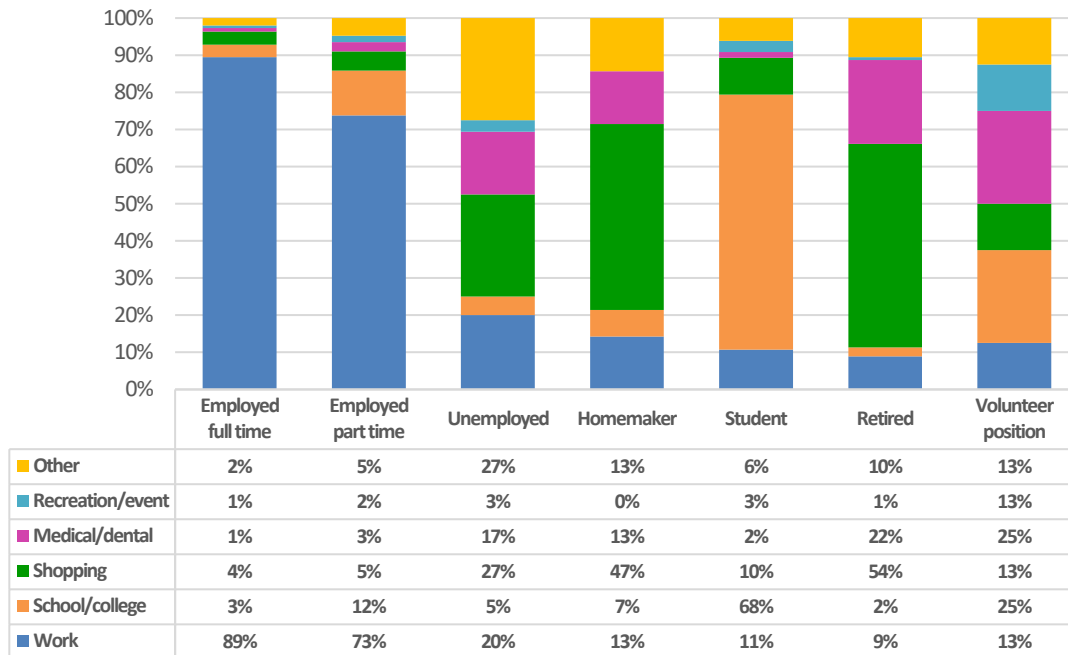


Figure 3: Employment and Trip Purpose by GoDurham

Figure 3 presents the main trip purpose for various types of riders based on their employment status. As expected, 89% of those employed full time use GoDurham to go to or from work, while 73% of part time workers are headed for work; another 12% of the part time workers are headed for school. More than half of the riders who say they are unemployed are riding GoDurham for shopping (27%) or other purposes (27%). Less expected is that 20% of those who say they are unemployed say they are going to or coming from work. One possibility is that they are in temporary jobs of some short time while looking for work; therefore, consider themselves to be unemployed according to those conditions.

Similarly, 9% of retirees say they are making a work trip, probably working part time but still consider themselves to be primarily retired. A majority of riders who are retired (54%) or homemakers (47%) say they are making a shopping trip. Nearly 13% of homemakers say they are going to work. These individuals could be working part time but consider homemaker to be their main occupation. Students, as anticipated, are going either to school (68%) or to work (11%). In short, a customer’s employment circumstances strongly influence, but do not determine trip purpose.

4. The Resources Available to the Recipient and Costs

The City of Durham is committed to assuring that resources are used to reduce the barriers that limit access to its services by LEP individuals. The City of Durham will continue that commitment by continually assessing the available resources to provide LEP assistance. The City of Durham and GoDurham will make available bilingual staff, professional interpreters (upon request), and translation of vital documents and decide what level of staff training is needed. The City of Durham has also established partnerships and works closely with community organizations that serve LEP populations.

Language Assistance Plan

After analyzing the four factors outlined in the U.S. DOT policy guidance, the City of Durham has used the results of the analyses to determine which language assistance services are appropriate and developed an assistance plan to address the needs of the LEP population(s) that is served by GoDurham.

There are five areas that comprise the City of Durham's LAP Plan:

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

GoDurham's website includes Google Translate so that LEP customers can view information in their preferred language.

1. Identifying LEP Individuals that Need Language Assistance

The City of Durham will review demographic data annually and solicit data from the LEP community to identify language assistance needs within its service areas.

Based on the U.S. Census Bureau; American Community Survey (ACS) for 2022, GoDurham's 2022 Onboard passenger survey, Durham Public Schools (DPS) demographic data, and documented calls to GoDurham and the Regional Information Center, Spanish speaking LEP persons are the primary group requiring language assistance in GoDurham's service areas.

The City of Durham will continue to monitor and evaluate our agency's efforts based on requests for LEP assistance in our service area and make changes as needed. There are several measures that can be taken to identify persons who may need language assistance in our service area, with emphasis on our primary group requiring help:

- Send out notifications in Spanish of upcoming events/meeting(s),
- Select locations that may be more convenient for LEP persons; send out the notices in Spanish,
- Include a sign in Spanish and a Spanish speaking person at the Durham Station desk
- When open houses or public meetings are held, set-up a sign-in table and have a staff member greet and briefly speak to each attendee in order to informally gauge his/her ability to speak and understand English,
- Have the Census Bureau's "I Speak Cards" at various events. Although staff may not be able to provide translation assistance at events at this time, the cards are an excellent tool to identify language needs for future events/meetings. The cards are also available at the RTC.
- Post a notice of available language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings,
- Survey bus operators periodically and other staff who have contact with LEP individuals to record language assistance requests.

2. Language Assistance Measures

GoDurham has or will implement the following LEP measures:

- Bilingual call center staff is available for Spanish LEP language assistance and to respond or interpret correspondence in Spanish. Call center staff are also responsible for recording complaints and forwarding them to the Customer Service Manager (“CSM”). Complaints that come under the Title VI are forwarded by the CSM to the designated department for appropriate action.
- Notice on website that language assistance services are available upon request, free of charge.
- Interior bus poster displaying the Title VI Notice to the Public in English and Spanish.
- The Title VI complaint form and complaint procedures are translated into Spanish and available on GoDurham’s website.
- Provide translators for all public hearings and meetings (upon request) and translated press releases.
- Several bus operators speak Spanish. As frontline employees, operators are the most direct point of contact for LEP persons. However, if the operator is not bilingual, they are instructed to ask for assistance from a bilingual passenger. If there is no one on the bus who can offer language assistance, the operator contacts dispatch for assistance.
- Users of GoDurham’s website have online access to Google Translate, the online language translation service which allows users to translate to and from Spanish and other languages.
- GoDurham’s website to add feature to increase/decrease font size to view text in different sizes for the visually impaired.
- GoDurham has an Interpretation Service contract CTS Language link with the ability to access an interpreter as needed by telephone that supports more than 240 languages and dialects.
- The text on signs identifying the locations at which people must gather in the event of an emergency are located at the administrative offices, Durham Station, and the Bus Operations and Management Facility is in both English and Spanish.

3. Training Staff

It is important that staff members, especially those having contact with the public, know their obligation to provide timely, reasonable, and meaningful language assistance to its LEP populations. Bus operators have the most frequent contact with LEP persons, through daily interactions with passengers. City of Durham has implemented the following training program on its language assistance plan. Each employee in attendance reviews a “summary” copy of City of Durham’s LEP Plan that summarizes their responsibilities and roles in interacting with and providing language assistance to LEP populations. That training includes:

- An overview of Title VI and City of Durham’s responsibilities,
- Discussion of Title VI Notice to the public poster and complaint procedures,
- Language assistance services City of Durham offers,
- Use of language identification cards or “I Speak Cards”,
- Specific procedures to follow when encountering an LEP person,
- Document/report language assistance requests; and
- Reference, DVD “Understanding and Abiding by Title VI of the Civil Rights Act of 1964”. The DVD “Breaking down the Language Barrier: Translating Limited English Proficiency into Practice” is also available for training purposes.

4. Providing Notice to LEP Persons

City of Durham has or will implement the following outreach efforts:

- A statement on its website in Spanish indicating that language assistance is available free of charge,
- Public meetings and open house announcements should include a tagline in Spanish affirming that City of Durham will make reasonable accommodations to translate any materials into Spanish (or other languages), or provide an interpreter, and posting signs in intake areas and other empty points in public meetings of available language assistance,
- Major service changes including fare exchanges that require legal notice in advertising are translated into Spanish. The translated notices are posted in public locations, major stops, and vehicles and at the RTC,
- Information tables at local events,
- Post notices to inform the public that Spanish speaking personnel are available to aids in translation at the RTC or by telephone,
- Include notices in local newspapers in Spanish,
- Consult with community-based organizations and other stakeholders to inform LEP individuals of GoDurham's services, including the availability of language assistance services.

5. Monitoring and Updating the LEP Plan

This plan is designed to be flexible and should be viewed as a work in progress. As such, it is important to consider whether new documents and services need to be made accessible for LEP persons, and to monitor changes in demographics and types of services, and to update the LEP Plan on an annual basis as needed. City of Durham will also evaluate the LEP and LAP plan and propose revisions and updates based on the following:

- How many LEP persons were encountered?
- Is the existing language assistance meeting the needs of LEP persons?
- What is the current LEP population in GoDurham's service area?
- Has there been a change in the types of languages where translation services are needed?
- Do staff members understand the LEP Plan policies and procedures?
- Were any complaints received?

There are several methods that can be used to assist in answering these questions. One method is to review customer comments and complaints to determine if services are accessible to the LEP community. Feedback from the LEP community will be sought through community outreach events and presentations to determine the effectiveness of the plan in reaching LEP persons.

Census data will also be reviewed as it becomes available to determine changes in the LEP population.

Other Evaluation criteria include:

- Feedback from staff, customers, community members and community organizations,
- Review surveys and studies,
- Changes in regulations, etc.

All proposed revisions to the LEP Plan and LAP Plan will be presented to the Director of Transportation for consideration and approval.

Dissemination of the Limited English Proficiency (LEP) Plan

The City of Durham will include the LEP Plan on its website at: www.godurhamtransit.org. Copies of the plan will be provided to any person or agency requesting a copy. In addition, LEP individuals may request translated copies of documents in an LEP identified language.

Questions or comments regarding this plan should be directed to:

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