

Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program

**Subrecipient Training
March 4, 2021**



5310 Program Success





Civil Rights



Civil Rights Team

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Civil Rights

Training Objectives

- To provide a high-level overview to Title VI of the Civil Rights Act of 1964.
- Present new federal Title VI guidance in the FTA Circular 4702.1B.
- Review key elements of required Title VI Program plan.



What is Title VI?

Title VI of the Civil Rights Act of 1964 asserts 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.”



What is Title VI? Continued...

Per federal regulation, recipients of federal financial assistance must not restrict an individual in any way from the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under its programs or projects.



What is Title VI? Continued...

Recipients cannot, on the basis of race, color, or national origin either directly or through contractual means, take any of these actions:

- Deny program services, aids or benefits.
- Provide a different service, aid or benefit, or provide them in a manner different from what is provided to others.
- Segregate or separately treat individuals in any matter related to the receipt of any service, aid or benefit.
- Deny an opportunity to participate as a member of a planning, advisory or similar body that is an integral part of the program.



FTA Circular 4702.1B Service Provision Requirements

Provider of any FTA funded-service (Demand response, closed door service, fixed route, facilities)

- Must meet all requirements in Chapter III, but if a subrecipient, may use some primary items.



Subrecipient Resources

Subrecipient Resources

**Email ptd.pio@phoenix.gov for original file of these forms.

ADA Complementary Paratransit

[ADA Fare Comparability Zones](#)

[Complaint Investigation Training](#)

ADA Complementary Paratransit

[ADA and ADA Policies](#)

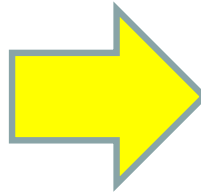
[Class Exercises](#)

Federal Pages

[Federal Transit Administration \(FTA\) Web Site](#)

Procurement

[Procurement System Self-Assessment Guide](#)



Equal Opportunity

[City of Phoenix Current Equal Opportunity Plan](#)

Title VI

[Title VI Program](#)

**[Title VI Plan Template](#)

[Title VI Annual Reporting](#)

[Subrecipient Title VI Plan Requirements](#)

[FTA Title VI Requirements - FTA C 4702.1B](#)

Other Resources

[Spare Ratio](#)

[Charter Bus](#)

[Phoenix Title VI Major Service Change Equity Evaluation Procedures](#)

[Service and Fare Changes Policies](#)

[Construction Project Management Handbook](#)



Program Requirements by Recipient Type (Primary and Subs)

Title VI Program Plan Requirements – FTA Circular 4102.1 B - Chapter III	Primary Recipient – City of Phoenix	Subrecipients (Demand Response, 5310 grantees, municipalities)
Title VI Notice to the Public	Required	Can use Primary's
Complaint Procedures	Required	Can use Primary's
Complaint Form	Required	Can use Primary's
Public Participation Plan	Required	Can use Primary's
Language Assistance Plan	Required	Can use Primary's
List of Complaints	Required	Required
Facilities Title VI Equity Analysis	Required	Required
Non-elected Transit Boards, Committees, Councils w/Racial Makeup	Required	Required
Governing Body Approval of Title VI Plan (Board of Directors)	Required	Required
Signed Title VI Assurance	Required	Required
List of Public Outreach to Minorities	Required	Required
Civil Rights Website Compliance	Required	Required



Title VI Plans due in 2021...

**DUE 60 DAYS
BEFORE CURRENT
PLAN EXPIRES**

Cycle 2: January 2021 – December 2021		
	Subrecipient	Plan Expires
1	Valley Center for the Deaf dba Catholic Community Services of Southern AZ	January 2021
2	Lura Turner Homes	April 2021
3	Nobody's Perfect	July 2021
4	Opportunity Tree formerly Arizona Foundation for the Handicapped (AFH)	July 2021
5	Ability 360	September 2021
6	ACCEL	September 2021
7	Hope Lives - Vive La Esperanza	September 2021
8	Ahwatukee Foothills Family YMCA	November 2021
9	Northwest Valley Connect	November 2021
10	The Centers for Habilitation	November 2021
11	Valley Life	November 2021
12	Arizona Recreation Center for the Handicapped (ARCH)	December 2021
13	Foothills Caring Corp	December 2021
14	Stand Together and Recover	December 2021



Annual Reporting Requirement Due October 15th Annually

Title VI Annual Reporting

Agency Name _____

Federal Fiscal Year _____

This reporting format will be used for reporting Title VI activities of subrecipients. The Annual Report is to be submitted by October 15th annually to the City of Phoenix Public Transit Department.

1) Investigations, Lawsuits, Complaints: Identify each Title VI discrimination violation(s) filed against the subrecipient. Provide a summary of each with description, date case filed, case summary, case status, and case resolution action(s).

AGENCY has not had any Title VI Investigations, Lawsuits, or Complaints during.

Name and/or Case Number	Date Case Filed (Month, Day, Year)	Case Summary (include basis of complaint: ex. race, color, national origin)	Case Status/Response	Case Resolution Action
Investigations				
Lawsuits				
Complaints				



Annual Reporting Requirement Due October 15th Annually

Required Civil Rights notices **must** be posted on agency's websites, public areas and transit vehicles.



Title VI Annual Reporting

2.) **Public Participation:** List any activities during the reporting period such as Public announcements and/or communications for meetings, hearings, service frequency changes, project notices. Include the following:

1. How were special language needs assessed?
2. What outreach efforts did you utilize to ensure that minority, low-income, and LEP populations groups were provided opportunity to participate in those outreach activities? (Examples: provided materials in other languages, met with local social service agencies, advertised on website or publication)

3.) **Transit Related Facilities:** Identify if the recipient constructed a facility, such as vehicle storage facility, maintenance facility, operation center, etc. the recipient shall include a copy of the Title VI equity analysis conducted during the planning stage with regard to the location of the facility.

AGENCY has not constructed any transit facility since the last Title VI update.

4.) **Title VI Notice:** At a minimum recipient shall disseminate this information to the public by posting a Title VI notice on the agency's website and in public areas of the agency's office(s), including the reception desk, meeting rooms, etc. and transit vehicles.

Provide a direct website link to review Civil Rights (Title VI/ADA) web compliance:

AGENCY confirms that the minimum Title VI Notice requirements have been met.

Reporting Summary submitted by:

Name and Title

Date

Signature



Annual Requirements Continued...

Required **Public Notices** (Eng/Span) **must** be posted on agency's website, public areas and transit vehicles.

Title VI Notice to the Public

Notifying the Public of Rights Under Title VI

TYPE YOUR AGENCY/TRANSIT PROVIDER NAME HERE

The **TYPE YOUR AGENCY/TRANSIT PROVIDER NAME HERE** operates its programs and services without regard to race, color or national origin in accordance with Title VI of the Civil Rights Act of 1964. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the **TYPE YOUR AGENCY/TRANSIT PROVIDER NAME HERE**.

For more information on the **TYPE YOUR AGENCY/TRANSIT PROVIDER NAME HERE**'s civil rights program, and the procedures to file a complaint, contact **TYPE TITLE VI CONTACT PERSON TYPE TITLE VI CONTACT PERSON PHONE NUMBER HERE, (TTY TYPE YOUR TTY NUMBER HERE);** email **TYPE TITLE VI PERSONS EMAIL HERE;** or visit our administrative office at **TYPE YOUR ADDRESS HERE**. For more information, visit **TYPE YOUR WEB ADDRESS HERE**

A complainant may file a complaint directly with the City of Phoenix Public Transit Department or the Federal Transit Administration (FTA) by filing a complaint directly with the corresponding offices of Civil Rights: **City of Phoenix Public Transit Department:** ATTN: Title VI Coordinator, 302 N. 1st Ave., Suite 900, Phoenix AZ 85003 **FTA:** ATTN: Title VI Program Coordinator, East Building, 5th Floor-TCR 1200 New Jersey Ave., SE Washington DC 20590

If information is needed in another language, contact **TYPE ALTERNATE LANGUAGE PHONE NUMBER HERE**. Para información en Español llame: **TYPE NAME AND CONTACT INFORMATION HERE**

MAKE SURE THE SENTENCE ABOVE IS ALSO PROVIDED IN ANY LANGUAGE(S) SPOKEN BY LEP POPULATIONS THAT MEET THE SAFE HARBOR THRESHOLD



Annual Requirements Continued...

Complaint Procedures

Required
**Complaint
Procedures**
must be posted
on agency's
website.

AGENCY

Title VI Complaint Procedures

These procedures provide guidance for all complaints filed under Title VI of the Civil Rights Act of 1964, as they relate to any program or activity that is administered by AGENCY including consultants, contractors and vendors. Intimidation or retaliation as a result of a complaint is prohibited by law. In addition to these procedures, complainants reserve the right to file a formal complaint with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to resolve complaints at the lowest possible level.

- (1) Any person who believes he and/or she has been discriminated against on the basis of race, color, or national origin may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form.
- (2) Formal complaints must be filed within 180 calendar days of the last date of the alleged act of discrimination or the date when the alleged discrimination became known to the complainant(s), or where there has been a continuing course of conduct, the date on which the conduct was discontinued or the latest instance of the conduct.
- (3) Complaints must be in writing and signed by the complainant(s) and must include the complainant(s) name, address and phone number. The Title VI contact person will assist the complainant with documenting the issues if necessary.
- (4) Allegations received by fax or e-mail will be acknowledged and processed, once the identity of the complainant(s) and the intent to proceed with the complaint have been established. For this, the complainant is required to mail a signed, original copy of the fax or email transmittal for the complaint to be processed.
- (5) Allegations received by telephone will be reduced to writing and provided to the complainant for confirmation or revision before processing. A complaint form will be forwarded to the complainant for him/her to complete, sign and return for processing.
- (6) Once submitted AGENCY will review the complaint form to determine jurisdiction. All complaints will receive an acknowledgement letter informing her/him whether the complaint will be investigated by the AGENCY or submitted to the State or Federal authority for guidance.
- (7) AGENCY will notify the Title VI Coordinator of all Title VI complaints within 72 hours via telephone at: 602-262-7242; email to: phxtransiteo@phoenix.gov



Annual Requirements Continued...

Complaint Forms

Required
**Complaint
Forms**
(Eng/Span) must
be posted on
agency's
website.



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 VI:		
Have you previously filed a Title VI complaint with this agency?	<input type="checkbox"/> Yes	<input type="checkbox"/> No



Title VI Questions

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-OR-

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Subrecipient Resource Page

[https://www.phoenix.gov/publictransit/
subrecipient-resources](https://www.phoenix.gov/publictransit/subrecipient-resources)

Questions?



5 MINUTE BREAK