

CARTS

NOTICE OF PUBLIC HEARING ON PROPOSED CIVIL RIGHTS PROGRAM

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance. CARTS is a recipient of Federal financial assistance for the support of public transportation services. Riders and the general public are welcome to review the proposed Civil Rights Program and Limited English Proficiency (LEP) Policy and Plan, and participate in a public hearing held as part of the Craven County Board of Commissioner's meeting on October 20, 2014. The meeting begins at 8:30 a.m., and is held in the Craven County Administration Building, 406 Craven St., New Bern, North Carolina. The full written Civil Rights Program and Limited English Proficiency (LEP) Policy and Plan are available on the CARTS website: <http://www.cravencountync.gov/departments/trn.cfm>. Printed copies will be made available upon request by calling 252.636.4917. If you are not able to attend the public hearing, written comments will be accepted through November 6, 2014. Please address your comments to:

CARTS

Rosann Christian, Director

2822 Neuse Blvd.

New Bern, NC 28561

CARTS

ANUNCIO DE AUDIENCIA PÚBLICA EN LA PROPUESTA DE DERECHOS CIVILES

Título IV del Acta de los derechos Civiles de 1964 prohíbe discriminación en base a la raza, color u origen nacional en cualquier programa o actividad que recibe asistencia financiera federal. CARTS recibe asistencia financiera Federal para el soporte del servicio de transporte público. Las personas que utilizan el servicio y el público en general son bienvenidos para revisar la propuesta del Programa de los Derechos Civiles y el Ingles Limitado Competente (LEP) Para la Póliza y Plan, y a participar en la audiencia pública conllevada por parte del consejo de Comisionados del Condado de Craven que será llevada a cabo el 20 de Octubre del 2014. La reunión empezara a las 8:30 a.m., en el edificio de administración del Condado de Craven localizado en el, 406 Craven St., New Bern, Carolina del Norte. El programa Completo de los Derechos Civiles por escrito y la Proficiencia de Ingles Limitado (LEP) estarán disponibles en la página de web de CARTS junto con las Pólizas y el Plan:

<http://www.cravencountync.gov/departments/trn.cfm>. Copias imprimidas estarán disponibles si usted lo requiere llamando al 252.636.4917. Si usted no puede asistir a la audiencia pública, sus comentarios por escritos serán aceptados hasta el 6 de Noviembre del 2014. Por favor envíe sus comentarios a:

Rosann Christian
Directora de CARTS
2822 Neuse Blvd.
New Bern, NC 28561

Craven County



Craven Area Rural Transit System



2822 Neuse Blvd.

New Bern, North Carolina 28561

Phone: 252-636-4917 - Fax: 252-636-4919

1-800-735-2962 TDD/TTY

Email: carts@cravencounty.gov

CIVIL RIGHTS PROGRAM

Effective: October 2014

Rosann Christian, Director

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DEFINITIONS

Applicant means a person or entity that submits an application, request, or plan required to be approved by the FTA Administrator or by a primary recipient, as a condition of eligibility for financial assistance from FTA, and “application” means such an application, request, or plan.

Compliance That satisfactory condition existing when a recipient has effectively implemented all of the Title VI requirements or can demonstrate that every good faith effort toward achieving this end has been made.

Demand Response System Any non-fixed route system of transporting individuals that requires advanced scheduling including services provided by public entities, non-profits, and private providers. An advance request for service is a key characteristic of demand response service.

Disadvantaged Business Enterprise (DBE) means a for-profit small business concern that is:

- (1) At least 51 percent owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals and
- (2) Whose management and daily business operations are controlled by one or more socially and economically individuals who own it.

Discrimination refers to any action or inaction, whether intentional or unintentional, in any program or activity of a Federal aid recipient, subrecipient, or contractor that results in disparate treatment, disparate impact, or perpetuating the effects of prior discrimination based on race, color, or national origin.

Disparate Impact refers to a facially neutral policy or practice that disproportionately affects members of a group identified by race, color, or national origin, where the recipient’s policy or practice lacks a substantial legitimate justification and where there exists one or more alternatives that would serve the same legitimate objectives but with less disproportionate effect on the basis of race, color, or national origin.

Disparate Treatment refers to actions that result in circumstances where similarly situated persons are treated differently (i.e., less favorably) than others because of their race, color, or national origin.

Disproportionately High and Adverse Effect on Minority and Low-income Populations means an adverse effect that:

- (1) is predominately borne by a minority population and/or a low-income population, or

- (2) will be suffered by the minority population and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.

EJ (Environmental Justice) Population means low-income populations and/or minority populations.

Federal Financial Assistance means

- (1) grants and loans of Federal funds;
- (2) the grant or donation of Federal property and interests in property;
- (3) the detail of Federal personnel;
- (4) the sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and
- (5) any Federal agreement, arrangement, or other contract that has as one of its purposes the provision of assistance.

Grantee means a direct or indirect recipient of Federal financial assistance from FTA.

Limited English Proficient (LEP) Persons refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.

Low-Income means a person whose median household income is at or below the Department of Health and Human Services (HHS) poverty guidelines.

Low-Income Population means any readily identifiable groups of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed FTA program, policy, or activity.

Minority Persons include the following:

- (1) American Indian and Alaska Native, which refers to people having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.
- (2) Asian, which refers to people having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example,

Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

(3) Black or African American, which refers to peoples having origins in any of the Black racial groups of Africa.

(4) Hispanic or Latino, which includes persons of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

(5) Native Hawaiian and Other Pacific Islander, which refers to people having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

Minority Population means any readily identifiable group of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient populations (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy, or activity.

Noncompliance refers to an FTA determination that the recipient is not in compliance with the DOT Title VI regulations, and has engaged in activities that have had the purpose or effect of denying persons the benefits of, excluding from participation in, or subjecting persons to discrimination in the recipient's program or activity on the basis of race, color, or national origin.

National Origin means the particular nation in which a person was born, or where the person's parents or ancestors were born.

Persons with Disabilities An individual with a disability, is a person who has a physical or mental impairment which substantially limits on or more major life activities. For transportation services, a person with a disability is an individual, who by reason of illness, incapacity or disability, is unable, without special facilities or special planning or design, to utilize mass transportation facilities and services as effectively as persons who are not so affected.

Public Participation An open process in which the rights of the community to be informed, to provide comments to the Government, and to receive a response from the Government are met through a full opportunity to be involved and express needs and goals.

Program includes any program, project, or activity for the provision of services, financial aid, or other benefits to individuals (including education or training, health, welfare, rehabilitation, housing, or other services, whether provided through employees of the recipient of Federal financial assistance or provided by others through contracts or other arrangements with the recipient, and including work opportunities), or for the provision of facilities for furnishing services, financial aid or other benefits to individuals. The services, financial aid, or other benefits provided under a program receiving Federal financial assistance shall be deemed to include any services, financial aid, or other benefits provided with the aid of Federal financial assistance or with the aid of any non-Federal funds, property, or other

resources required to be expended or made available for the program to meet matching requirements or other conditions which must be met in order to receive the Federal financial assistance, and to include any services, financial aid or other benefits provided in or through a facility provided with the aid of Federal financial assistance or such non-Federal resources.

Recipient means any public or private entity that receives Federal financial assistance from FTA, whether directly from FTA or indirectly through a primary recipient. This term includes subrecipients, direct recipients, designated recipients, and primary recipients. The term does not include any ultimate beneficiary under any such assistance program.

Service Area refers to either the geographic area in which a transit agency is authorized by its charter to provide service to the public or to the planning area of a State Department of Transportation or Metropolitan Planning Organization.

Service Frequency The frequency of service is a general indication of the same level of service provided along a route and a component of the amount of travel time expended by a passenger to reach his/her destination.

Service Standard/Policy means an established policy or service performance measure used by a transit provider or other recipient, or subrecipient as a means to plan or distribute services and benefits within its service area.

Socially and Economically Disadvantaged Individual means any individual who is a citizen (or lawfully admitted permanent resident) of the United States and who is -

- (1) Any individual who a recipient finds to be socially and economically disadvantaged individual on a case-by-case basis.
- (2) Any individual in the following groups, members of which are rebuttably presumed to be socially economically disadvantaged:
 - (i) "Black or African Americans," which includes persons having origins in any of the Black racial groups of Africa;
 - (ii) "Hispanic Americans," which includes persons of Mexican, Puerto Rican, Cuban, Dominican, Central or South American, or other Spanish or Portuguese culture or origin, regardless of race;
 - (iii) "Native Americans," which includes persons who are American Indians, Eskimos, Aleuts, or Native Hawaiians;
 - (iv) "Asian-Pacific Americans," which includes persons, whose origins are from Japan, China, Taiwan, Korea, Burma (Myanmar), Vietnam, Laos, Cambodia (Kampuchea), Thailand, Malaysia, Indonesia, the Philippines, Brunei, Samoa, Guam, the U.S. Trust Territories of the Pacific Islands (Republic of Palau), the Commonwealth of the Northern Marianas

Islands, Macao, Fiji, Tonga, Kiribati, Tuvalu, Nauru, Federated States of Micronesia, or Hong Kong;

- (v) "Subcontinent Asian Americans," which includes persons whose origins are from India, Pakistan, Bangladesh, Bhutan, the Maldives Islands, Nepal or Sri Lanka'
- (vi) Women
- (vii) Any additional groups whose members are designated as socially and economically disadvantaged by the SBA at such time as the SBA designation become effective.

Tribally-owned concern means any concern at least 51 percent owned by an Indian tribe as defined in this section.

Subrecipient means any entity that receives FTA financial assistance as a pass-through from another entity.

Title VI Program refers to a document developed by an FTA recipient to demonstrate how the recipient is complying with Title VI requirements. Direct and primary recipients must submit their Title VI Programs to FTA every three years. The Title VI Program must be approved by the recipient's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA. For State DOTs, the appropriate governing entity is the State's Secretary of Transportation or equivalent.

Transit Provider means any entity that operates public transportation services, and includes States, local and regional entities, public and private entities.

STATEMENT OF PROGRAM:

Craven Area Rural Transit System (CARTS) is a recipient of Federal financial assistance. All recipients of Federal financial assistance are required to comply with various non-discrimination laws and regulations. CARTS is committed to ensuring an environment of nondiscrimination and equal opportunity in employment as well as in the delivery of transportation services to the public. CARTS' Civil Rights Program includes: Title VI; Americans with Disabilities Act (ADA); and Limited English Proficiency LEP (LEP). [CARTS does not meet Equal Employment Opportunity (EEO) or Disadvantaged Business Enterprises (DBE) reporting thresholds.]

This Program was developed to guide CARTS in its administration and management of Title VI related activities. All Craven County Commissioners (herein after referred to as 'Board member(s)'), administrators, and employees are encouraged and expected to proactively and actively participate in monitoring CARTS' services to ensure the policies, procedures, and practices do not discriminate against any person based on race, color, national origin, sex, religion, disability, age, or any other protected status.

As part of the process to be eligible to receive Federal financial assistance, CARTS will make annual assurance of this compliance, as stated in section D, parts 1-4, Nondiscrimination Assurance, of the *FTA Certifications and Assurances*.

PURPOSE OF THE PROGRAM:

The purpose of this Program is to set forth CARTS' commitment to ensure that none of its services foster or aid in discrimination. CARTS expects every Board member, administrator, and employee to be aware of and apply the intent of Title VI in performing assigned duties.

In addition, this Program sets forth the process to follow for reporting possible violations of Title VI.

BASIS OF AUTHORITY:

42 U.S.C. 2000d-1 – Civil Rights Act of 1964, as Amended

49 Code of Federal Regulations Part 21 – Nondiscrimination in Federally Assisted Programs of the Department of Transportation

29 U.S.C. Chapter 14 – Age Discrimination in Employment

42 U.S.C. Chapter 126 - Americans with Disabilities Act (ADA)

Presidential Executive Order 12898

Presidential Executive Order 13166

SCOPE:

This Civil Rights Program applies to all Board members, administrators, employees, sub-recipients, consultants, contractors, and vendors who receive payments from CARTS where funding originates from any federal assistance. All contracts shall contain non-discrimination language, and in the event of contracted services, to include such language either directly or, through bid specification packages, which become associated components of the contract.

PROCEDURE:

A. Expectations

1. **Title VI:** All Board members, administrators, and employees have a responsibility to ensure that CARTS' policies (Exhibit 1) and services are developed, conducted, and implemented without regard to a person's race, color, national origin, as is required by Title VI of the Civil Rights Act of 1964 and related statutes (hereafter referred to as Title VI), which states,

"Title VI of the Civil rights Act of 1964, as amended, protects any person in the United States on the grounds of race, color, or national origin from being excluded from participation, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Transportation." (42 U.S.C. Section 2000d)

Board member, administrators and employees must ensure that ethnic minorities and low-income populations are not adversely impacted, and aim to achieve full participation by these groups in CARTS' services, policies, and activities.

2. **Equal Employment Opportunity/Affirmative Action:** All Board members, administrators, and employees are expected to conduct themselves in a manner that creates a work environment free of discrimination and harassment. CARTS will not discriminate against any person based on his or her race, color, religion, sex (including pregnancy), national origin, age (40), disability, or genetic information in employment activities, such as recruitment, promotion, and training. (CARTS employs fewer than fifty (50) persons, does not receive capital or operating assistance in excess of \$1,000,000, nor planning assistance in excess of \$250,000, and therefore does not have a written EEO Plan.)
3. **American with Disabilities (ADA):** All Board members, administrators and employees must ensure that persons with disabilities are provided an equal opportunity to receive benefits and/or participate in the services and/or activities of CARTS in the most integrated setting appropriate to the individual's level of need. This right includes not only the opportunity to participate, but an opportunity that is equally effective as that provided to persons without disabilities. This means identifying and removing structural

barriers, making reasonable modifications to CARTS' policies and practices, and providing auxiliary aids and services, when requested, to disabled persons.

4. **Disadvantaged Business Enterprise (DBE)**: DBEs will have an equal opportunity to participate in United States Department of Transportation-(US DOT) assisted contracts. The mission of the DBE Program is to correct past and current discrimination against minorities and women in the business community by creating a "level playing field" on which DBEs can compete fairly for federal-aid projects. (CARTS does not meet the threshold of \$250,000 in contracting opportunities and therefore does not have a written DBE Program.)
5. **Limited English Proficiency (LEP)**: CARTS does not discriminate, whether by act or inaction, intentional or unintentional in providing services to individuals whose primary language is not English and/or those who have a limited ability to read, write, speak, or understand English. (Please see, separately, *CARTS' 2014 LEP Policy and Plan* for details and clarification)

B. Dissemination of Information - Beneficiary Notification

This Civil Rights Program will be available on the CARTS' website (<http://www.cravencountync.gov/departments/trn.cfm>), and will be distributed to all Board members, administrators, and CARTS employees. **CARTS Title VI Notice to The Public** (Exhibits 2 and 3), printed in English and translated in Spanish, will be displayed at the workplace facility, and prominently displayed on all revenue vehicles (Exhibit 4). Printed and/or translated copies (or other necessary, accessible formats) of the Program and/or the Notice will be made available upon request.

C. Service Standards and Policies

CARTS currently operates two bi-directional loops which cover the same route. Any future route changes or additions will be evaluated and either started (if new) or modified (if existing) to address how service is distributed across the CARTS' service area. Service design practices and standards are to ensure there is not, nor will there be, any discrimination based on race, color or national origin, and that these practices and standards will not be based on any quantitative threshold.

D. Training

CARTS will provide employee training regarding the Civil Rights Program and its requirements. This includes new-hire orientation and periodic training events. Employees will be provided a copy of the Civil Rights Program and will sign an acknowledgement of receipt form.

E. Record Keeping

CARTS will maintain permanent records, which will include, but are not limited to, (1) employee signed acknowledgements of receipt of CARTS' Civil Rights Program,

(2) copies of any Title VI complaints or lawsuits and related documentation, and (3) records of any correspondence to and from complainants and subsequent Title VI investigations.

F. Reporting Possible Violations

Any person who believes he or she has been denied benefits or has been excluded from participation in services of any program or activity administered by CARTS, or any of its consultants or contractors, on the basis of race, color, national origin (including LEP), sex, age, disability or genetic information may file a complaint pursuant to Title VI and/or related statutes.

Title VI complaints may be filed with:

- Craven Area Rural Transit System (CARTS)
Director
2282 Neuse Blvd.
New Bern, NC 28560
- NCDOT
Public Transit Division
1 S. Wilmington Street
Raleigh, NC 27607
- Federal Transit Administration Office of Civil Rights
East Building, 5th Floor - TCR
1200 New Jersey Ave., SE
Washington, DC 20590
Attention: Title VI Program Coordinator
- The U.S. Department of Transportation
1200 New Jersey Avenue,
SE Washington, DC 20590

Complaints must be filed no later than 180 days after:

- The date of the alleged act of discrimination;
- The date when the person(s) became aware of the alleged discrimination; or
- Where there has been a continuing course of conduct, the date on which the conduct was discontinued.

All Title VI complaints are considered formal. Complaints must be submitted in writing and signed by the complainant. Complaint forms (Exhibit 5) can be obtained

by contacting the Director at (252) 636-4917, or by writing to the above mentioned address. The forms include:

- Your name, mailing address and proper contact information
- How, when, where, and why you believe you have been discriminated against. Include pertinent information, such as the location of the incident, witness contact information, etc.
- Other significant information

After a complaint is submitted:

All complaints alleging discrimination in a service or benefit provided by CARTS will be directly addressed by the Director. CARTS shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, CARTS shall make every effort to address all complaints in an expeditious and thorough manner. A letter of acknowledgement of receipt of complaint will be mailed within thirty (30) days.

For any letter notifying that a complaint is not substantiated, the complainant is advised of the legal right to 1) appeal within seven (7) calendar days of receipt of the final written decision, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the FTA. It is the intention of CARTS to respond to Title VI complaints within 60 working days or sooner of receipt of such complaints.

Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.

ENFORCEMENT:

This Civil Rights Program applies to all Board members, administrators, employees, subrecipients, consultants, and contractors. Each Board member, administrator, and employee is responsible for ensuring adherence to this Program and all its policies.

CARTS' commitment to this Program and all relevant policies must be reflected in the manner in which services are provided to the public as well as workplace conduct. CARTS will strive to be a role model for other agencies through this commitment to equal opportunity and nondiscrimination. Any Board member, administrator, or employee who is found to be in violation of this Civil Rights Program will be subject to appropriate administrative and/or disciplinary action.

TITLE VI COMPLIANCE HISTORY

Operating since 1980, CARTS has been a sub-recipient of FTA funding [through North Carolina Department of Transportation (NCDOT)]. In compliance with 49 CFR Part 21, CARTS has had a Title VI policy in place, has abided by the federal

regulations, and has no known Title VI complaints. There were no issues to warrant any compliance review activities.

CARTS' services have been provided as part of a regional, rural system (providing services for Craven, Jones and Pamlico counties). New Bern, part of Craven County, has been designated as a new urbanized area as a result of the 2010 Census. CARTS will continue to operate rural services for the non-urbanized area, as a sub-recipient of § 5311 Non-Urbanized Area Formula Program funds (through NCDOT). CARTS will also operate urbanized services as a direct recipient of § 5307 Urban Area Formula funds. CARTS has not been found to be in noncompliance with any civil rights requirements. (Exhibit 6)

TITLE VI COMPLAINTS, LAWSUITS, AUDITS & REVIEWS

No lawsuits or complaints are known or pending.

SERVICE STANDARDS

CARTS operates 2 bi-directional loops, utilizing 3, 22' Light Transit Vehicles (1 spare). Each vehicle has a capacity of either one (1) wheelchair, with seating for 14 ambulatory passengers (no standees), OR, two (2) wheelchairs, with seating for 12 ambulatory passengers (no standees). The first route begins service at 7:00 a.m., and pulls into the parking lot to be out of service at 3:44 p.m. The second route begins service at 8:00 a.m., and pulls into the parking lot to be out of service at 4:46 p.m. Both loops cover the same neighborhoods, shopping and medical stops. Vehicle assignment has been according to the operating characteristics of the routes. Demand response services have a 30 minute window, allowing fifteen minutes both before and after the scheduled pick-up time.

The bi-directional loops have approximate 90-100 minute headways, but the routes cross paths throughout that time, at approximate 30-40 minute intervals. The intended standard will be 0 minutes early at stops and no more than 5 minutes late (but, this is currently a deviated fixed route, and the times do vary). There are occasional capacity issues, which are typically the first week or so of each semester of classes for Craven Community College, and only on the first run of the day.

The routes operated by CARTS have operated as deviated fixed-route loops, and will operate as fixed-route beginning July 1, 2015. Changes to service will be according to the pending Transportation Development Plan. (Full public participation will be expected in the development of the TDP.)

SUMMARY OF PUBLIC OUTREACH AND INVOLVEMENT

CARTS will participate in public outreach and involvement activities in an effort to offer early and continuous opportunities for the public to be involved in the decisions that may help identify social, economic, and environmental impacts. Further, CARTS participates in, and actively coordinates planning and outreach activities with the New Bern Area Metropolitan Planning Organization (NBAMPO,

Down East Rural Planning Organization (DERPO), Transportation Technical Committee (TCC), Transportation Advisory Committee (TAC), Citizen Advisory Committee (CAC) (Still in process of development as it is a new MPO), and the Transportation Advisory Board (TAB). (Exhibit 7)

Public hearings are held in an ADA accessible location, at different times of the day, and are advertised in various ways to provide information to affected minority and/or LEP communities. Occasional invitation is made to the public for participation as part of the Transit Advisory Board. Announcements are made at other planning and committee meetings, as well.

The public hearing for the adoption of this Civil Rights Program (and CARTS' LEP Plan) was held on Monday, October 20, 2014 at 8:30 a.m. All appropriate documentation regarding the advertisement and any comments that followed are attached. (Exhibit 8)

Exhibit 1 – CARTS’ Title VI Policy

Craven Area Rural Transit System (CARTS), a department of the Craven County Government, is a recipient of Federal financial assistance and provides public transportation services throughout the North Carolina counties of Craven, Jones and Pamlico. CARTS is committed to non-discrimination in the conduct of its business and will annually assure FTA compliance to the Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color or national origin in programs and activities receiving Federal financial assistance. Specifically,

“Title VI of the Civil rights Act of 1964, as amended, protects any person in the United States on the grounds of race, color, or national origin from being excluded from participation, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Transportation.” (42 U.S.C. Section 2000d)

Toward this end, it is CARTS objective to:

- A. Ensure that the level and quality of transportation service is provided without regard to race, color, or national origin;
- B. Identify and address, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of programs and activities on minority populations and low-income populations;
- C. Promote the full and fair participation of all affected populations in transportation decision making;
- D. Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations;
- E. Ensure meaningful access to programs and activities by persons with limited English proficiency.

The responsibility for carrying out CARTS’ commitment to this program has been delegated to the CARTS Director by the Board of Commissioners. CARTS’ staff is responsible for the day-to-day operations of this Program and will receive and investigate any Title VI complaints. However, all Board members, administrators, and employees share in the responsibility for making CARTS Title VI Program a success.

Additional information concerning CARTS Title VI obligations and the complaint procedure can be found on the CARTS web site - <http://www.cravencountync.gov/departments/trn.cfm>, by calling (252) 636.4917, or by writing CARTS at 2822 Neuse Blvd., New Bern, NC 28560.

Signature: Thomas F. Mark
Chairman, Craven County Board of Commissioners

Date

Exhibit 2 – CARTS’ Title VI Notice to Public



Craven Area Rural Transit System



2822 Neuse Blvd.
New Bern, North Carolina 28561
Phone: 252-636-4917 - Fax: 252-636-4919
1-800-735-2962 TDD/TTY
Email: carts@cravencounty.com

TITLE VI NOTICE TO THE PUBLIC

Craven Area Rural Transit System (CARTS) hereby gives public notice of its policy to uphold and assure full compliance with Title VI of the Civil Rights Act of 1964, The Civil Rights Restoration Act of 1987, and all related statutes. Title VI and related statutes prohibiting discrimination in Federally assisted programs require that no person in the United States of America shall, on the grounds of race, color, national origin, gender, religion, age, or disability be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice regarding CARTS’ programs has a right to file a formal complaint with CARTS. Any such complaint must be in writing and submitted to the CARTS Title VI Coordinator within one hundred eighty (180) days following the date of the alleged occurrence. For more information regarding civil rights complaints, please contact:

Transportation Director
Craven Area Rural Transit System
2282 Neuse Blvd.
New Bern, NC 28560
252.636.4919

Exhibit 3 – CARTS’ Title VI Notice to Public – Spanish Version



Craven Area Rural Transit System



2822 Neuse Blvd.
New Bern, North Carolina 28561

Phone: 252-636-4917 - Fax: 252-636-4919

1-800-735-2962 TDD/TTY

Email: carts@cravencounty.com

TITULO VI ANUNCIO AL PUBLICO

El Sistema de Transporte del Área rural de Craven(CARTS) por este medio hace el anuncio público de las pólizas para seguir y asegurarse del cumplimiento completo con el Título VI de los derechos civiles del acta de 1964, La restauración del Acta de los Derechos Civiles de 1987, y todos los estatutos relacionas con dicha acta prohibiendo discriminación de asistencia en programas Federales requiriendo que ninguna persona en los Estados Unidos de América sea discriminada en base a su raza, color, origen nacional, sexo, religión, incapacidad, edad o ningún otro estatúo protegido, sea excluido de participar, en la negación de beneficios de, o de otra manera ser sometido a una discriminación bajo ningún programa o actividad que recibe asistencia Federal.

Cualquier persona que cree que ha sido agravada por una discriminación ilegal en cuanto a su participación en el programa de CARTS’ tiene el derecho de poner una queja formal con CARTS. Todo o cualquier queja deberá hacha por escrito y sometida al coordinador de CARTS Título VI en no más de ciento ochenta días (180) desde el día que ocurrió lo alegado. Para más información acerca de las quejas de los derechos civiles por favor contacte:

Director de Transporte
Sistema del Área Rural de Craven
2282 Neuse Blvd.
New Bern, NC 28560
252.636.4919

Exhibit 4 – CARTS’ Title VI Revenue Vehicle Notices

Craven Area Rural Transit System



Title VI Notice to Public

Craven Area Rural Transportation System (CARTS) hereby gives public notice of its policy to uphold and assure full compliance with Title VI of the Civil Rights Act of 1964 and related statutes. Title VI and related statutes prohibiting discrimination in Federally assisted programs require that no person in the United States of America shall, on the grounds of race, color, national origin, gender, religion, disability, age, or any other protected status, be excluded from the 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 they have been aggrieved by an unlawful discriminatory practice regarding CARTS' programs has a right to file a formal complaint. Any such complaint must be in writing and submitted to CARTS Title VI Coordinator within 180 days following the date of the alleged occurrence.

For civil rights information or complaints, please contact:

Craven Area Rural Transit System

2282 Neuse Blvd.
New Bern, NC 28560

Telephone: (252) 636-4919

CARTS

El Sistema de Transporte de Área rural de Craven (CARTS) por este medio hace el anuncio público de las pólizas para seguir y asegurarse del cumplimiento completo con el Título VI de los derechos civiles del acta de 1964, y todos los estatutos relacionadas con dicha acta prohibiendo discriminación de asistencia en programas Federales requiriendo que ninguna persona en los Estados Unidos de América sea discriminada en base a su raza, color, origen nacional, sexo, religión, orientación sexual, incapacidad, edad o ningún otro estatus protegido, sea excluido de participar, en la negación de beneficios de, o de otra manera ser sometido a una discriminación bajo ningún programa o actividad que recibe asistencia Federal. Cualquier persona que cree que ha sido agravada por una discriminación ilegal en cuanto a su participación en el programa de CARTS' tiene el derecho de poner una queja formal con CARTS. Todo o cualquier queja deberá hecha por escrito y sometida al coordinador de CARTS Título VI en no más de ciento ochenta días (180) desde el día que ocurrió lo alegado.

Para más información acerca de las quejas de los derechos civiles por favor contacte:

Sistema del Área Rural de Craven

2282 Neuse Blvd.
New Bern, NC 28560

Telephone: (252) 636-4919

CARTS

Exhibit 5 – CARTS’ Title VI Complaint Form

Craven Area Rural Transit System



2822 Neuse Blvd.
 New Bern, North Carolina 28561
 Phone: 252-636-4917 - Fax: 252-636-4919
 1-800-735-2962 TDD/TTY
[Email: carts@cravencounty.com](mailto:carts@cravencounty.com)

TITLE VI And Related Statutes Discrimination Complaint Form

FOR OFFICE USE ONLY
Date:
Reviewer Initials:

Name of Complainant:	Home Telephone Number:	Work Telephone Number:
Mailing Address:		
What is the most convenient time for us to contact you about this complaint?		
Basis of Discriminatory Action(s):		
RACE <input type="checkbox"/>	COLOR <input type="checkbox"/>	NATIONAL ORIGIN <input type="checkbox"/>
SEX <input type="checkbox"/>	AGE <input type="checkbox"/>	DISABILITY <input type="checkbox"/>
Date and place of alleged discriminatory actions. Please include earliest date of discrimination and most recent date of discrimination:		
How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status was a factor in the discrimination. Include how other persons were treated differently from you. (Attach additional page(s) if necessary).		
Names of individuals responsible for discriminatory action(s):		
Names of persons (witnesses, fellow employees, supervisors or others) whom we may contact for additional information to investigate your complaint:		
<u>NAME:</u>	<u>ADDRESS:</u>	<u>TELEPHONE NUMBER:</u>

Exhibit 5 – CARTS’ Title VI Complaint Form – Page 2

Craven Area Rural Transit System (CARTS)

TITLE VI and Related Statutes Discrimination Complaint Form

The law prohibits intimidation or retaliation against anyone because he/she either takes action, or participated in actions, to secure rights protected by these laws. If you feel you have been retaliated against (separate from the discrimination alleged above), please explain the circumstances below. Explain what action you took which you believe was cause for the alleged retaliation.

What remedy, or action, are you seeking for the alleged discrimination?

Have you filed, or intend to file, a charge or complaint regarding the matters related in this complaint with any of the following?

- U.S. Equal Employment Opportunity Commission
- NC Human Relations Commission
- Federal or State Court
- Federal Highway Administration/U.S. Department of Transportation

If you have already filed a charge or complaint, please provide the following information:

Agency/Court:	
Address:	Attorney Name:
Date Filed:	Address:
Case Number:	Phone Number:
Type of Trial/Hearing:	
Status of Case:	

Please provide any additional information that you believe would assist with this investigation:

****We cannot accept an unsigned complaint. Please sign and date this complaint form below.****

COMPLAINANT SIGNATURE:	DATE:
------------------------	-------

Exhibit 6 – Title VI Investigations, Complaints and Lawsuits

LIST OF TRANSIT-RELATED TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS (GENERAL REQUIREMENT)

Below is a table listing any transit-related Title VI investigations, lawsuits, or filed complaints. The table demonstrates that there have been no such actions taken against CARTS.

	<u>List of Investigations, Lawsuits and Complaints</u> Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations	None	None	N/A	None
1.	None	None	N/A	None
2.	None	None	N/A	None
Lawsuits	None	None	N/A	None
1.	None	None	N/A	None
2.	None	None	N/A	None
Complaints	None	None	N/A	None
1.	None	None	N/A	None
2.	None	None	N/A	None

Exhibit 7 – CARTS’ Transit Advisory Board Member Racial Breakdown

Member Racial Breakdown of
Non-Elected Committee / Advisory Board (10/2014)

Committee Member Affiliation*	Minority	
	Yes/Known	No/Unknown
Transit Advisory Board Member	√	
Transit Advisory Board Member		√
Transit Advisory Board Member		√
Transit Advisory Board Member		√
Transit Advisory Board Member		√
Transit Advisory Board Member	√	
Transit Advisory Board Member		√
Transit Advisory Board Member	√	
Transit Advisory Board Member		√
Transit Advisory Board Member		√
Transit Advisory Board Member		√
Transit Advisory Board Member		√
Transit Advisory Board Member		√
Transit Advisory Board Member	√	
Transit Advisory Board Member	√	
Transit Advisory Board Member		√
Transit Advisory Board Member	√	
Transit Advisory Board Member		√
Transit Advisory Board Member		√
Transit Advisory Board Member		√
Transit Advisory Board Member		√
Transit Advisory Board Member		√
Transit Advisory Board Member	√	
Transit Advisory Board Member		√
Transit Advisory Board Member		√
Transit Advisory Board Member		√

* Includes 2 Transit Advisory Board Members who are other agency appointed representatives (NCDOT & ECCOG)

Exhibit 8 – Public Hearing Notice

Exhibit 9 – Board Resolution (Approval of Title VI Program)

Craven County



Craven Area Rural Transit System



2822 Neuse Blvd.

New Bern, North Carolina 28561

Phone: 252-636-4917 - Fax: 252-636-4919

1-800-735-2962 TDD/TTY

Email: carts@cravencountync.gov

LIMITED ENGLISH PROFICIENCY (LEP) POLICY AND PLAN

ADOPTED OCTOBER, 2014

ROSANN CHRISTIAN, DIRECTOR

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DEFINITIONS

Bilingual refers to the ability to use two languages proficiently.

Compliance that satisfactory condition existing when a recipient has effectively implemented all of the Title VI requirements or can demonstrate that every good faith effort toward achieving this end has been made.

Discrimination refers to any act or inaction, whether intentional or unintentional, through which a person in the United States, solely because of race, color, religion, sex, or national origin, has been otherwise subjected to unequal treatment under any program or activity of a Federal aid recipient, subrecipient, or contractor.

Federal Financial Assistance means

- (1) grants and loans of Federal funds;
- (2) the grant or donation of Federal property and interests in property;
- (3) the detail of Federal personnel;
- (4) the sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and
- (5) any Federal agreement, arrangement, or other contract that has as one of its purposes the provision of assistance.

Interpretation is the act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.

Limited English Proficiency designates individuals whose primary language is not English and who have a limited ability to read, write, speak, or understand English. LEP individuals may be competent in certain types of communication (*e.g.*, speaking or understanding), but still be LEP for other purposes (*e.g.*, reading or writing). Similarly, LEP designations are context-specific: an individual may possess sufficient English language skills to function in one setting, but these skills may be insufficient in other situations.

Limited English Proficient (LEP) Persons are persons for whom English is not their primary language and who have a limited ability to speak, read, write or

understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.

Minority Persons include the following:

(1) American Indian and Alaska Native, which refers to people having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

(2) Asian, which refers to people having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

(3) Black or African American Populations, which refers to peoples having origins in any of the Black racial groups of Africa.

(4) Hispanic or Latino Populations, which includes persons of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

(5) Native Hawaiian and Other Pacific Islander, which refers to people having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

Minority Population means any readily identifiable group of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient populations (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy, or activity.

National Origin means the particular nation in which a person was born, or where the person's parents or ancestors were born.

Persons with Disabilities An individual with a disability is a person who has a physical or mental impairment, which substantially limits one or more major life activities. For transportation services, a person with a disability is an individual, who by reason of illness, incapacity or disability, is unable, without special facilities or special planning or design, to utilize mass transportation facilities and services as effectively as persons who are not so affected.

Public Participation an open process in which the rights of the community to be informed, to provide comments to the Government and to receive a response from

the Government are met through a full opportunity to be involved and express needs and goals.

Primary Language means an individual's native tongue or the language in which an individual most effectively communicates.

Program includes any program, project, or activity for the provision of services, financial aid, or other benefits to individuals (including education or training, health, welfare, rehabilitation, housing, or other services, whether provided through employees of the recipient of Federal financial assistance or provided by others through contracts or other arrangements with the recipient, and including work opportunities), or for the provision of facilities for furnishing services, financial aid or other benefits to individuals. The services, financial aid, or other benefits provided under a program receiving Federal financial assistance shall be deemed to include any services, financial aid, or other benefits provided with the aid of Federal financial assistance or with the aid of any non-Federal funds, property, or other resources required to be expended or made available for the program to meet matching requirements or other conditions which must be met in order to receive the Federal financial assistance, and to include any services, financial aid or other benefits provided in or through a facility provided with the aid of Federal financial assistance or such non-Federal resources.

Service Area refers to either the geographic area in which a transit agency is authorized by its charter to provide service to the public or to the planning area of a State Department of Transportation or Metropolitan Planning Organization.

Service Standard/Policy means an established policy or service performance measure used by a transit provider or other recipient, or subrecipient as a means to plan or distribute services and benefits within its service area.

Signing language expressed by visible hand gestures.

Translation is the replacement of written text from one language (source language) into an equivalent written text in another language (target language).

Urbanized Area is an incorporated area with a population of 50,000 or more that is designated as such by the Bureau of Census.

STATEMENT OF POLICY:

It is the policy of Craven Area Rural Transit System (CARTS) to provide meaningful access to all services to Limited English Proficiency (LEP) persons in a reasonable and timely manner. Should an LEP individual make a request for services, CARTS personnel will make every effort to accommodate the individual in order to receive the benefits and services of the program. All CARTS personnel shall make efforts to provide language assistance services to LEP individuals whom they encounter, or whenever an LEP individual requests language assistance services. CARTS personnel will inform members of the public that language assistance services are available free of charge to LEP persons and that CARTS personnel will provide these services to them.

PURPOSE OF THE POLICY:

CARTS commits to make efforts to attract riders, who would otherwise be excluded from participating in the service because of language and/or literacy barriers, and ideally contribute to riders' use of the system after they are proficient in English or have other or more transportation options.

BASIS OF AUTHORITY

42 U.S.C. 2000d-1 – Civil Rights Act of 1964

49 Code of Federal Regulations Part 21 – Nondiscrimination in Federally-Assisted Programs of the Department of Transportation

70 Federal Register 74087, December 14, 2005 – Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons

Presidential Executive Order 13166 – “Improving Access to Services for Persons with Limited English Proficiency” (65 Federal Register 50121, August 11, 2000)

On August 11, 2000, President Clinton signed Executive Order 13166, entitled “Improving Access to Services for Persons with Limited Proficiency”. Accordingly, it prohibits recipients of Federal financial assistance from discriminating based on national origin by failing to provide meaningful access to services to LEP

individuals. This protection requires that LEP persons be provided an equal opportunity to benefit from or have access to services normally provided in English.



Federal Register

Vol. 65, No. 159

Wednesday, August 16, 2000

Presidential Documents

Title 3—

Executive Order 13166 of August 11, 2000

The President

Improving Access to Services for Persons With Limited English Proficiency

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to improve access to federally conducted and federally assisted programs and activities for persons who, as a result of national origin, are limited in their English proficiency (LEP), it is hereby ordered as follows:

Section 1. *Goals.*

The Federal Government provides and funds an array of services that can be made accessible to otherwise eligible persons who are not proficient in the English language. The Federal Government is committed to improving the accessibility of these services to eligible LEP persons, a goal that reinforces its equally important commitment to promoting programs and activities designed to help individuals learn English. To this end, each Federal agency shall examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services consistent with, and without unduly burdening, the fundamental mission of the agency. Each Federal agency shall also work to ensure that recipients of Federal financial assistance (recipients) provide meaningful access to their LEP applicants and beneficiaries. To assist the agencies with this endeavor, the Department of Justice has today issued a general guidance document (LEP Guidance), which sets forth the compliance standards that recipients must follow to ensure that the programs and activities they normally provide in English are accessible to LEP persons and thus do not discriminate on the basis of national origin in violation of title VI of the Civil Rights Act of 1964, as amended, and its implementing regulations. As described in the LEP Guidance, recipients must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.

Sec. 2. *Federally Conducted Programs and Activities.*

Each Federal agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency's programs and activities. Agencies shall develop and begin to implement these plans within 120 days of the date of this order, and shall send copies of their plans to the Department of Justice, which shall serve as the central repository of the agencies' plans.

Sec. 3. *Federally Assisted Programs and Activities.*

Each agency providing Federal financial assistance shall draft title VI guidance specifically tailored to its recipients that is consistent with the LEP Guidance issued by the Department of Justice. This agency-specific guidance shall detail how the general standards established in the LEP Guidance will be applied to the agency's recipients. The agency-specific guidance shall take into account the types of services provided by the recipients, the individuals served by the recipients, and other factors set out in the LEP Guidance. Agencies that already have developed title VI guidance that the Department of Justice determines is consistent with the LEP Guidance shall examine their existing guidance, as well as their programs and activities, to determine if additional guidance is necessary to comply with this order. The Department of Justice shall consult with the agencies in creating their guidance and, within 120 days of the date of this order,

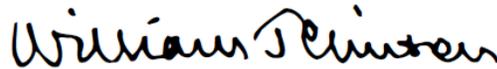
each agency shall submit its specific guidance to the Department of Justice for review and approval. Following approval by the Department of Justice, each agency shall publish its guidance document in the **Federal Register** for public comment.

Sec. 4. Consultations.

In carrying out this order, agencies shall ensure that stakeholders, such as LEP persons and their representative organizations, recipients, and other appropriate individuals or entities, have an adequate opportunity to provide input. Agencies will evaluate the particular needs of the LEP persons they and their recipients serve and the burdens of compliance on the agency and its recipients. This input from stakeholders will assist the agencies in developing an approach to ensuring meaningful access by LEP persons that is practical and effective, fiscally responsible, responsive to the particular circumstances of each agency, and can be readily implemented.

Sec. 5. Judicial Review.

This order is intended only to improve the internal management of the executive branch and does not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers or employees, or any person.



THE WHITE HOUSE,
August 11, 2000.

SCOPE:

CARTS' LEP Policy and Plan applies to all Board members, administrators, employees, sub-recipients, consultants and contractors.

LEP ASSESSMENT

FOUR-FACTOR ANALYSIS 2014

FACTOR 1:

The Number and Proportion of LEP Persons Served or Encountered in the Eligible Service Population:

Geographical Boundaries of the CARTS' Service Area:

Since 1980, CARTS has operated demand responsive services throughout Craven, Jones and Pamlico counties in North Carolina, with the addition of a bi-directional deviated fixed-route loop within the city of New Bern, NC. (Exhibit 1 – CARTS' Service Area Map)

As of the 2010 Census, New Bern, NC was designated as an Urbanized Area (UZA). The urbanized area includes the city of New Bern and the surrounding communities of River Bend, Trent Woods and Bridgeton, and continues southward through other

unincorporated areas, abutting up to Havelock. (Exhibit 2 – New Bern, NC Urbanized Area Map.) Beginning July 1, 2015 CARTS will begin urbanized transportation services by continuation of the bi-directional loop as a fixed route, complementary para-transit services for qualified, disabled persons who reside within areas up to ¾ mile radius of the loop, and demand response service for the areas remaining beyond the fixed route within the UZA. A Transportation Development Plan will be completed in the spring of 2015 to provide guidance in the continued development of services within the UZA. (All services provided in the urbanized area will be funded utilizing 5307 Urbanized Area Program Funds.)

CARTS will continue to provide non-urbanized, demand response services throughout the remainder of Craven County, in addition to demand response services in Jones and Pamlico counties. (All services provided in the rural or non-urbanized areas will be funded utilizing 5311 Non-urbanized Area Formula Funds, with CARTS receiving the funds as a sub-recipient of NCDOT.)

Analysis of U.S. Census Data.

Data from the 2008-2012 American Community Survey (US Census Bureau) for populations 5 years of age and over was analyzed as part of the process to determine the number or proportions of population groups eligible to be served. Data for each portion of the CARTS service area analyzed is shown below:

Language Spoken at Home and Ability to Speak English	New Bern UZA	Craven County	Jones County	Pamlico County
Population 5 years and over	46,778	95,325	9,572	12,574
Number of 'Other than English'	3711	4269	470	572
Percent of 'Other than English'	7.93%	7.60%	4.91%	4.56%
Number of 'Speak English Less than Very Well'	2034	3000	230	310
Percent of 'Speak English Less than Very Well'	4.35%	3.15%	.02%	2.47%

[Source - Table B16001: Language Spoken at Home by Ability to Speak English for the Population 5 years and Over; 2008-2012 American Community Survey, US Census; New Bern, NC Urbanized (Census.gov)]

Concentrations of LEP Persons within the CARTS Service Area

Jones County:

Of the total population of 9,572, the total number of those identified as speaking ‘Only English’ was 9,102 (95.09%). Other languages spoken by Jones County residents included **Spanish or Spanish Creole** (309 – 3.23%), **German** (64 - .67%), **Japanese** (10 - .10%), **Korean** (17 - .18%), **Tagalog** (8 - .08%), **Other Pacific Island Languages** (40 - .42%), **Navajo** (14 - .15%), and **Arabic** (8 - .08%).

Of these eight groups, two groups identified persons as speaking English *less than ‘very well’*, including **Spanish or Spanish Creole** (226 - 2.36%) and **Japanese** (4 - .04%)

[Source - Table B16001: Language Spoken at Home by Ability to Speak English for the Population 5 years and Over; 2008-2012 American Community Survey, US Census; Jones County, NC (Census.gov)]

Pamlico County:

Of the total population of 12,547, the total number of those identified as speaking ‘Only English’ was 11,975 (95.44%). Other languages spoken by Pamlico County residents included **Spanish or Spanish Creole** (404 – 3.22%), **French [incl., Patois, Cajun]** (11 - .09%), **Italian** – (11 - .09%), **Portuguese** (1 - .01%), **German** (61 - .49%), **Russian** (2 - .02%), **Polish** (3 - .02%), **Serbo-Croatian** (3 - .02%), **Other Indo-European Languages** (4 - .03%), **Chinese** (6 - .05%), **Mon-Khmer, Cambodian**, (2 - .02%); **Tagalog** (33 - .26%), and **Arabic** (31 - .25%).

Of these thirteen groups, seven groups identified persons as speaking *less than ‘very well’*, including **Spanish or Spanish Creole** (236 – 1.88%), **French [incl., Patois, Cajun]** (6 - .05%), **Italian** – (7 - .06%), **German** (41 - .33%), **Serbo-Croatian** (3 - .02%), **Chinese** (6 - .05%), **Tagalog** (1 - .01%), and **Arabic** (10 - .08%).

[Source - Table B16001: Language Spoken at Home by Ability to Speak English for the Population 5 years and Over; 2008-2012 American Community Survey, US Census; Pamlico County, NC (Census.gov)]

Craven County:

Of the total population of 95,325, the total number of those identified as speaking ‘Only English’ was 88,077 (92.40%). Other languages spoken by Craven County

residents included **Spanish or Spanish Creole** (4,269 – 4.48%), **French [Patois, Cajun]** (158 - .03%), **French Creole** (43 - .05%), **Italian** (138 - .20%), **Portuguese** (30 - .03%), **German** (318 - .33%), **Yiddish** (33 - .03%), **Other West Germanic Languages** (10 - .01%), **Scandinavian** (46 - .05%), **Greek** (2 - .00%), **Russian** (29 - .03%), **Polish** (57 - .06%). **Other Slavic Languages** (25 - .03%), **Gujarati** – (53 - .06%), **Other Indo-European Languages** (62 - .07%), **Chinese** (399 - .42%), **Japanese** (233 - .24%), **Korean** (152 - .16%), **Non-Khmer, Cambodian** (3 - .00%), **Laotian** (2 - .00%), **Other Asian Languages** (734 - .77%), **Tagalog** (308 - .32%), **Other Pacific Island Languages** (57 - .06%), **Arabic** (10 - .01%), and **African Languages** (77 - .08%).

Of these twenty-five groups, twelve groups identified persons as speaking *less than 'very well'*, including **Spanish or Spanish Creole** (1634 – 1.71%), **French [incl. Patois, Cajun]**, (24 - .03%), **Italian** (20 - .02%), **German** (54 - .06%), **Scandinavian** (18 - .02%), **Gujarati** (34 - .04%), **Other Asian Languages** (637 - .37%), and **Tagalog** (102 - .11%).

[Source - Table B16001: Language Spoken at Home by Ability to Speak English for the Population 5 years and Over; 2008-2012 American Community Survey, US Census; Craven County, NC (Census.gov)]

New Bern Urbanized Area:

Of the total population of 46,778, the total number of those identified as speaking 'Only English' was 43,067 (92.07%). Other languages spoken by residents of the New Bern Urbanized Area included **Spanish or Spanish Creole** (1,983 – 4.24%), **French [incl. Patois, Cajun]** (93 - .20%), **French [Creole]** (4 - .01%), **Italian** (74 - .16%), **German** (179 - .38%), **Other West Germanic Languages** (10 - .02%), **Scandinavian** (28 - .06%), **Greek** (2 - .00%), **Russian** (14 - .03%), **Other Slavic Languages** (9 - .02%), **Other Indo-European Languages** (62 - .13%), **Chinese** (309 - .66%), **Japanese** (12 - .03%), **Korean** (140 - .30%), **Other Asian Languages** (727 – 1.55%), **Tagalog** (40 - .09%), **Other Pacific Island Languages** (15 - .03%), and **Arabic** (10 - .02%).

Of these eighteen groups, nine groups identified persons as speaking *less than 'very well'*, including **Spanish or Spanish Creole** (951 – 2.03%), **French [incl. Patois, Cajun]**, (24 - .05%), **Italian** (8 - .02%), **German** (54 - .12%), **Other Indo-European Languages** (45 - .10%), **Chinese** (168 - .36%), **Korean** (132 - .28%), **Other Asian Languages** (637 – 1.36%), and **Tagalog** (15 - .03%).

[Source - Table B16001: Language Spoken at Home by Ability to Speak English for the Population 5 years and Over; 2008-2012 American Community Survey, US Census; New Bern, NC Urbanized (Census.gov)]

FACTOR 2:

The Frequency with Which LEP Individuals Come into Contact with CARTS' Services:

CARTS' Prior experiences with LEP Individuals

The analysis reveals the highest concentration of persons within the CARTS' service area who speak a language other than English lies within the New Bern, NC Urbanized (UZA) area (7.93%), located in Craven County (also reporting a higher concentration of these individuals at 7.60%). The data also reveals that though the concentration is high, it represents a significant proportion of those who 'Speak English very well', and also that the concentration of those who speak a language other than English to be widely spread over a large group of persons speaking many different languages. The concentration of individuals speaking a language other than English is most likely attributed to the influence of a U.S. military base that is located just beyond the UZA to the south. The second highest concentration of other than English speaking persons is the 'Other Asian Languages' group, largely made up of Myanmar (formerly Burma) refugee immigrants.

Over the last years, there are very few known encounters with LEP persons that sought to use CARTS' services (3 or fewer attempts in any given year). Though no encounters have been documented to date in order to verify attempted requests for services, CARTS proactively makes every effort to accommodate such individuals through the availability of a translator service for incoming telephone inquiries, and by publishing and posting English-to-Spanish (the largest of any non-English speaking groups identified in the Census data at 2.03%) translated public policies and announcements to assist the 1.71% of those who speak English, yet 'Speak English less than "very well"'. Any route information or other rider assistance can be printed in different languages, if requested. The population of refugee immigrants from Myanmar (included in the 'Other Asian Languages' group - 1.3%) are greatly served by a local non-profit agency (Interfaith Refugee Ministries) which assists those who are LEP (.67% identified as those who 'Speak English less than "very well"') in obtaining available services. CARTS receives and accommodates requests directly from the organization seeking services for this population group. This manner of responding to the needs of the two highest groups of LEP persons within the area is, at present, very effective to meet the needs these persons have for

meaningful access to transportation. The translation service in use would also accommodate many other languages other than Spanish, should the need arise.

In comparison to both Craven County and the New Bern, NC UZA, the highest concentration of persons who speak a language other than English for Jones County (4.91%) and Pamlico County (4.56%) is much lower, also involving the group of persons who 'Speak Spanish or Creole' at 3.23% and 3.22%, respectively. The same translation services and published literature serves those within the group of LEP individuals to serve the 2.36% of Jones County and the 1.88% of Pamlico County who 'Speak English less than "very well"'.

FACTOR 3:

The Importance of CARTS' Services to LEP Persons:

Accessing Services

A Transportation Development Plan (TDP) is expected to be completed by the July 1, 2015 transition date of rural to rural-urban operations, after which changes will be implemented per the TDP to address the transportation needs of the service area. For persons who would choose other than CARTS to meet their transportation needs, there are numerous local human service agencies and taxi services that provide such an option. Persons accessing public transportation through CARTS utilize the services for employment, medical, educational, and quality of life purposes. Many riders do not have any other means of transportation, and are truly transit dependent. As there have been so few encounters with LEP persons to date, it is assumed that individuals identified as LEP persons would have similar reasons for using public transit.

FACTOR 4:

The Resources Available to the Recipient and Costs:

Accessing Available Resources

Currently, the manner in which encounters with LEP persons would be managed would be through cooperation with various human services agencies, as already mentioned. Printed rider information is disseminated on a regular basis with these area agencies. It is anticipated that future marketing materials and literature will be made available to persons who, at minimum, speak, read, or write Spanish and, if necessitated, other languages as well.

Additional Services Needed to Provide Meaningful Access

Encounters with LEP persons in the future are somewhat difficult to predict, although it is likely that encounters will increase. It is expected that every effort will be made to remove any barriers that impede LEP persons from accessing CARTS' services.

CARTS will begin to collect data regarding LEP population contacts or encounters. This data will be analyzed and the results used to establish baseline for future evaluation of increased needs. Based on the current Census data, the primary encounters will most likely be with Spanish speaking individuals, it is within reason to publish Spanish language versions of the most critical literature to make efforts to remove barriers. To date, the Title VI policy has been printed in Spanish and is on display in the vehicles. Additionally, "picture" brochures or print literature may follow, in order to accommodate LEP persons who are either limited by other linguistic barriers, or by those who are limited in their literacy ability to read printed English.

Accessing Budgetary Adjustments

CARTS, as a part of the transition from a rural transportation service to a mixed urban-rural transportation service will be re-writing many of the agency policies and procedures and also redesigning system marketing material. Much of the new materials will be created during 2014-2015. Limited copies of alternative language or picture oriented pieces may be printed, however, as the need is present but very minor in the population of individuals served. Over the next few years, continuous evaluation of the need for Spanish (or other language) printed materials will further identify the need for additional measures in providing assistance for LEP individuals.

TRAINING

CARTS will provide periodic training to personnel regarding CARTS' LEP policies, the need to accommodate meaningful access to service for LEP individuals, and how to respond via telephone and in-person with LEP individuals. Employees will continue to document encounters with LEP persons, and the documented data from encounters will be considered as the need for expanding LEP services grow.

DISSEMINATION OF CARTS' LEP PLAN

A Title VI Notice to the Public is posted in administrative facility, on all the revenue vehicles, and on the website: <http://www.cravencountync.gov/departments>

[/trn.cfm](#). Copies of the LEP Policy & Plan will be provided on request to any person(s) requesting the document via phone, in person, by mail or email. LEP persons may obtain copies, translations or alternative formats of the plan upon request.

COMPLAINT OR INCIDENT REPORTS

Any questions or comments regarding this plan should be directed to:

Transportation Director
Craven Area Rural Transit System
2822 Neuse Blvd.
New Bern, NC 28561
Phone: 252.636.4917
Fax: 252.636.4919

Any person who believes he or she has been denied benefits or has been excluded from participation in services of any program or activity administered by the Department or its sub-recipients, consultants, or contractors on the basis of race, color, national origin (including LEP), gender, religion, age, or disability may file a complaint pursuant to Title VI and/or related statutes.

Title VI complaints may be filed with:

- Craven Area Rural Transit System (CARTS)
Transportation Director
2822 Neuse Blvd.
New Bern, NC 28560
- NCDOT
Public Transit Division
1 S. Wilmington Street
Raleigh, NC 27601
- Federal Transit Administration Office of Civil Rights
East Building, 5th Floor - TCR
1200 New Jersey Ave., SE
Washington, DC 20590
Attention: Title VI Program Coordinator
- The U.S. Department of Transportation

1200 New Jersey Avenue,
SE Washington, DC 20590

Complaints must be filed no later than 180 days after:

- The date of the alleged act of discrimination;
- The date when the person(s) became aware of the alleged discrimination; or
- Where there has been a continuing course of conduct, the date on which the conduct was discontinued.

All Title VI complaints are considered formal. Complaints must be submitted in writing and signed by the complainant. Complaint forms can be obtained by contacting the Transportation Director (252) 636-4917, or by visiting the CARTS' website at www.carts@cravencounty.com. (See Exhibit 3 – CARTS' Title VI Complaint Form)

EXHIBIT 2 - NEW BERN, NC URBANIZED AREA MAP

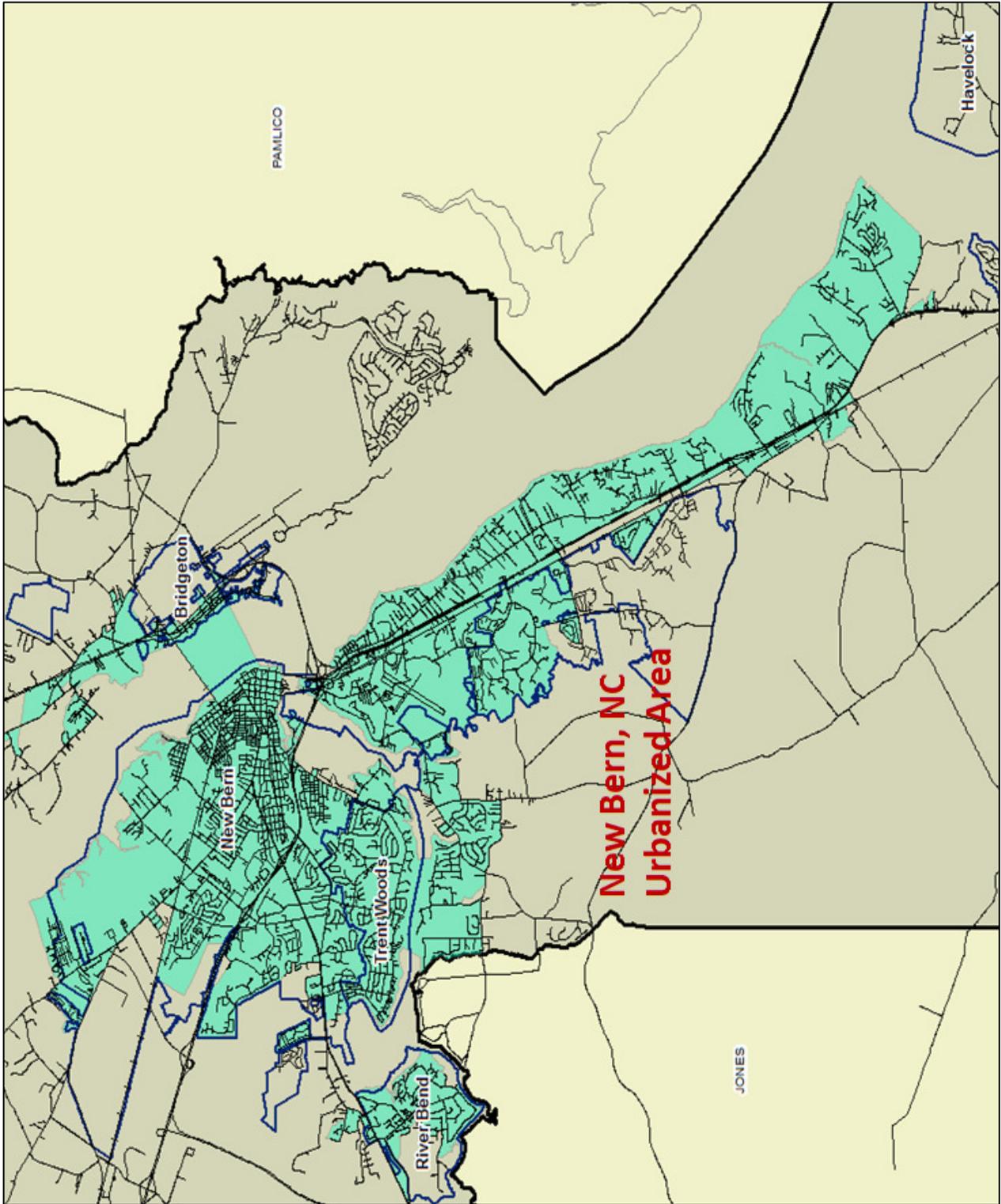


EXHIBIT 3 – CARTS’ TITLE VI COMPLAINT FORM

Craven Area Rural Transit System



2822 Neuse Blvd.

New Bern, North Carolina 28561

Phone: 252-636-4917 - Fax: 252-636-4919

1-800-735-2962 TDD/TTY

Email: carts@cravencounty.com

TITLE VI And Related Statutes Discrimination Complaint Form

FOR OFFICE USE ONLY
Date:
Reviewer Initials:

Name of Complainant:	Home Telephone Number:	Work Telephone Number:
Mailing Address:		
What is the most convenient time for us to contact you about this complaint?		
Basis of Discriminatory Action(s):		
RACE <input type="checkbox"/>	COLOR <input type="checkbox"/>	NATIONAL ORIGIN <input type="checkbox"/>
SEX <input type="checkbox"/>	AGE <input type="checkbox"/>	DISABILITY <input type="checkbox"/>
Date and place of alleged discriminatory actions. Please include earliest date of discrimination and most recent date of discrimination:		
How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status was a factor in the discrimination. Include how other persons were treated differently from you. (Attach additional page(s) if necessary).		
Names of individuals responsible for discriminatory action(s):		
Names of persons (witnesses, fellow employees, supervisors or others) whom we may contact for additional information to investigate your complaint:		
<u>NAME:</u>	<u>ADDRESS:</u>	<u>TELEPHONE NUMBER:</u>

EXHIBIT 3 – CARTS’ TITLE VI COMPLAINT FORM (Page 2)

Craven Area Rural Transit System (CARTS)
 TITLE VI and Related Statutes Discrimination Complaint Form

The law prohibits intimidation or retaliation against anyone because he/she either takes action, or participated in actions, to secure rights protected by these laws. If you feel you have been retaliated against (separate from the discrimination alleged above), please explain the circumstances below. Explain what action you took which you believe was cause for the alleged retaliation.

What remedy, or action, are you seeking for the alleged discrimination?

Have you filed, or intend to file, a charge or complaint regarding the matters related in this complaint with any of the following?

- U.S. Equal Employment Opportunity Commission
- NC Human Relations Commission
- Federal or State Court
- Federal Highway Administration/U.S. Department of Transportation

If you have already filed a charge or complaint, please provide the following information:

Agency/Court:	
Address:	Attorney Name:
Date Filed:	Address:
Case Number:	Phone Number:
Type of Trial/Hearing:	
Status of Case:	

Please provide any additional information that you believe would assist with this investigation:

****We cannot accept an unsigned complaint. Please sign and date this complaint form below.****

COMPLAINANT SIGNATURE:	DATE:
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