



Title VI Plan

Via Mobility Services

January 2016

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I. Statement of Client Rights under Title VI

Via Mobility Services (Via) operates its services, programs, and activities without regard to race, color, national origin (ancestry), religion (creed), gender, gender expression, age, disability, marital status, sexual orientation, military status, or any other status protected by applicable local, state, or federal law. Via abides by the provisions of all applicable civil rights laws and regulations, including without limitation: Title VI of the Civil Rights Act of 1964; the Americans with Disabilities Act (ADA); and the Older Americans Act (OAA). For more information on Via's civil rights program, and the procedures to file a complaint, contact Via's Customer and Community Services Department at (303) 447-2848 ext. 1047; email title.vi.complaint@viacolorado.org; or visit our administration office at 2855 N.63rd Street, Boulder, CO, 80301. For more information, visit www.viacolorado.org/about/legal-documents-financial-documents/.

Title VI Notice to the Public

Via has adopted and published the following Title VI Notice to the Public:

Notice to the Public of Rights under Title VI

Via Mobility Services (Via)

- Via operates its services, programs, and activities without regard to race, color, national origin (ancestry), religion (creed), gender, gender expression, age, disability, marital status, sexual orientation, military status, or any other status protected by local, state, or federal law. Via abides by the provisions of all applicable civil rights laws and regulations, including without limitation: Title VI of the Civil Rights Act of 1964; the Americans with Disabilities Act (ADA); and the Older Americans Act (OAA).
- For more information on Via's civil rights program and procedures for filing a complaint, contact (303) 447-2848 ext. 1047; email title.vi.complaint@viacolorado.org; or visit our administration office at 2855 N. 63rd Street, Boulder, CO 80301. For more information, visit www.viacolorado.org/about/legal-documents-financial-documents/.
- If information is needed in another language, contact (303) 447-2848 ext. 1047.
Si se necesita la información en otro idioma llame al (303) 447-2848 de extensión 1047.

Notice Locations

Via's Title VI Notice is posted in English and Spanish in the following locations:

- Via's website at www.viacolorado.org/about/legal-documents-financial-documents/.
- Via's headquarters at 2855 N. 63rd Street, Boulder, CO 80301, in the reception area and the public conference and meeting room.
- Via's second facility at 6500 Franklin Street #C, Denver, CO 80229, in the reception area and meeting room.

II. Title VI Complaint Procedures and Complaint Form

Anyone who believes they have been discriminated against by Via in violation of Via's Non-Discrimination Policy may file a complaint. If a person believes he or she has been discriminated against on the basis of race, color, or national origin (ancestry) (Title VI), or on the basis of religion (creed), gender, gender expression, age, disability, marital status, sexual orientation, military status, or any other status under applicable local, state, or federal law may file a Title VI and Other Discrimination Complaint Form. Via investigates all complete complaints received no more than 180 days after the alleged incident.

Once a complaint is received, Via will send a letter acknowledging the complaint and whether Via has jurisdiction to continue with an investigation.

Via has 60 days to investigate the complaint. If more information is needed to resolve the case, Via may contact the complainant. The complainant has ten business days from the date of the letter to send the requested information to Via. If Via does not receive the requested information within fourteen days from the mailing date, Via can administratively close the case. Via can also administratively close a case if the complainant no longer wishes to pursue the case.

After investigation of the complaint, Via will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI or discrimination violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, he or she has fourteen days from the date of the letter or LOF to do so.

For Title VI claims of discrimination on the basis of race, color, or national origin, a person may submit the complaint directly to the Federal Transit Administration (FTA), at the FTA Region 8 Office, Attn: Civil Rights Officer, 1961 Stout Street, Suite 13301, Denver, CO 80909.

Via's Title VI Complaint Form is set forth on the following pages. Via's non-discrimination policy includes Title VI's prohibition against discrimination on the basis of race, color, and national origin, as well as on several other protected statuses. So Via's Title VI Form may be used for Title VI claims as well as to make a claim of discrimination on the basis of religion (creed), gender, gender expression, age, disability, marital status, sexual orientation, military status, and any other status protected by applicable local, state, or federal law.

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as the names and contact information of any witnesses. If more space is needed, please use the back of this form.

Section IV

Please mail this form to the address below or submit it in person at:
Via Mobility Services
Attn: Bob D'Alessandro, Title VI Coordinator / Director of Customer & Community Service
2855 N. 63rd Street, Boulder, CO 80301

Or e-mail this form as an attachment to: title.vi.complaint@viacolorado.org

Signature: _____ Date: _____

III. List of Investigations, Complaints, and Lawsuits

Under the requirements of Title VI, Via maintains a list of any of the following activities related to an allegation of discrimination on the basis of race, color, or national origin (ancestry)(Title VI); or an allegation of discrimination the basis of religion (creed), gender, gender expression, age, disability, marital status, sexual orientation, military status, or other status protected by applicable local, state, or federal law:

- Complaints naming Via Mobility Services
- Active investigations conducted by the Federal Transit Administration (FTA) and entities other than the FTA
- Lawsuits

At this time, Via has no complaints, investigations, or lawsuits to report. However, the following is the form that will be updated as needed and available online at www.viacolorado.org/about/legal-documents-financial-documents/. This list shall include the date the relevant investigation, lawsuit, or complaint was filed; any actions taken by Via in response, or the final findings related to the investigation, lawsuit, or complaint. This list shall be included in the Title VI Plan that Via is required to submit to the FTA every three years.

Via Mobility Services – List of Investigations, Complaints, and Lawsuits

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, national origin, etc.)	Status	Action(s) Taken:
Complaints				
1.				
2.				
3.				
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				

IV. Public Participation Plan

Bob D'Alessandro, Via's Director of Customer and Community Service, who reports directly to the organization's Executive Director, has been appointed Via's Title VI Coordinator. Since D'Alessandro is already responsible for coordinating ADA and OAA compliance and any complaints, making him responsible for Title VI complaints as well provides the public with one point of contact for any discrimination complaints. By creating this additional position and responsibility, Via also wants to make certain there is someone responsible for overseeing and implementing its Title VI Plan.

Outreach Plan

Throughout the year, Via staff members conduct outreach activities in various communities in our service areas and attend local government meetings. The purpose of these activities and presentations is to make more people aware of our services and programs, and to enter a dialogue with local residents and governing bodies about the mobility needs of some in their communities and how best to address them. It is also Via's commitment to reach and serve as many members of minority groups or underrepresented populations as possible. Each year, Via reviews demographic information on its clients, including new clients. The results of this review helps guide Via's future outreach efforts.

As a nonprofit human services transportation provider, Via seeks feedback on its mission services from clients and other members of the community. But Via does not currently maintain any transit-related planning boards, committees, or advisory councils.

For information regarding Via's outreach plans to limited English proficient populations, see the following Sections V and VI.

V. Limited English Proficiency Plan (LEP)

This Limited English Proficiency (LEP) Plan for Via Mobility Services has been developed in response to federal requirements included under Section 601 of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), which provides that no person 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.”

Federal Executive Order No. 13166, issued in August 2000 by President Clinton, “improving Access to Services for Persons with Limited English Proficiency,” was created 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)...” President Bush affirmed his commitment to Executive Order 13166 through a memorandum issued on October 25, 2001, by Assistant Attorney General for Civil Rights, Ralph F. Boyd, Jr. and Acting Assistant Attorney General, Loretta King, directed a strengthening of enforcement of Title VI in a memorandum dated July 10, 2009.

As a sub-recipient of funds from the Federal Transit Administration (FTA), through the Colorado Department of Transportation (CDOT), this Limited English Proficiency (LEP) Plan for Via Mobility Services has been developed to ensure compliance with Federal LEP regulations. It includes an assessment of the limited English proficiency needs of our area, an explanation of the steps we are currently taking to address these needs, and the steps we plan to take in the future to ensure meaningful access to our transit programs by persons with limited English proficiency.

A. Policy

It is the policy of Via Mobility Services to ensure that our programs and activities, normally provided in English, are accessible to Limited English Proficiency (LEP) persons and thus do not discriminate on the basis of national origin in violation of the Title VI prohibition against national origin discrimination. To the maximum extent feasible in its official deliberations and communications, community outreach and related notifications, Via Mobility Services will provide appropriate alternative non-English formats for persons with LEP to access information and service provided.

B. Limited English Proficiency Needs of Area

The four-factor Analysis developed by the FTA requires that information be included in LEP Plans regarding the number and percentage of LEP persons in our area, and the nature, frequency and importance of the contract we have with LEP persons in providing transit services. Each of these elements is addressed below.

Factor 1. Number and Percentage of LEP Persons in Our Area

1. Permanent Population:

Subject	Colorado Percent	Adams County, Colorado Percent	Boulder County, Colorado Percent	Larimer County, Colorado Percent
LANGUAGE SPOKEN AT HOME				
English only	83.0%	69.7%	83.3%	91.7%
Language other than English	17.0%	30.3%	16.7%	8.3%
Speak English less than "very well"	6.2%	13.8%	5.2%	2.4%
Spanish	11.9%	24.9%	9.0%	5.2%
Speak English less than "very well"	4.6%	11.4%	3.4%	1.7%
Other Indo-European languages	2.3%	1.5%	4.3%	1.6%
Speak English less than "very well"	0.5%	0.4%	0.7%	0.3%
Asian and Pacific Islander languages	1.9%	2.8%	2.7%	1.1%
Speak English less than "very well"	0.9%	1.6%	0.9%	0.4%
Other languages	0.9%	1.1%	0.8%	0.3%
Speak English less than "very well"	0.3%	0.4%	0.1%	0.0%

2. Visitor Population

Several communities within Via's service area annually attract large visitor populations to the area, especially Boulder and Estes Park. Data provided by the area Chambers indicate that Boulder has an average of 2,204,036 total annual visitors, of which approximately 14% are international visitors (who come primarily for business purposes).

Estes Park has approximately three million visitors per year (based on National Park estimates and highway counts). Because there is no 'residency requirement' for Via's services, any visitor to the area may access services. This, of course, doesn't give a clear indication of numbers of LEP guests. In fact, the Chambers of Commerce, and the Town of Estes Park Public Information Officer were unable to provide specific data on percentages of LEP visitors (though, anecdotally, Estes has a large population of Spanish-speakers (correlating with the Hispanic census statistics) as well as a seasonal influx of Asian and Eastern European workers).

3. Summary

	Adams County	Boulder County	Larimer County
Do LEP populations exist? (5% or 1,000 individuals – whichever is less)	Yes (13.8%)	Yes (5.2%)	No (2.4%)
What languages do they speak?	11.4% of the LEP population speaks Spanish; 2.4% speaks another language.	3.4% of the LEP population speaks Spanish; 1.8% another language.	

Where are concentrations of LEP persons in your service area?	Brighton has a large Spanish-speaking population.	Primarily Longmont and Lafayette	
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Factors 2 & 3: Nature, Frequency and Importance of LEP Contact

1. Nature of Contact

What transit services do you provide?

Via provides transportation and mobility options in 19 communities across five counties in Colorado. Our mission is to promote independence and self-sufficiency for people with limited mobility by providing caring, customer-focused transportation options.

Via is a full-spectrum “mobility manager.” We provide accessible on-demand transportation, individual and group travel training, and mobility options counseling (information and referral). The core of Via’s clientele is persons living with mobility limitations. Mobility limitations include anyone who is unable to drive due to age, health, disability, or income.

Via provides transportation for essential life-sustaining services such as medical appointments, and life-enhancing services such as trips for grocery shopping, haircuts and social interactions with friends and family. Via also provides service to those in short-term personal emergency situations, such as when someone is unable to drive due to an accident, injury or surgery.

Via operates transportation services under contract with the City of Boulder and RTD, including Call-n-Ride, Access-a-Ride, and the HOP (fixed route). Via also offers contract transportation services to area non-profits.

In addition, Via provides volunteer driver training programs, disability awareness education and advocacy, human service collaborations and partnerships, community transit offerings and transportation contracting capabilities. After the 2013 floods along the Front Range, Via provided free transportation for flood victims. We are a community resource.

What types of contact do you have or could you have or do you have with LEP persons?

Via has contact with LEP individuals in all of the service areas described above.

2. Frequency of Contact

During the period of September 30, 2012 – September 30, 2013:

- Based on data from Via’s RouteMatch rider database software, approximately 8% of Via’s riders identified themselves as Spanish-speakers.
- Another 7% of riders identified themselves as speaking a variety of other languages, including Russian, German, Vietnamese, Chinese, Hindi, American Indian and others (less than 1% for any specific language).

- Of those who participated in the Via’s Travel Training program, 41% were from the Latino community (LEP individuals). This was a significant increase from the previous two years (4% in 2010, and 12% in 2011).
- Five of 17 “Transportation 101” presentations in 2012 were conducted bilingually or only in Spanish.

3. Importance of Contact

The nature and importance of LEP contact is high for all Via transit services, since mobility is key to independence and self-sufficiency for people unable to drive due to age, disability, health or economic circumstances. Efforts to educate and provide transportation to LEP persons are an integral part of all of our programs.

Via’s commitment to LEP populations is evident in many of our practices, including:

- *2012 Key Organizational Goals* adopted by the Via’s Board of Directors included the following objective: “Continue to expand outreach to ethnic and cultural minority groups.” This objective was successfully met, as follows:
 - We facilitated a partnership with El Comite to provide a DRCOG vanpool to Longmont for workers commuting to/from Fort Morgan.
 - Participation of Latino residents in our “Easy Rider” travel training program increased from 12% in 2011 to 41% in 2012.
 - A Latino Age Wave Fellowship was awarded to a member of Via’s outreach staff to adapt the “On the Move” travel training program to older Latino adults in the metro area.
 - We expanded our relationships with advocacy groups, including Intercambio, El Comite and St. Vrain Valley Latino Coalition.
- Via’s Board of Directors recently adopted a new strategic goal to “*Be the Leader in mobility options in Boulder County*”, including:
 - An emphasis on inclusivity and sensitivity in marketing and outreach.
 - Advocacy for mobility rights and access for target population.
 - Involvement in community planning and transportation issues to help make a more livable mobility environment.
- As part of the 2012 rebranding effort, the organizational name (formerly Special Transit) was identified as an “invisible barrier” to many who assumed that a serious disability was a stipulation to qualification for services. The name Via was selected, in part, because it has the same pronunciation and meaning in several languages, which assisted in enhancing our image with LEP individuals.

Factor 4: Resources available for LEP Outreach

1. Technology

In 2012, Via upgraded its RouteMatch scheduling software to allow for scheduling in real-time. Riders now have a confirmed ride at the time of their call, which is especially meaningful to LEP riders who often arrange rides with the assistance of English-speaking family members, case or agency workers.

The software database, which includes categories for self-identified ethnicity and language preference, allows Via to capture data for a demographic profile of our riders. It has also brought to light the fact that a subset of our riders who identify as caucasian/white are nonetheless limited English-speakers (e.g., Russian or other Slavic languages).

2. Reasonable Business Practices

The Via Board of Directors adopted a Policy on Serving People with Limited English Proficiency (LEP) on April 28, 2010 which states: It is the policy of Via to ensure that our programs and activities, normally provided in English, are accessible to persons with Limited English Proficiency (LEP) and thus do not discriminate on the basis of national origin in violation of the Title VI prohibition against national origin discrimination. We will, to the maximum extent feasible in our official deliberations and communications, community outreach and related notifications, provide appropriate alternative non-English formats for persons with LEP to access information and services provided.

3. Materials and Services

- Via has made Spanish outreach materials and critical user information for all services areas, including:
 - New Rider Information Guides (with an insert specific to each community)
 - Via Mobility Services organization brochure
 - Transportation Services brochure
 - Mobility Options brochure
 - Travel Training brochure
 - Service Provider's Complaint Procedure and forms
- Via's Spanish bilingual Mobility Specialist is the first point of contact for prospective riders. This is a customer-friendly transportation counseling service in which the various mobility options are explored, the client is registered, and finally directed to the most appropriate program to meet his or her transit needs.
- The Mobility Specialist estimates that 15-20% of daily calls received are from LEP individuals. In an effort to provide valuable data about the nature of incoming calls, she tracks LEP calls. This will allow Via to determine whether a translation software would be useful.

- A bilingual recorded message directs registered clients as necessary to one of the Spanish bilingual reservationists in our Call Center.
- Via's Travel Training Supervisor and at least one Travel Trainer are Spanish bilingual.
- Via's Rider Representative stationed at Easter Seals ADA certification center is Spanish bilingual. This position conducts outreach to those who are certified with Access-a-Ride.
- Several drivers in communities with high concentrations of Spanish-speaking populations (e.g., Brighton, Lafayette) are Spanish bilingual.

4. Advocacy Groups that May Offer LEP Interpretation

Various agencies serving Boulder County's elder population joined forces in 2012 to meet the current and growing needs of the Latino elder population in our community. This group, *the Promotores Collaborative*, of which Via is a member, developed a plan to address the issues of awareness and access to available resources. This project trains Latino elders in Boulder County to act as conduits of information and to provide referrals for services and programs benefiting the aging population, as well as to enhance cultural competency and inclusivity efforts of service providers to the Latino community (see attachment).

VI. Language Assistance Plan

1. *How Will You Identify LEP Persons Who Need Language Assistance?*

Individuals seeking services (transportation or travel training) contact Via directly, or are referred by someone who assists them in the process (i.e. family member, case worker, advocate). Prospective riders register through our Mobility Specialist, who is bilingual Spanish. Via's RouteMatch database identifies language preference for all riders. Via recently implemented a tracking system to provide data on the frequency and composition of LEP populations calling Via.

2. *How Will You Identify Language Assistance Measures?*

If an individual needs language assistance other than what Via can provide through in-house resources, arrangements are made using community resources to facilitate their access to services.

Via has also researched language translation services such as Voiance Language Services, Language Line, and Optimal Phone Interpreters.

3. *How Will Your Staff Be Trained?*

Reservationist Training: The Call Center is staffed by several Spanish bilingual reservationists who are trained in cultural competency.

Driver Training: Each new driver receives a *Basic Spanish for Transit Employees* handbook. Training includes a session in cultural competency.

Travel Trainers: The Travel Training staff has a minimum of one Spanish-speaking trainer.

4. *What Will Be Your Outreach Efforts?*

In 2011, Via launched a pilot project in collaboration with the OUR Center, Longmont Senior Center and Latino community leaders focusing on helping to remove barriers (e.g. cultural, language or operational) that may limit Latino's access to our services. The model is now being expanded to other communities. As a result, "Transportation 101" events have been held in the community and attended by task force members and other community leaders.

Our most successful strategies for targeting our services to low-income, low-income minority, frail, and/or isolated seniors (many of whom are LEP) continue to be our partnerships with organizations or agencies who serve these populations. Partner agencies include the Community Action Programs, Clinica Campesina, Safe Shelter of St. Vrain, Community Food Share, Longmont Housing Authority, OUR Center, Project Hope, Inn Between, Boulder County AIDS Project, Salud Clinics, Saint Vrain Valley Latino Coalition, Boulder Housing Partners, residential care facilities, Boulder Shelter for the Homeless, and Community Care Coordinators with the Boulder County Aging Services Division.

In addition to conducting presentations to area organizations, Via routinely participates in community events such as Caregiver Wellness Days, health fairs and other community events.

5. *What Is Your Monitoring and Updating Plan?*

Via will monitor and update this plan biannually, as needed. This will include:

- Reviewing our LEP Plan with staff and make adjustments as needed.
- Monitoring demographic changes, as documented in the Boulder County Trends Report.
- Paying attention to any LEP-related complaints.

6. *How Will You Disseminate Your LEP Plan?*

- Copies of Via's LEP plan are available to the many agencies and organizations with whom we partner that serve LEP populations in our service area.
- Via also works closely with Boulder County Transportation's Mobility4All Project which specifically targets low-income residents in the county, a number of whom are LEP.
- We have co-presented to numerous organizations including Casa De Esperanza, Sister Carmen Center, Dental Aid and to staff at Boulder County Housing and Human Services who serve LEP populations.
- We have posted our plan on our website, where it can be read in English or Spanish by choosing the language option at the top of each page.

VII. Monitoring Subrecipients for Title VI Compliance

Via requires that all of its subrecipients of federal grant funds comply with Title VI of the Civil Rights Act of 1964. A subrecipient is defined in the OMB Super Circular, 2 CFR Part 200 (<https://federalregister.gov/a/2013-30465>) as “a non-Federal entity that receives a subaward from a pass-through entity [Via] to carry out part of a Federal program; but does not include an individual that is a beneficiary of such program.”

Specifically, Via requires:

- The following clauses in its Subrecipient Agreements with subrecipients:

Subawardee (or subrecipient) agrees to comply with all applicable civil rights laws and regulations, in accordance with federal directives, except to the extent that the Federal Government determines otherwise in writing. These shall include, but are not limited to, the following:

1. Nondiscrimination – Title VI of the Civil Rights Act. Subawardee agrees to comply, and assures the compliance of each subcontractor or third party contractor with the provisions prohibiting discrimination on the basis of race, color, or national origin of Title VI of the Civil Rights of 1964, as amended, 42 USC §§2000d et seq., and with DOT regulations, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act,” 49 CFR Part 21. Except to the extent FTA determines otherwise in writing, the Contractor agrees to follow all applicable provisions of the most recent edition of the FTA Circular 4702.1A, “Title VI and Title VI-Dependent Guidelines for Federal Transit Administration Grantees.” And any other applicable federal directives that may be issued.
- That each subrecipient agrees to allow Via to verify its compliance with all applicable Title VI requirements upon Via’s request. Such verification may be conducted through a review of subrecipient’s Title VI documents and procedures or an on-site visit.

VIII. Board Approval of Title VI Plan

In a meeting held on January 27, 2016, Via's Board of Directors approved and adopted this Title VI Plan.