

Title VI Plan

NDMJ

Si necesita información en otro idioma, póngase en contacto con [903-592-3232]

Ver. 2017

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Section 1: Title VI Plan Approval

Title VI Plan 11/09/2017
Adopted on: _____
Adopted by: NDMJ, Transportation

Title VI Plan Revision Log

Date	Section Revised	Summary of Revisions
12/15/2016	Mailing address	Passengers are requested to mail comments to new address at NDMJ
8/15/2017		Scope of service clarification, LAP revision,
11/09/2017	Pages, 6, 12, 14	Final corrections, addition of charts, and location of proper posting of notices

Section 2: Description of Organization and Service Provided

Within this section please include:

- 1. A general introduction/summary of your organization*
- 2. The type of service you provide; such as fixed-route, deviated route, or demand response service*
- 3. The number of transit-related employees and the number of revenue service vehicles*
- 4. The area where service is provided; include a service area map, if available.*

NDMJ is a Texas corporation located in Tyler, Texas. NDMJ has been in operation since 1988 and serves Tyler and Smith County area. NDMJ serves Tyler Transit as a back-up paratransit provider. NDMJ also serves Smith County passengers under a voucher program for Smith County funded by TxDOT under Section 5310. NDMJ also receives funding via TxDOT under section 5310 for mobility management services and provides transportation to the elderly and disabled 24/7 using 22 vehicles. NDMJ has 25 employees and 35 contract drivers. NDMJ services include fixed route to rural hospital University of Texas Health Center, Paratransit services under contract with City of Tyler, and demand response under section 5310.

Section 3: Title VI Policy Statement

Policy Statement

The **(NDMJ)**, as a recipient of Federal Transit Administration (FTA) grant dollars either directly from FTA or through the Texas Department of Transportation (TxDOT), will comply with the Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the U.S. Department of Transportation implementing regulations, FTA Circular 4702.1B, and TxDOT PTN requirements as specified in Master Grant Agreement, and State Management Plan.

TITLE VI Notice to the Public

The (NDMJ)'s Notice to the Public is as follows:

Notifying the Public of Rights Under Title VI

(NDMJ)

- ✓ (NDMJ) operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the (NDMJ).
- ✓ For more information on the (NDMJ)'s civil rights program, the procedures to file a complaint, or to file a complaint contact 903-592-3232 email title.vi.jamal@flyjet.org ; or visit our administrative office at 100 E. Ferguson St. Suite 804 Tyler, Tx. 75702. For more information, visit www.tylercab.com
- ✓ A complaint may also be filed directly with the:

Texas Department of Transportation, Attn: TxDOT-PTN, 125 E. 11th Street, Austin, TX 78701-2483, or

Federal Transit Administration, Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE Washington, DC, 20590.
- ✓ If information is needed in another language, contact 903-592-3232

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✓

The (NDMJ)'s Notice to the Public is posted in the following locations: *(check all that apply)*

- Agency website: [www.tylercab.com] *Select Spanish if needed*
- Public office
- Reception areas
- Meeting rooms
- Inside vehicles
- Rider Guides/Schedules
- Transit shelters and stations
- Other, _____

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Title VI Complaint Procedure

The (NDMJ)'s Title VI Complaint Procedure is made available in the following locations: *(check all that apply)*

- X Agency website: (www.tylercab.com)
 - X Hard copy in the central office
 - X Available in appropriate languages for LEP populations, meeting the Safe Harbor Threshold.
 - Other, _____
-

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by the (NDMJ) may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form. Complaint forms can be found at: (www.tylercab.com), or requested at: (100 E. Ferguson St. Suite 804 Tyler, TX. 75702

The (NDMJ) investigates complaints received no more than 180 days after the alleged incident. The (NDMJ) will process complaints that are complete.

Once the complaint is received, the (NDMJ) will review it to determine if our office has jurisdiction. (A copy of each Title VI complaint received will be forwarded to TxDOT Public Transportation Coordinator within ten (10) calendar days of receipt.) The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.

The (NDMJ) has 10 days to investigate the complaint. If more information is needed to resolve the case, (NDMJ) may contact the complainant.

The complainant has 10 business days from the date of the letter to send requested information to the investigator assigned to the case.

If the investigator is not contacted by the complainant or does not receive the additional information within 10 business days, (NDMJ) can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two (2) letters to the complainant: a closure letter or a letter of finding (LOF).

- ✓ A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed.
- ✓ A letter of finding (LOF) summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur.

If the complainant wishes to appeal the decision, she/he has 10 days after the date of the letter or the LOF to do so.

A person may also file a complaint directly with the: Texas Department of Transportation, Attn: TxDOT-PTN, 125 E. 11th Street, Austin, TX 78701-2483, or Federal Transit Administration, Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE Washington, DC, 20590.

If information is needed in another language, then contact 903-592-3232.

Title VI Complaint Form

The (NDMJ)'s Title VI Complaint Procedure is made available in the following locations: *(check all that apply)*

- Agency website
- Hard copy in the central office
- Available in appropriate languages for LEP populations, meeting the Safe Harbor Threshold.
- Other, _____

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Section I:			
Name:			
Address:			
Telephone (Home):		Telephone (Work):	
Email Address:			
Accessible Format Requirements?	Large Print		Audio Tape
	TDD		Other
Section II:			
Are you filing this complaint on your own behalf?		Yes*	No
*If you answered "yes" to this question, go to Section III.			
If not, please supply the name and relationship of the person for whom you are complaining:			
Please explain why you have filed for a third party: _____			
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.		Yes	No
Section III:			
I believe the discrimination I experienced was based on (check all that apply):			
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin			
Date of Alleged Discrimination (Month, Day, Year): _____			
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form. _____ _____			
Section IV			
Have you previously filed a Title VI complaint with this agency?		Yes	No

Section V		
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?		
<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, check all that apply: <input type="checkbox"/> Federal Agency: _____ <input type="checkbox"/> Federal Court _____ <input type="checkbox"/> State Agency _____ <input type="checkbox"/> State Court _____ <input type="checkbox"/> Local Agency _____		
Please provide information about a contact person at the agency/court where the complaint was filed.		
Name: Jamal Moharer		
Title: President		
Agency: NDMJ Transportation		
Address: 100 E. Ferguson St. Suite 804 Tyler. TX 75702		
Telephone: 903-597-4900		
Section VI		
Name of agency complaint is against:		
Contact person:		
Title:		
Telephone number:		

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below

Signature Date

Please submit this form in person at the address below, or mail this form to:

100 E. Ferguson St. Suite 804 Tyler, Tx. 75702

List of Transit Related Title VI Investigations, Complaints and Lawsuits

The (NDMJ) maintains a list or log of all Title VI investigations, complaints and lawsuits, pertaining to its transit-related activities.

Check One:

 X There have been no investigations, complaint and/or lawsuits filed against us since the last plan submission.

 There have been investigations, complaints and/or lawsuits filed against us. *See list below. Attach additional information as needed.*

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

Public Participation Plan

Strategies and Desired Outcomes

To promote inclusive public participation, the (NDMJ) will employ the following strategies, as appropriate:

- ✓ Provide for early, frequent and continuous engagement by the public.
- ✓ Select accessible and varied meeting locations and times
- ✓ Employ different meeting sizes and formats
- ✓ Provide childcare and food during meetings, if possible.
- ✓ Use social media in addition to other resources as a way to gain public involvement
- ✓ Use radio, television or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP populations may also include audio programming available on podcasts.
- ✓ Expand traditional outreach methods by visiting ethnic stores/markets and restaurants, community centers, libraries, faith-based institutions, local festivals, etc.

Public Outreach Activities

The public outreach and involvement activities conducted by the (NDMJ) since the last Title VI Program submission are summarized in the table below.

Enter specific Public Participation activities in the table below.

Event Date	(NDMJ) Staffer(s)	Activity	Communication Method (Public Notice, Posters, Social Media)	Notes
12/15/2016	SCPAC	Annual PAC meeting	Posters and email list	General annual meeting with program updates

Language Assistance Plan

Plan Components

As a recipient of federal US DOT funding, the (NDMJ) is required to take reasonable steps to ensure meaningful access to our programs and activities by limited-English proficient (LEP) persons.

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

The (NDMJ)'s Language Assistance Plan includes the following elements:

- Item #1: The results of the *Four Factor Analysis*, including a description of the LEP population(s), served.
- Item #2: A description of how language assistance services are provided by language
- Item #3: A description of how LEP persons are informed of the availability of language assistance service
- Item #4: A description of how the language assistance plan is monitored and updated
- Item #5: A description of how employees are trained to provide language assistance to LEP persons

Four Factor Analysis Methodology

To determine if an individual is entitled to language assistance and what specific services are appropriate, the (NDMJ) has conducted a *Four Factor Analysis* of the following areas: 1) LEP Demography, 2) Contact Frequency, 3) Importance of Service, and 4) Resources and Costs.

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient. In addition to the number or proportion of LEP persons served, the (NDMJ)'s will identify:

- (a) How LEP persons interact with the recipient's agency;
- (b) Identification of LEP communities, and assessing the number or proportion of LEP persons from each language group to determine the appropriate language services for each language;
- (c) The literacy skills of LEP populations in their native languages, in order to determine whether translation of documents will be an effective practice; and
- (d) Whether LEP persons are underserved by the recipient due to language barriers.

Factor 2: The frequency with which LEP persons come into contact with the program. Identifies and assesses the frequency (NDMJ)'s staff comes into contact with LEP persons. Examples of contact could include:

- (a) Use of bus and rail service;
- (b) Purchase of tickets through vending machines, outlets, websites, and over the phone;
- (c) Participation in public meetings;
- (d) Customer service interactions;
- (e) Ridership surveys;
- (f) Operator surveys.

Factor 3: The nature and importance of the program, activity, or service provided by the program to people's lives. Generally speaking, the more important the program, the more frequent the contact and the likelihood that language services will be needed.

This section discusses how the (NDMJ)'s program and services impact the lives of person's within the community. The (NDMJ) will specify the community organizations that serve LEP persons, if available.

Factor 4: The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach. Resource and cost issues can often be reduced by technological advances, reasonable business practices, and the sharing of language assistance materials and services among and between recipients, advocacy groups, LEP populations and Federal agencies. Large entities and those entities serving a significant number of LEP persons should ensure that their resource limitations are well substantiated before using this factor as a reason to limit language assistance.

The summary below discusses the low cost methods the (NDMJ) uses to provide outreach to LEP persons as well as train staff (and transit provider/lessee, if applicable) on Title VI and LEP principles.

Language Assistance Plan

Item #1 – Results of the Four Factor Analysis *(including a description of the LEP population(s) served)*

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered.

Staff reviewed the 2010 U.S. Census Report and determined that Spanish language is perhaps the most common language to encounter in our area.

Factor 2: The frequency with which LEP persons come into contact with the program.

(NDMJ) staff reviewed the frequency of contacts with LEP persons and found that the need for Spanish speaking staff is important and is needed every day of the operation.

Factor 3: The nature and importance of the program, activity, or service provided by the program to people's lives.

(NDMJ) staff reviewed the nature and importance of the service and found that having Spanish speaking staff makes services more user friendly and efficient.

Factor 4: The resources available for LEP outreach, as well as the costs associated with that outreach.

The (NDMJ) reviewed its available resources for LEP outreach and found that NDMJ has adequate resources to support its outreach program. NDMJ will add vital documents in foreign language; Notice to the public, complaint procedures and complaint forms.

Item # 2 – Description of how Language Assistance Services are Provided, by Language

Both English and Spanish services are available on NDMJ's website and over the phone

Item # 3 - Description of how LEP Persons are Informed of the Availability of Language Assistance Service









Both English and Spanish services are available on NDMJ's website and over the phone. Posters are located in the vehicles.

Item # 4 – Description of how the Language Assistance Plan is Monitored and Updated

As needed as well as reviewed annually during NDMJ's board meeting

Item # 5 - Description of how Employees are Trained to Provide Language Assistance to LEP Persons

Every member of NDMJ team has been trained during initial hiring process and during bi-monthly staff meetings to remain alert to passenger's needs. This awareness also includes offering in-house language and translation services.

 White alone, percent, July 1, 2016, (V2016) (a)	77.9%
 Black or African American alone, percent, July 1, 2016, (V2016) (a)	17.8%
 American Indian and Alaska Native alone, percent, July 1, 2016, (V2016) (a)	0.8%
 Asian alone, percent, July 1, 2016, (V2016) (a)	1.6%
 Native Hawaiian and Other Pacific Islander alone, percent, July 1, 2016, (V2016) (a)	0.1%
 Two or More Races, percent, July 1, 2016, (V2016)	1.7%
 Hispanic or Latino, percent, July 1, 2016, (V2016) (b)	19.2%
 White alone, not Hispanic or Latino, percent, July 1, 2016, (V2016)	60.1%

“I Speak” Language Identification Card

Mark this Box if you speak...	Language Identification Chart	Language
X	Mark this box if you read or speak English	English
X	Marque esta casilla si lee o habla español	Spanish
	Kos lub voj no yog koj paub twm thiab hais lus Hmoob	Hmong
	如果说中国在方框内打勾	Chinese
	Xin ñaùnh daáu vaøo oâ naøy neáu quyù vò bieát ñoïc vaø noui ñöôic Vieät Ngöô.	Vietnamese
	당신이한국어말할경우이 상자를 표시	Korean
	Markahan itong kuwadrado kung kayo ay marunong magbasa o magsalita ng Tagalog.	Tagalog
	Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen	German
	Отметить этот флажок, если вы говорите по-русски	Russian
	Означите ову кућицу ако говорите српски	Serbian
	आप हिंदी बोलते हैं तो इस बक्से को चिह्नित करें	Hindi
	پر نشان لگائیں تو اس باکس بولتے ہیں اردو اگر آپ	Urdu

Note: For additional languages visit the US Census Bureau website <http://www.lep.gov/ISpeakCards2004.pdf>

Log of LEP Encounters

Date	Time	Language Spoken By Individual (if available)	Name and Phone Number of Individual (if available)	Service Requested	Follow Up Required	Staff Member Providing Assistance	Notes

Minority Representation Information

Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees.

Guidance: If you don't have a non-elected transit-related board, committee, or council, then leave the table below blank, and in section B write that there are no non-elected transit-related boards, committees, or councils.

A. Minority Representation Table

Table Depicting Membership of Board, Committees, Councils, Broken Down by Race

Body	Caucasian	Hispanic	African American	Asian American	Native American	Two or More Races
Population	%	%	%	%	%	%
SCPAC	%54	%15	%15	%	%	%15

B. Efforts to Encourage Minority Participation

To encourage participation on its boards, committees and councils, the (NDMJ) will continue to encourage passengers, stakeholders and local officials to participate on SCPAC.

Certification of Adoption of Title VI Policy

The undersigned hereby certifies that on the date listed below, adopted and does adhere to the required Title VI policy that is designed to detect and prevent violations of the law, including regulations and policies applicable to this entity or its officers, employees, agents, sub-contractors and that the Title VI policy on file satisfies the requirements of Texas Department of Transportation, Public Transportation Division, and Federal Transit Administration..

Name of entity: NDMJ

By: Jamal Moharer

Signature: *Jamal Moharer*

Title: President

Date of adoption 11/09/2017