

Title VI Program

PORTALES AREA TRANSIT

Adopted [April 15, 2014]

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TITLE VI PROGRAM QUESTIONNAIRE

The Federal Transit Administration (FTA) requires all grantees of FTA financial assistance to develop a Title VI program. In the past, the New Mexico Department of Transportation (NMDOT) – Transit and Rail Division Title VI program covered the State and its grantees. Now, each grantee must have its own program; this requirement applies to both Section 5310 and 5311 grantees.

To help the grantee develop a Title VI program, NMDOT has developed this questionnaire, which will, once reviewed and accepted by NMDOT, become the agency’s Title VI program. Once accepted by NMDOT, submit the completed questionnaire to the agency’s Board or council for approval and then provide evidence of the approval to NMDOT.

NOTICE TO THE PUBLIC

FTA requires that each grantee notify the public of its rights under Title VI and include the notice and where it is posted in the Title VI program. The notice must include the following:

- *A statement that the agency operates programs without regard to race, color, and national origin*
- *A description of the procedures that members of the public should follow in order to request additional information on the grantee’s nondiscrimination obligations*
- *A description of the procedures that members of the public should follow in order to file a discrimination complaint against the grantee*
- *A statement that the agency’s Title VI obligations and complaint procedures will be translated into other languages as needed*

The notice can be a separate document, such as a posted sign, a statement that is in another document, or a stand-alone document, such as a Title VI brochure.

Attachment A presents two notices developed by NMDOT, a longer “stand-alone” statement and a shorter statement that can be included in another document, such as a bus schedule or as a placard in the bus. Both are provided in English and Spanish. Grantee can use these notices or develop your own. If grantee has developed its own notice, it must include the four items discussed above.

At a minimum, a grantee must post a Title VI notice on its website and in the reception area and public meeting spaces of its offices. FTA recommends that each agency place the notice in other locations, such as on buses, on schedules or other printed materials, and at stations.

The NMDOT recommends placing the longer notice on the agency’s website and in the required office areas in an inexpensive frame.

1. Is the grantee using either of NMDOT's notice(s) in Attachment A? If yes, which one(s)? If no, please provide a copy of your Title VI notice(s).

Yes, it is the short one and is posted side by side in both English and Spanish.

2. Where are the notices posted?

We will add the latest version to each bus and place it in the transit office. Although we have an earlier version of the language on the website, we will add to the Website under TRANSPORTATION the Short English and Short Spanish Title VI language once it is adopted by the City of Portales

At a minimum, has the agency posted a Title VI notice on the agency's website, in the reception area of your office, and in the public meeting spaces of agency's office?

Yes. See above. I have scheduled for approval by the City Council at meeting of 4/15/2014. At that time I will ask them to provide a resolution that I will send to NMDOT for documentation of approval by the City.

COMPLAINT INSTRUCTIONS AND FORM

FTA requires each grantee to have instructions for the public to follow and a form for the public to use for filing a Title VI complaint. Attachment B presents a form and instructions for filing a Title VI complaint in English and Spanish developed by NMDOT. Grantee can use the NMDOT form and instructions or use your own.

3. Has the grantee adopted the NMDOT-developed form and instructions for filing a Title VI complaint? If no, please attach a copy of the form and instructions that is used.

Yes.

TITLE VI COMPLAINTS, INVESTIGATIONS AND LAWSUITS

FTA requires that the Title VI program include a list of transit-related Title VI complaints, investigations, and lawsuits. NMDOT obtains this information with grant applications. Please note that Equal Employment Opportunity (EEO) and Americans with Disabilities Act (ADA) complaints are not Title VI complaints so do not list them. If the agency is a part of a city, county, or human service agency, only list Title VI complaints, investigations, or lawsuits related to transit service.

4. Since submitting the last grant application to NMDOT, has the agency had any Title VI complaints, investigations, or lawsuits related to your transit program? If yes, please complete the following table.

No.

--

Type	Date	Summary	Status	Action(s) Taken
Complaints	NA			
Investigations	NA			
Lawsuits	NA			

PUBLIC PARTICIPATION ELEMENT

FTA requires that the Title VI program include a public participation plan that includes an outreach plan to engage minority and Limited English Proficient (LEP) populations. The plan may include other constituencies that are traditionally underserved, such as people with disabilities, low-income populations, and others. Applicants to NMDOT for FTA assistance are required to comply with several requirements that help meet this Title VI requirement. These requirements include the published notice of intent to apply to NMDOT for FTA assistance and participation in the public transit-human services transportation coordinated plan development. Other public participation methods include open Board/council meetings, council meetings of cities and counties that provide local funding, transit/client advisory committees, public involvement efforts for Transit Development Plans (TDPs), passenger surveys, marketing efforts, such as booths at fairs, and presentations to service and other organizations.

5. Are Board/council meetings open to the public?

Yes

6. How does grantee publicize the dates, times, and locations of Board/council meetings?

The City Announcement Board/The Portales News-Tribune/Website/Radio/Public Television

7. Where are Board/council meetings held?

At the Memorial Building at Council Chambers, 200 E 7th St., Portales, NM 88130

8. Is the location accessible to persons with disabilities?

Yes, it is.

9. Is transit service available to the location and during the hours of the Board/council meetings? If yes, please describe. If not, does grantee offer transportation to the meetings upon request?

No, the meetings take place after our hours of operation (our hours of operations are 8 am to 5 pm Monday through Friday). See #11 below for answer as to whether we offer transportation to the meetings upon request.

10. What other efforts has the agency made to ensure that transit riders or clients can attend Board/council meetings?

When the council is discussing transit issues they are announced in the agenda on all avenues mentioned above and we would provide transportation if it was requested to those wanting to address such issues.

11. Does grantee rely on any counties or cities for funding? If yes, please describe how interested parties can comment on your budget and services at city and town council meetings.

We rely on the City Of Portales. As mentioned above, they can attend the council meetings or contact myself or the City Manager at the Portales City Hall located at 100 W. First St., Portales, NM 88130

12. Discuss any other outreach efforts, including transit advisory committees, procedures for soliciting comments for fare increases and service changes, passenger surveys, public involvement for transit development plans, presentations, etc.

I have met with other agencies that provide some limited transportation services such as Community Services; Los Abuelitos de la Casa Buena (the local nursing home); Safe Ride Services; as well as the Director of the Clovis Area Transit System (CATS) to assess our transportation options as a community. We also have customers complete surveys.

LIMITED ENGLISH PROFICIENCY (LEP) ELEMENT

FTA requires that the Title VI program include a plan for providing language assistance to LEP persons. An LEP person is someone “who speaks English less than very well,” as per US Census Bureau designation. To document what languages are spoken by LEP persons and to help determine what language assistance efforts the grantee should undertake, FTA requires that the grantee analyze the following four factors:

- *the number and proportion of LEP persons served or encountered in your service area*
- *the frequency with which LEP individuals come into contact with your transit service*
- *the nature and importance of your transit service*
- *the language assistance resources potentially available to assist LEP persons*

By completing this questionnaire, the grantee will have completed the required four-factor analysis.

The primary source data on LEP populations is the U.S. Census. We have provided a table for each grantee to fill with Census data. To look up the 2010 Census data:

- Go to [US Census Fact Finder](#)
- Search each county or city in the service area
- Select American Community Survey “Education, Marital Status, Relationships, Fertility,.....”
- Scroll down to “language spoken at home”

Please add columns, if needed.

Table 1					
2010 Census Numbers for LEP Persons Residing within the Service Area					
Population 5 Years and Over by Language Spoken at Home and Ability to Speak English	City of Portales 1	City/County 2	City/County 3	Total	Percentage of Population 5 Years and Older
Population 5 Years and Over	11,375				26.9%
Speak English less than “very well”	3065				6.3%
Spanish	2836				24.9%
Speak English less than “very well”	671				5.9%
Other Indo-European	69				.6%
Speak English less than “very well”	0				0%
Asian and Pacific Island	63				.6%
Speak English less than “very well”	43				.4%
All Other	97				0.9%
Speak English less than “very well”	0				0%

Survey staff members, including bus drivers, reservationists/dispatchers, customer service agents, and office personnel, to determine the frequency of contact with LEP persons, what languages are spoken by these persons, and the languages they speak and/or understand. Attachment C presents a sample survey form. After conducting the survey, please complete the following table. (All 5311 providers need to complete the survey. 5310 providers not conducting the survey should not complete the table and answer question 14.)

Table 2 Frequency of Contact with LEP Persons	
Frequency	Languages Spoken by LEP Persons
Daily	3 to 6 daily
Weekly	15 to 20 times per week
Monthly	60 to 80 times a month
Less frequently than monthly	Chinese less frequently than monthly

13. If grantee has not completed Table 2, discuss the frequency of contact with LEP persons and the languages spoken by these persons. (5310 only) NA
14. Provide a description of your service (type, days and hours) and list the major activity centers served (communities, employers, Rail Runner stations, park and ride lots, government and human service agencies, medical facilities, shopping centers, and recreational facilities). This information can be found in your most recent grant application. Hours are Monday through Friday from 8 am to 5 pm.

We operate a demand response service which supplies public transportation services to approximately 17,000 persons. We serve government and human service offices to include CYFD, Community Services, ISD Offices, Probation Departments, Indigent Services Offices, (2) court facilities, all medical offices as well as the local hospital, local shopping and public recreational facilities such as the rec center, public pools, public library, etc.

15. Discuss trip purpose from passenger surveys or transit development plans, if conducted.
- Our surveys show that the most common trips purposes are: medical appointments, employment, school, shopping, paying bills, court dates.**

16. Does staff speak languages other than English? **Yes** If so, what languages? **Spanish** What percentage of staff speaks another language? **Fifty percent of our staff speak Spanish.** Does grantee utilize staff to translate? **Yes.**
17. Has grantee translated documents into Spanish or another language? **Yes** If yes, please list the documents and the languages they are translated into.

Policies & Procedures, Rules & Regulations, Title VI Regulations, Passengers Rights and Responsibilities

18. Does the agency use Google Translate for your web site? **Yes** If yes, what languages? **Spanish**
19. What other language assistance efforts is the agency undertaking?

We appear to at this time are meeting the needs where language assistance is concerned.

20. Has the agency made arrangements with other organizations to provide language assistance efforts? If yes, what organizations and what services?

No. It has not appeared to be needed at this time due to the options we currently utilize within the City Of Portales.

21. How are LEP persons notified of language assistance services?

When they originally call to make an appointment for services, we connect them to a staff member who speaks their language (primarily Spanish) and assist them in whatever their needs may be.

22. Discuss outreach programs, such as travel training, school presentations, and community presentations and if these efforts potentially reach LEP persons.

I as the Director go to the local outreach programs such as local schools and the university and discuss our transit program. The outreach program provides the translators at each facility.

23. Describe how language assistance efforts are monitored, evaluated, and updated.

Primarily through customer contact and them voicing their needs to us and through customer surveys.

24. Describe how employees are trained in language assistance efforts.

We train each staff member to identify a possible LEP need and work as a team to ensure proper communication utilizing staff who are bilingual (Spanish/English) and to make the needed connection for each customer who has a need for translation to better assist that person.

25. Please provide an estimate of what language assistance efforts cost the agency annually.

The cost has been kept to a minimum due to lack of funding as well as one half of our staff is able to speak fluent Spanish which is the language at this time that translation is needed. We do have a very small amount of Chinese speaking students that utilize our services but the Eastern NM University provides them with language assistance when they call to make an appointment for services. We can absorb the cost in our marketing line item of our annual transit budget when we have adequate funding.

PLANNING AND ADVISORY BOARDS

FTA requires that the Title VI program present the racial make-up of all transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, and a description of the efforts to encourage the participation of minorities on such committees.

We do not maintain any specific planning boards, advisory councils, or committees specifically related to transit. All business is completed through City Council Members which are elected officials or through the City Manager. Portales has two Hispanic City Council members in our eight-member council.

26. List all transit-related advisory boards and committees and the purpose of each.

NA

27. How are members selected?

NA

28. What is the racial makeup of each board and committee?

NA

29. What efforts are undertaken to encourage participation of minorities on these committees?

NA

SUBGRANTEES

FTA requires the Title VI program to include procedures for monitoring subgrantees for compliance with Title VI.

30. Does grantee provide any FTA funds to any other transit-related agency? **No** If yes, this is a subgrantee. Please list them. How does the agency monitor subgrantees for compliance with Title VI? **NA**

FACILITY LOCATION EQUITY ANALYSIS

FTA requires the Title VI program to include procedures for ensuring an equity analysis of facility locations is conducted during the planning for a construction of a new facility. The Transit and Rail Division ensures compliance with this requirement when providing FTA funding for a new facility.

FIXED-ROUTE SYSTEMWIDE SERVICE STANDARDS

The remaining questions only apply to operators of fixed-route service. Grantees that only provide demand-response service can stop here. Please note that all 5310-provided service and route deviation service are considered demand-response service for the purposes of Title VI.

FTA requires operators of fixed-route service to set system wide service standards for each fixed-route mode of service provided and include the standards in the Title VI program. The service standards must address vehicle loads, headways, on-time performance, and service availability.

31. What types of fixed-route bus service does grantee provide (local, express, commuter)? We do not provide fixed service. **NA**

Vehicle Load (Capacity) Standards

32. Has grantee adopted vehicle capacity standards? **NA** If yes, what are they?

33. Does grantee allow standees on buses for each type of service provided? **NA** If no, please explain.

34. Does grantee allow standees on buses for at all times of the day (peak and off-peak)? **NA**

35. Has grantee adopted the manufacturers' capacity standards for seated and standing passengers?**NA**
36. Does grantee regularly have standees on buses? If yes, does grantee have plans to increase the amount of service to reduce the number of standees? **NA**

Vehicle Headway Standards

37. Has grantee adopted vehicle headway standards? If yes, what are they?**NA**
38. What are the headways for each type of fixed-route service?**NA**
39. Are the headways the same for peak and off-peak hours? If no, discuss the differences. **NA**
40. What are the headways for evening service? **NA**
41. What are the headways for Saturday and Sunday service? **NA**
42. How has grantee set the headways? **NA**

On-time Performance Standards

43. What is the on-time performance standard(s)? **NA**
44. Has grantee set a system wide goal for on-time performance? **NA** If yes, what is the goal?
45. Does grantee have problems with on-time performance? **NA**

Service Availability Standards

46. What criteria are used to decide where to locate local fixed-route service? **NA**
47. Does grantee provide general public demand responsive service in areas service by fixed routes? **NA**
If no, how far from the fixed-routes does grantee provide general public demand-response service?
48. Discuss spacing of bus stops, if used. **NA**
49. Discuss grantee policy regarding activity centers served (employers, shopping centers, hospitals, clinics, senior housing centers, Rail Runner stations, city halls, etc.) **NA**

FIXED-ROUTE SYSTEMWIDE POLICIES

FTA requires operators of fixed-route service to set system wide policies for each fixed-route mode of service provided and include the policies in the Title VI program. The policies must address distribution of service amenities, such as passenger shelters, and the assignment of buses to garages and routes.

- 50. Describe the passenger amenities, such as passenger shelters, benches, and waste receptacles and where are they located? NA**
- 51. How does grantee determine where to place each type of passenger amenity? NA**
- 52. How does grantee distribute route and schedule information? NA**
- 53. What kind of route and schedule information, if any, is provided at bus stops? NA**
- 54. Discuss implementation or plans for electronic/passenger information for bus departures and arrivals, if any. NA**
- 55. Discuss the number of bus garages/storage locations, how buses are allocated to the different locations? If only one location, respond "NA". NA**
- 56. How are buses assigned to routes? NA**

Attachment A
Title VI Notice to the Public

Long Title VI Notice in English and Spanish

Notifying the Public of Rights under Title VI - English

- The New Mexico Department of Transportation 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 New Mexico Department of Transportation.
- For more information on the New Mexico Department of Transportation's civil rights program, and the procedures to file a complaint, please call 1-800-554-0936 or (505) 827-1774, email: damian.segura@state.nm.us; or visit our administrative offices at 1596 Pacheco St., Santa Fe, NM 87505. For more information, visit www.dot.state.nm.us.
- A complainant may file a complaint directly with the Federal Transit Administration (FTA), Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590. Phone: (202)366-4043.
- If information is needed in another language, please contact 1-800-554-0936 or (505) 827-1774.

Notificación al Público de los Derechos Garantizados por Título VI - Español

- El Departamento de Transporte del estado de Nuevo México opera sus programas y servicios, sin distinción de raza, color y origen nacional, según el Título VI de la Ley de Derechos Civiles. Cualquier persona que cree o que ha sido perjudicada por una práctica discriminatoria ilegal bajo el Título VI, puede presentar una queja con el Departamento de Transporte de Nuevo México.
- Para obtener más información sobre el programa de derechos civiles del Departamento de Transporte de Nuevo México o para obtener más información sobre los procedimientos para presentar una queja, llame al 1-800-554-0936 o al (505) 827-1774. Email: damian.segura@state.nm.us, o visite nuestras oficinas administrativas en 1596 Pacheco St., Santa Fe, NM 87505. Para obtener más información, visite www.dot.state.nm.us
- Un demandante puede presentar una queja directamente a la Administración Federal de Tránsito (FTA), Oficina de Derechos Civiles, Atención: Coordinador del Programa de Título VI, East Building, 5th Floor TCR, 1200 New Jersey Ave, SE, Washington. , DC 20590. Teléfono: (202) 366-4043
- Si se necesita información en otro idioma, por favor póngase en contacto con 1-800-554-0936 or (505) 827-1774.

Attachment A
Title VI Notice to the Public

Short Title VI Notice in English and Spanish

NMDOT operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the 1964 Civil Rights Act. To find out more about our nondiscrimination obligations, to file a complaint, or to request this information in another language, please contact us at NMDOT Title VI Coordinator, PO Box 1149, Santa Fe, NM 87504-1149 or 1-800-554-0936 or (505) 827-1774.

El Departamento de Transporte del estado de Nuevo México opera sus programas y servicios, sin distinción de raza, color y origen nacional, según el Título VI de la Ley de Derechos Civiles. Para obtener más información sobre el programa de derechos civiles del Departamento de Transporte de Nuevo México o para obtener más información sobre los procedimientos para presentar una queja, llame al NMDOT Title VI Coordinator, PO Box 1149, Santa Fe, NM, 1-800-554-0936 o al (505) 827-1774.

Attachment B
Title VI Complaint Form and Instructions

Title VI Complaint Procedures

The complaint procedures cover the following:

- Title VI of the Civil Rights Act of 1964
- Section 504 of the Rehabilitation Act of 1973
- Civil Rights Restoration Act of 1973
- Civil Rights Restoration Act of 1987
- Americans with Disabilities Act of 1990
- Executive Order 12898
- Executive Order 13166

Any person believing he or she has been excluded from, denied participation in, denied the benefits of, or otherwise has been subjected to discrimination under any NMDOT service, program or activity (whether Federally funded or not) due to that person's race, color, national origin, gender, age, disability, economic status, or limited English proficiency has the right to file a complaint.

Title VI Complaint Reporting

An individual, group of individuals or entity may file a formal Title VI complaint with NMDOT. Complaints shall be submitted to the NMDOT Title VI Coordinator (at the OEOP) in writing, signed and dated, within 180 days of the alleged discriminatory act (or latest occurrence). The complaint should be submitted to the following address:

Attn: Title VI Coordinator
Office of Equal Opportunity Programs
1596 Pacheco Street
Suite 107
Santa Fe, NM 87505

The complaint should include the name, address, phone number and signature of complainant. The formal complaint should describe the alleged discriminatory act that violates Title VI in detail.

Title VI complaints may also be filed directly with the United States Department of Transportation (USDOT), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Federal Aviation Administration (FAA) or the Federal Railroad Administration (FRA) within the 180 day period of the alleged discriminatory act (or latest occurrence).

The Title VI Coordinator will be responsible for notifying the respondent(s) of the complaint within five working days of receipt. A copy of the complaint will also be forwarded to the alleged discriminatory sub-contractor official. The Title VI Coordinator's name and telephone number shall be included. Additionally the Title VI Coordinator will forward a copy of the complaint to the NMDOT Office of General Counsel for review.

Attachment B
Title VI Complaint Form and Instructions

Title VI Complaint Investigations

An investigation by the Title VI Coordinator or an otherwise qualified investigator will be initiated within 15 working days of receipt of the complaint.

The complainant should submit any documentation he/she perceives as relevant to proving his/her complaint.

The respondent will be given the opportunity to respond to all aspects of the complainant's allegations.

The Title VI Coordinator or qualified investigator will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned.

Once the investigation is completed, a final report will be provided to the respondent, the complainant and the appropriate USDOT agency. The final report will include the following:

- The written complaint containing the allegations, basis, and date of filing;
- Summarized statements taken from witnesses;
- Findings of fact;
- Conclusions (based on all evidence in the record) that the complaint is substantiated or unsubstantiated;
- Action(s) the respondent must take to correct deficiencies and to ensure Title VI compliance (if applicable);
- If corrective action(s) is required the respondent will be given thirty calendar days to inform the Title VI Officer of the actions taken for compliance;
- The respondent may implement corrective actions after the initial thirty calendar days with projected time period(s) in which those actions are scheduled to be completed. All corrective actions must be implemented within sixty calendar days;
- If the corrective action(s) have not been completed within the initial thirty day time period allowed, the respondent will be found to be in noncompliance with Title VI and implementing rules and regulations, and a referral will be made to NMDOT for further action in regards to noncompliance.

The complainant and respondent shall be notified of all appeal rights pursuant to 49 CFR 21.

Title VI Complaints Log

The NMDOT Title VI Coordinator shall maintain a log of Title VI complaints received. The log shall include the date the complaint was filed, a summary of the allegations, the status of the complaint, and actions taken in response to the complaint.

New Mexico Department of Transportation

Title VI Compliant Form

Section I	
Name:	
Address:	
Telephone (Home/Cell):	Telephone (Work):
Email Address:	
Section II	
Are you filing this complaint on your own behalf: Yes <input type="checkbox"/> No <input type="checkbox"/>	
*If you answered "yes" to this question, go to Section III.	
If you answered "no" please enter the name and relationship of the person you are filing the complaint against:	Name:
	Relationship:
If you are filing a complaint as a third party, please explain why in the space below:	
Have you have obtained permission of the aggrieved party if you are filing on behalf of a third party: Yes <input type="checkbox"/> No <input type="checkbox"/>	
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):	Date:
Explain, as clearly as possible, that 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 attach	

Attachment B
Title VI Complaint Form and Instructions

additional sheets to this form:

Section IV

Have you previously filed a Title VI complaint with the New Mexico Department of Transportation (NMDOT)? Yes No

Section V

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? Yes No

If yes, please check and name all that apply:

Federal Agency: _____

Federal Court: _____

State Agency: _____

State Court: _____

Attachment B
Title VI Complaint Form and Instructions

Local Agency: _____

Please provide information about a contact person at the agency/court where the complaint was filed.

Name: _____

Title: _____

Agency: _____

Address: _____

Telephone: _____

Section VI

Name of agency complaint is against: _____

Contact person: _____

Title: _____

Telephone number: _____

Signature: _____

Date: _____

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

Damian Segura, NMDOT Title VI Coordinator
1596 Pacheco St. Suite 107
Santa Fe, NM 87505

Attachment B
Title VI Complaint Form and Instructions

	Date (Month, Day, Year)	Summary (Include basis of complaint: race, color, or national origin)	Status	
Investigations				
1.				
2.				
3.				
4.				
Lawsuits				
1.				
2.				
3.				
4.				
Complaints				
1.				
2.				
3.				
4.				

Title VI Complaint Procedures

The complaint procedures cover the following:

Attachment B
Title VI Complaint Form and Instructions

- Title VI of the Civil Rights Act of 1964
- Section 504 of the Rehabilitation Act of 1973
- Civil Rights Restoration Act of 1973
- Civil Rights Restoration Act of 1987
- Americans with Disabilities Act of 1990
- Executive Order 12898
- Executive Order 13166

Any person believing he or she has been excluded from, denied participation in, denied the benefits of, or otherwise has been subjected to discrimination under any NMDOT service, program or activity (whether Federally funded or not) due to that person's race, color, national origin, gender, age, disability, economic status, or limited English proficiency has the right to file a complaint.

Title VI Complaint Reporting for the City of Portales

An individual, group of individuals or entity may file a formal Title VI complaint with the City of Portales. Complaints shall be submitted to the NMDOT Title VI Coordinator (at the OEOP) in writing, signed and dated, within 180 days of the alleged discriminatory act (or latest occurrence). The complaint should be submitted to the following address:

Attn: Title VI Coordinator
Portales Area Transit
City of Portales
100 W. First St.
Portales, NM 88130-5902

The complaint should include the name, address, phone number and signature of complainant. The formal complaint should describe the alleged discriminatory act that violates Title VI in detail.

Title VI complaints may also be filed directly with the United States Department of Transportation (USDOT), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Federal Aviation Administration (FAA) or the Federal Railroad Administration (FRA) within the 180 day period of the alleged discriminatory act (or latest occurrence).

The Title VI Coordinator will be responsible for notifying the respondent(s) of the complaint within five working days of receipt. A copy of the complaint will also be forwarded to the alleged discriminatory sub-contractor official. The City of Portales' Title VI Coordinator's name and telephone number shall be included. Additionally the City of Portales' Title VI Coordinator will forward a copy of the complaint to the NMDOT Title VI Coordinator for review.

Title VI Complaint Investigations

An investigation by the Title VI Coordinator or an otherwise qualified investigator will be initiated within 15 working days of receipt of the complaint.

Attachment B
Title VI Complaint Form and Instructions

The complainant should submit any documentation he/she perceives as relevant to proving his/her complaint.

The respondent will be given the opportunity to respond to all aspects of the complainant's allegations.

The Title VI Coordinator or qualified investigator will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned.

Once the investigation is completed, a final report will be provided to the respondent, the complainant and the appropriate USDOT agency. The final report will include the following:

- The written complaint containing the allegations, basis, and date of filing;
- Summarized statements taken from witnesses;
- Findings of fact;
- Conclusions (based on all evidence in the record) that the complaint is substantiated or unsubstantiated;
- Action(s) the respondent must take to correct deficiencies and to ensure Title VI compliance (if applicable);
- If corrective action(s) is required the respondent will be given thirty calendar days to inform the Title VI Officer of the actions taken for compliance;
- The respondent may implement corrective actions after the initial thirty calendar days with projected time period(s) in which those actions are scheduled to be completed. All corrective actions must be implemented within sixty calendar days;
- If the corrective action(s) have not been completed within the initial thirty day time period allowed, the respondent will be found to be in noncompliance with Title VI and implementing rules and regulations, and a referral will be made to NMDOT for further action in regards to noncompliance.

The complainant and respondent shall be notified of all appeal rights pursuant to 49 CFR 21.

Title VI Complaints Log

The NMDOT Title VI Coordinator shall maintain a log of Title VI complaints received. The log shall include the date the complaint was filed, a summary of the allegations, the status of the complaint, and actions taken in response to the complaint.

New Mexico Department of Transportation

Title VI Compliant Form

Section I	
Name:	
Address:	
Telephone (Home/Cell):	Telephone (Work):
Email Address:	
Section II	
Are you filing this complaint on your own behalf: Yes <input type="checkbox"/> No <input type="checkbox"/>	
*If you answered "yes" to this question, go to Section III.	
If you answered "no" please enter the name and relationship of the person you are filing the complaint against:	Name:
	Relationship:
If you are filing a complaint as a third party, please explain why in the space below:	
Have you have obtained permission of the aggrieved party if you are filing on behalf of a third party: Yes <input type="checkbox"/> No <input type="checkbox"/>	
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):	Date:
Explain, as clearly as possible, that 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 attach	

Attachment B
Title VI Complaint Form and Instructions

additional sheets to this form:

Section IV

Have you previously filed a Title VI complaint with the New Mexico Department of Transportation (NMDOT)? Yes No

Section V

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? Yes No

If yes, please check and name all that apply:

Federal Agency: _____

Federal Court: _____

State Agency: _____

State Court: _____

Attachment B
Title VI Complaint Form and Instructions

Local Agency: _____

Please provide information about a contact person at the agency/court where the complaint was filed.

Name: _____

Title: _____

Agency: _____

Address: _____

Telephone: _____

Section VI

Name of agency complaint is against: _____

Contact person: _____

Title: _____

Telephone number: _____

Signature: _____

Date: _____

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

Damian Segura, NMDOT Title VI Coordinator
1596 Pacheco St. Suite 107
Santa Fe, NM 87505

**Attachment B
Title VI Complaint Form and Instructions**

	Date (Month, Day, Year)	Summary (Include basis of complaint: race, color, or national origin)	Status	Actions(s) Taken
Investigations				
1.				
2.				
3.				
4.				
Lawsuits				
1.				
2.				
3.				
4.				
Complaints				
1.				
2.				
3.				
4.				

Attachment B
Title VI Complaint Form and Instructions

**Attachment C
Staff Survey Form**

STAFF LEP SURVEY

The Portales Area Transit is studying the language assistance needs of its riders so that we can better communicate with them and increase ridership. Please complete the following survey and return it to Dawn Kryder, Director of the Portales Area Transit no later than 2/15/2014.

How often do you come into contact with passengers who do not speak English or have trouble understanding you when you speak English to them? (Circle one)

Daily Weekly Monthly Less frequently than monthly

What languages do these passengers speak? Please list.

What languages other than English do you understand or speak?

Would you be willing to serve as a translator when needed?