



GREATER VALLEY EMS

Title VI Program

Board Approved:

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SECTION 1. TITLE VI PROGRAM OVERVIEW

Section 601 of Title VI of the Civil Rights Act of 1964 states the following: “No person in the United States must, on the ground 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.”

The Civil Rights Restoration Act of 1987 clarified the broad, institution-wide application of Title VI. Title VI covers all operations of covered entities without regard to whether specific portions of the covered program or activity are Federally funded. Specifically, Greater Valley EMS must comply with U.S. Department of Justice (USDOJ) and U.S. Department of Transportation (USDOT) regulations. For reference USDOJ Title VI regulations can be found at 28 CFR § 42.401 et seq., and 28 CFR § 50.3. USDOT Title VI implementing regulations can be found at 49 CFR part 21.

Title 49 CFR Section 21.9(b) requires Greater Valley EMS to “keep such records and submit to the [Pennsylvania Department of Transportation (PennDOT) and/or the Federal Transit Administration (FTA), an operating administration of USDOT] timely, complete, and accurate compliance reports at such times, and in such form and containing such information, as [PennDOT and/or FTA] may determine to be necessary to enable [it] to ascertain whether Greater Valley EMS has complied or is complying with this [rule].” Greater Valley EMS must document compliance with USDOT’s Title VI regulations by submitting a Title VI Program to PennDOT once every three years or as otherwise directed by PennDOT and/or FTA. This Title VI Program must be approved by Greater Valley EMS governing body (Board of Directors) prior to submission to PennDOT.

SECTION 2. NOTIFYING BENEFICIARIES OF PROTECTION UNDER TITLE VI

Title 49 CFR Section 21.9(d) requires Greater Valley EMS provide information to the public regarding the recipient’s obligations under USDOT’s Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI. At a minimum, Greater Valley EMS must disseminate this information to the public by posting a Title VI notice on the its website and in public areas of the agency’s office(s), including the reception desk, meeting rooms, etc. Greater Valley EMS will also post Title VI notices on transit vehicles. The Title VI notice must include:

- A statement that Greater Valley EMS operates programs without regard to race, color, or national origin;
- A description of the procedures that members of the public should follow to request additional information on Greater Valley EMS Title VI obligations; and

- A description of the procedures that members of the public must follow to file a Title VI discrimination complaint.

Greater Valley EMS will use the following notice to notify consumers of protection under Title VI:

Notifying the Public of Rights Under Title VI

- Greater Valley EMS 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 Greater Valley EMS.
- For more information on Greater Valley EMS civil rights program, and the procedures to file a complaint, contact **570-888-0958**; email operations@gvems.org; or visit our administrative office at **904 N. Lehigh Ave, Sayre PA 18840**. For more information, visit www.gvems.org.
- A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the 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 **570-888-0958**.

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

SECTION 3. TITLE VI COMPLAINT PROCEDURES AND COMPLAINT FORM

To comply with the reporting requirements established in 49 CFR Section 21.9(b), Greater Valley EMS developed procedures for investigating and tracking Title VI complaints filed against it and makes the procedures for filing a complaint available to members of the public. Greater Valley EMS developed a Title VI complaint form, and the form and procedure for filing a complaint is available on the Greater Valley EMS website. Greater Valley EMS developed the following Title VI complaint procedures, which is available to the public on the agency's website and in other conspicuous places.

Any person who believes she or he has been discriminated against based on race, color, or national origin by Greater Valley EMS may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form. Greater Valley EMS investigates complaints received no

more than 180 days after the alleged incident. The Greater Valley EMS will process complaints that are complete.

Once the complaint is received, Greater Valley EMS will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.

Greater Valley EMS has 10 business days to investigate the complaint. If more information is needed to resolve the case, Greater Valley EMS 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, the Greater Valley EMS can administratively close the case. A case can be administratively closed if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he 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 violation and that the case will be closed. An 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 Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

SECTION 3A. TITLE VI COMPLAINT FORM

Greater Valley EMS makes available a Title VI Complaint Form for use by the public who wish to file a Title VI complaint. The complaint form is available on the Greater Valley EMS website. Greater Valley EMS Title VI Complaint Form specifies the three classes protected by Title VI—race, color, and national origin—and allows the complainant to select one or more of those protected classes as the basis/bases for discrimination. The Title VI Complaint Form is a vital document. If any of the Limited English Proficient (LEP) populations in Greater Valley EMS service area meet the Safe Harbor threshold, then the procedure must be provided in English and in any other language(s) spoken by LEP populations that meet the Safe Harbor Threshold. Greater Valley EMS Title VI Complaint Form is found on the following page.

Greater Valley EMS Title VI Complaint Form

Section I:			
Name:			
Address:			
Telephone (Home):		Telephone (Work):	
Electronic Mail 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:			
Title:			
Agency:			
Telephone:			
Section VI:			
Name of agency complaint is against:			
Contact person:			
Title:			
Telephone Number:			

SECTION 4. RECORDING AND REPORTING TRANSIT-RELATED TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS

To comply with the reporting requirements of 49 CFR Section 21.9(b), Greater Valley EMS prepared and maintains a list of any of the following that allege discrimination on the basis of race, color, or national origin: active investigations conducted by entities other than FTA; lawsuits; and complaints naming the recipient. This list includes the date the investigation, lawsuit, or complaint was filed, a summary of the allegation(s), the status of the investigation, lawsuit, or complaint, and actions taken by the recipient in response, or final findings related to, the investigation, lawsuit, or complaint. This list is updated and included in the Title VI Program submitted to PennDOT every three years.

	Date	Summary (include basis of complaint: race, color, national origin)	Status	Action(s) Taken
Investigations				
1. NONE				
2.				
Lawsuits				
1. NONE				
2.				
Complaints				
1. NONE				
2.				

SECTION 5. PUBLIC PARTICIPATION PLAN

The content and considerations of Title VI, the Executive Order on LEP, and the DOT LEP Guidance must be integrated into an agency’s established public participation plan or process (i.e., the part of this document that explicitly describes the proactive strategies, procedures, and desired outcomes that underpin the recipient’s public participation activities). Recipients have wide latitude to determine how, when, and how often specific public participation activities should take place, and which specific measures are most appropriate. Recipients should make these determinations based on a demographic analysis of the population(s) affected, the type of plan, program, and/or service under consideration, and the resources available. Efforts to involve minority and LEP populations in public participation activities can include both comprehensive measures, such as placing public notices at all transit stations, stops, and vehicles, as well as targeted measures to address linguistic, institutional, cultural, economic, historical, or other barriers that may prevent minority and LEP persons from effectively participating in a recipient’s decision-making process. FTA developed Circular 4703.1, “Environmental Justice Policy

Guidance for Federal Transit Administration Recipients,” that includes many examples of effective strategies for engaging minority and low-income populations. PennDOT encourages recipients to review FTA C 4703.1 for ideas when developing public engagement strategies. Some of those effective practices include, but may not be limited to:

- A. Scheduling meetings at times and locations that are convenient and accessible for minority and LEP communities;
- B. Employing different meeting sizes and formats;
- C. Coordinating with community and faith-based organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities;
- D. Considering radio, television, internet or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP populations could also include audio programming available on podcasts, and;
- E. Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.

Agencies should use guidance above and type their customized narratives to comply here.

SECTION 6 PROVIDING MEANINGFUL ACCESS TO LEP PERSONS

Consistent with Title VI of the Civil Rights Act of 1964, USDOT’s implementing regulations, and Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency” (65 FR 50121, Aug. 11, 2000), recipients must take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities for individuals who are limited-English proficient (LEP). FTA C 4702.1B contains only a summary of the LEP requirements as they apply to FTA recipients; recipients are encouraged to review DOT’s LEP guidance for additional information (70 FR 74087, Dec. 14, 2005 <https://www.govinfo.gov/content/pkg/FR-2005-12-14/pdf/05-23972.pdf>). Recipients are also encouraged to review USDOJ’s guidelines on self-assessment, Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs (May 2011), as well as other materials, available at <https://www.lep.gov/>.

- A. Four Factor Analysis. To ensure meaningful access to programs and activities, recipients must use the information obtained in the Four Factor Analysis to determine the specific language services that are appropriate to provide. A careful analysis can help a recipient determine if it communicates effectively with LEP persons and will inform language access planning. The Four Factor Analysis is an individualized assessment that balances the following four factors:
 - a. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient. This population will be program-specific.

In addition to the number or proportion of LEP persons served, the recipient's analysis should, at a minimum, identify:

- i. How LEP persons interact with the recipient's agency;
 - ii. 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 group;
 - iii. The literacy skills of LEP populations in their native languages, to determine whether translation of documents will be an effective practice; and
 - iv. Whether LEP persons are underserved by the recipient due to language barriers.
- b. The frequency with which LEP persons come into contact with the program. Recipients should survey key program areas and assess major points of contact with the public, such as:
- i. Use of bus and rail service;
 - ii. Purchase of passes and tickets through vending machines, outlets, websites, and over the phone;
 - iii. Participation in public meetings;
 - iv. Customer service interactions;
 - v. Ridership surveys;
 - vi. Operator surveys.
- c. The nature and importance of the program, activity, or service provided by the program to people's lives. The more important the program, the more frequent the contact and the likelihood that language services will be needed. The provision of public transportation is a vital service, especially for people without access to personal vehicles. Development of a coordinated plan to meet the specific transportation needs of seniors and people with disabilities will often also meet the needs of LEP persons. A person who is LEP may have a disability that prevents the person from using fixed route service, thus making the person eligible for ADA complementary paratransit. Transit providers must assess programs, activities and services to ensure they are providing meaningful access to LEP persons. Facilitated meetings with LEP persons is one method to inform the recipient on what the local LEP population considers to be an essential service, as well as the most effective means to provide language assistance.
- d. 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

many LEP persons should ensure that their resource limitations are well substantiated before using this factor as a reason to limit language assistance.

- B. Developing a Language Assistance Plan. After completing the Four Factor Analysis, the recipient must use the results of the analyses to determine which language assistance services are appropriate. Additionally, the recipient must develop an assistance plan to address the identified needs of the LEP population(s) it serves. USDOT LEP Guidance in FTA C 4702.1B recognizes that certain recipients, such as those serving very few LEP persons or those with very limited resources, may choose not to develop a written plan. However, FTA has determined it is necessary to require its recipients to develop an assistance plan to ensure compliance.

Recipients have considerable flexibility in developing a Language Assistance Plan, or LEP Plan. An LEP Plan must, at a minimum:

- a. Include the results of the Four Factor Analysis, including a description of the LEP population(s) served;
- b. Describe how the recipient provides language assistance services by language;
- c. Describe how the recipient provides notice to LEP persons about the availability of language assistance;
- d. Describe how the recipient monitors, evaluates and updates the language access plan; and
- e. Describe how the recipient trains employees to provide timely and reasonable language assistance to LEP populations.

PennDOT and/or FTA will determine, at the time the recipient submits its Title VI Program or subsequent to a complaint investigation or compliance review, whether a recipient's plan is sufficient to ensure meaningful access and thus ensure the recipient is not engaging in discrimination on the basis of national origin.

After completing the Four Factor Analysis, a recipient may determine that an effective LEP plan for its community includes the translation of vital documents into the language of each frequently encountered LEP group eligible to be served and/or likely to be affected by the recipient's programs and services. Vital written documents include, but are not limited to, consent and complaint forms; intake and application forms with the potential for important consequences; written notices of rights; notices of denials, losses, or decreases in benefits or services; and notices advising LEP individuals of free language assistance services. Examples of vital documents include but are not limited to: an ADA complementary paratransit eligibility application, a Title VI complaint form, notice of a person's rights under Title VI, and other documents that provide access to essential services. Failure to translate these vital documents could result in a recipient denying an eligible LEP person access to services and discrimination based on national origin.

- C. Safe Harbor Provision. USDOT has adopted USDOJ’s Safe Harbor Provision, which outlines circumstances that can provide a safe harbor for recipients regarding translation of written materials for LEP populations. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient’s written translation obligations. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

These safe harbor provisions apply to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. A recipient may determine, based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures. For example, a recipient may determine that many persons in that language group have low literacy skills in their native language and therefore require oral interpretation. In such cases, background documentation regarding the determination must be provided to FTA in the Title VI Program.

According to data publicly available on lep.gov, the LEP population of Bradford County is approximately 1.15%, or 679 persons in total, of various smaller subsets. This falls outside the requirements of the Safe Harbor Provision. Though Greater Valley EMS does not routinely encounter LEP clients, we will continuously monitor for any needs to provide routine access to applicable documents or language assistance resources for any LEP populations.

SECTION 7. DETERMINATION OF SITE OR LOCATION OF FACILITIES

Title 49 CFR Section 21.9(b)(3) states, “In determining the site or location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this regulation applies, on the grounds of race, color, or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act or this part.” Title 49 CFR part 21, Appendix C, Section (3)(iv) provides, “The location of projects requiring land acquisition and the displacement of persons from their residences and businesses

may not be determined based on race, color, or national origin.” For purposes of this requirement, facilities does not include bus shelters, as these are transit amenities and are covered in FTA C 4702.1B Chapter IV, nor does it include transit stations, power substations, etc., as those are evaluated during project development and the National Environmental Protection Act (NEPA) process. Facilities included in this provision include, but are not limited to, storage facilities, maintenance facilities, operations centers, etc. To comply with the regulations Greater Valley EMS:

- A. Must complete a Title VI equity analysis during the planning stage regarding where a project is located or sited to ensure the location is selected without regard to race, color, or national origin. Recipients must engage in outreach to persons potentially impacted by the siting of facilities. The Title VI equity analysis must compare the equity impacts of various siting alternatives, and the analysis must occur before the selection of the preferred site.
- B. When evaluating locations of facilities, Greater Valley EMS must give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result. Analysis must be done at the Census tract or block group where appropriate to ensure that proper perspective is given to localized impacts.
- C. If Greater Valley EMS determines that the location of the project will result in a disparate impact on the basis of race, color, or national origin, Greater Valley EMS may only locate the project in that location if there is a substantial legitimate justification for locating the project there, and where there are no alternative locations that would have a less disparate impact on the basis of race, color, or national origin. The recipient must show how both tests are met; it is important to understand that to make this showing, the recipient must consider and analyze alternatives to determine whether those alternatives would have less of a disparate impact based on race, color, or national origin, and then implement the least discriminatory alternative.

SECTION 8. REQUIREMENT TO PROVIDE ADDITIONAL INFORMATION UPON REQUEST

PennDOT and/or FTA may request, at its discretion, information other than that required by FTA C 4702.1B or the regulations from Greater Valley EMS for PennDOT and/or FTA to investigate complaints of discrimination or to resolve concerns about possible noncompliance with DOT’s Title VI regulations. Greater Valley EMS must produce such requested information in a timely manner.

ATTACHMENT A. TABLE DEPICTING MINORITY REPRESENTATION ON GOVERNING BODY

Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar bodies, the membership of which is selected by the recipient, must provide a table depicting the membership of those committees broken down by race, and a description of efforts made to encourage the participation of minorities on such committees. Agencies should type a customized narrative to comply with this requirement here.

	American Indian or Alaska Native	Asian	Black or African American	Hispanic or Latino	Native Hawaiian or Pacific Islander	White
Service Area Pop.	0%	0%	0%	1%	0%	98%
Board of Directors	%	%	%	%	%	100%

The Greater Valley EMS Board of Directors is comprised of voluntary members of our service community. Membership is nominated by the Board and confirmed by vote of the Board. Representation on the Board varies by term.

The racial makeup of the county is 97.94% White, 0.40% Black or African American, 0.31% Native American, 0.45% Asian, 0.01% Pacific Islander, 0.19% from other races, and 0.69% from two or more races; 0.63% of the population were Hispanic or Latino of any race.

**ATTACHMENT B. DOCUMENTATION OF APPROVAL BY GOVERNING
BODY**

Organization should attach documentation of Approval by Governing Body here.