

South Dakota Department of Transportation

Title VI Program Template

June 2013

Office of Legal Counsel
Civil Rights Program
700 East Broadway Avenue
Pierre, South Dakota 57501-2486
(605) 773-3540

Every three years, on a date determined by the South Dakota Department of Transportation (SD-DOT), each recipient is required to submit the following information as part of their Title VI Program. For immediate reference please review here [FTA C 4702.1B](#)

Below you will find an outline of the Title VI Program, as required by US-DOT Federal Transit Administration. Your Title VI Program must contain each of these individual parts to be considered complete. Sample documents have been provided for your assistance.

1. Cover Page
 - a. *Name of transit provider*
 - b. *Title VI Program*
 - c. *Date Completed*
 - d. *Contact information for Title VI Coordinator*
2. Table of Contents
 - a. *Include page numbers for all of the following pieces of the Title VI Program*
3. General Information Section
 - a. *Narrative that lists the following:*
 - b. *Brief description of Transit Provider and Service Area*
 - c. *Name of Title VI Coordinator*
 - d. *Date of appointment of Title VI Coordinator*
 - e. *Any Training received by Title VI Coordinator & Staff*
4. Title VI Notice to the Public, including a list of locations where the notice is posted
 - a. *See #7 of Title VI Compliance Review*
 - b. *See Appendix A*
 - c. [Sample Notice to the Public](#)
 - d. *If applicable, include the translated version for any LEP population your transit provider may serve*
5. Title VI Complaint Procedures
 - a. *See #4 of Title VI Compliance Review*
 - b. *Instructions to the public regarding how to file a Title VI discrimination complaint.*
 - c. [Sample form](#)
6. Title VI Complaint Form
 - a. *See #4 of Title VI Compliance Review*
 - b. [Sample form](#)
 - c. [Additional sample](#)
7. List of transit-related Title VI investigations, complaints, and lawsuits
 - a. *See Title VI Compliance Review*
 - b. [Sample log form](#)
 - c. [Additional Sample](#)

8. Public Participation Plan, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since last Title VI Program submission
 - a. *This document explicitly describes the proactive strategies, procedures, and desired outcomes that underpin the recipient's public participation activities.*
 - b. *Recipients have wide latitude to determine how, when, and how specific public participation activities should take place, and which specific measures are most appropriate.*
 - c. *Recipients should make these determination based on a demographic analysis of the population affected, the type of plan, program, and/or service under consideration, and the resources available. Efforts to involve minority and LEP populations can include both comprehensive measures 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.*
 - i. *Some effective practices can include:*
 1. *Scheduling meetings at times and locations that are convenient and accessible for minority and LEP communities.*
 2. *Employing different meeting sizes and formats*
 3. *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. *For further guidance reference page(s) 25-26 of [FTA C 4702.1B](#)*
9. Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance
 - a. *Reference your agency's Four Factor Analysis for information regarding Language Assistance Plan specific to the area that is served.*
10. A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities in such committees
 - a. *See #1 of Title VI Compliance Review*
 - b. *See Appendix B*
 - c. *Expand upon table with questions following table*
11. A Title VI Equity Analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operations center, etc. in the last three years.
 - a. *See #6 of Title VI Compliance Review*
 - b. *The recipient shall complete a Title VI equity analysis during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color, or national origin.*
 - c. *Recipients shall 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. When evaluating locations of facilities, recipients should give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result. Analysis should be done at the Census tract or block group where appropriate to ensure that proper perspective is given to localized impacts.

- d. If the recipient determines that the location of the project will result in a disparate impact on the basis of race, color, or national origin, the recipient 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.*
 - e. The recipient must show how both tests are met; it is important to understand that in order to make this showing, the recipient must consider and analyze alternatives to determine whether those alternatives would have less of a disparate impact on the basis of race, color, or national origin, and then implement the least discriminatory alternative.*
 - f. For further guidance reference page(s) 31-32 of [FTA C 4702.1B](#)*
12. A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program

Appendix A

SAMPLE Title VI Notification to the Public

Notifying the Public of Rights Under Title VI

THE CITY OF USA

- The City of USA 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 City of USA.
- For more information on the City of USA's civil rights program, and the procedures to file a complaint, contact 800-555-1212, (TTY 800-555-1111); email title.vi.complaint@city.ca.us; or visit our administrative office at 1234 Center Street, City of USA, State 11111. For more information, visit www.city.ca.us
- 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 800-555-1212.
- *MAKE SURE THE SENTENCE ABOVE IS ALSO PROVIDED IN ANY LANGUAGE(S) SPOKEN BY LEP POPULATIONS THAT MEET THE SAFE HARBOR THRESHOLD*

APPENDIX B

TABLE DEPICTING MINORITY REPRESENTATION ON COMMITTEES AND COUNCILS SELECTED BY THE RECIPIENT (GENERAL REQUIREMENT)

Background

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. *The sample below is provided for the purposes of guidance only.*

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

Body	Caucasian	Latino	African American	Asian American	Native American
Population	46%	28%	14%	8%	4%
Access Committee	60%	23%	10%	7%	0%
Citizens Advisory Council	40%	25%	20%	10%	5%
Bicycle Pedestrian Committee	45%	30%	15%	5%	5%