Title VI

Non-Discrimination Plan | 2022

Cedar County Transit

Under the Civil Rights Act of 1964 and related statutes, Cedar County Transit ensures that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, denied the benefits or services of, or be otherwise subjected to discrimination in all programs, services or activities administered by the agency.

Signed By _____

All entities who receive Federal Transit Administration (FTA) grant dollars either directly from the FTA or through the Nebraska Department of Transportation (NDOT) are subject to Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the U.S. Department of Transportation's implementing regulations. This manual provides technical assistance on Title VI compliance requirements.

Table of Contents

I. **Introduction and Overview**

II. **General Reporting Requirements**

1. **Requirement to Provide Title VI Assurances**
2. **Requirement for First-Time Applicants: N/A**
3. **Requirement to Prepare and Submit a Title VI Program**
4. **Requirement to Notify Beneficiaries of Protection under Title VI**
   i. *Title VI Notice to the Public*
5. **Requirement to Develop Title VI Complaint Procedures and Complaint Form**
   ii. *Title VI Complaint Procedures*
   iii. *Title VI Complaint Form*
6. **Requirement to Record and Report Title VI Complaints, Investigations, and Lawsuits**
   i. *Title VI Complaint Tracking Form*
7. **Plan to Promote Inclusive Public Participation**
8. **Providing Meaningful Access to LEP Person**
   i. Four Factor Analysis
   ii. Language Assistance Plan
9. **Minority Representation on Planning and Advisory Bodies**
   i. *Sample Minority Representation Table*
10. **Requirement to Provide Assistance to Subrecipients: N/A**
11. **Monitoring of Subrecipients: N/A**
12. **Equity Analysis to Determine Site or Location of Facilities**
13. **Requirement to Provide Additional Information upon Request**

III. **Requirement and Guidelines for Fixed-Route Transit Providers: N/A**

IV. **Requirements for States: N/A**

V. **Requirements for Metropolitan Planning Organizations: N/A**

VI. **FTA Compliance Reviews: N/A**

I. Introduction and Overview

Plan Statement

Cedar County Transit (CCT) operates a demand response public transit program serving the residents of Cedar County, Nebraska. CCT also serves resident of Knox County within 30-miles by road of Hartington, Nebraska. As a condition of receiving Federal financial assistance to operate these services, the agency ensures that its programs, policies, and activities comply with Title VI of the Civil Rights Act. The following program details how CCT meets the Title VI requirements set forth in FTA Circular 4702.1B.

CCT is the recipient of the following FTA funds:

- Federal Section 5311 Non-Urbanized Area Formula Grant Program

CCT receives Federal funding through the Nebraska Department of Transportation Transit Section. NDOT administers CCT's FTA transit service funding and provides all Title VI program oversight for CCT.

Policy

Section 601 under Title VI of the Civil Rights Act of 1964 states the following:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

CCT is committed to ensuring that no person, on the basis of race, color, or national origin, shall be excluded from participation in or subjected to discrimination under its programs or services, or be denied the benefits of the level and quality of transit services provided by the agency's employees, affiliates, and contractors.

Authorizing Legislation

Most Federal transit laws are codified at title 49 U.S.C. Chapter 53. Authorizing legislation is substantive legislation enacted by Congress that establishes or continues the operation of a Federal program or agency. FTA's most recent authorizing legislation is entitled the *Bipartisan Infrastructure Law,* signed into law on November 15, 2021.

How to Contact FTA and CCT

FTA's regional and metropolitan offices are responsible for providing financial assistance to FTA grant recipients and for oversight of grant implementation for FTA programs. Certain specific programs are the responsibility of FTA headquarters. Inquiries should be directed to either the regional or metropolitan office responsible for the geographic area in which the recipient is located.

For more information regarding CCT's Title VI Program, please contact the agency at:

Cedar County Transit
Attn: Transit Manager
PO Box 785
56253 Highway 84
Hartington, NE 68739
(402) 640-1256
cedarcotransit@hartel.com

FTA Headquarters can be contacted at:

Federal Transit Administration
Office of Civil Rights
Attn: Title VI Program Coordinator
1200 New Jersey Avenue SE
Washington, D.C. 20590
888-446-451

The Nebraska Department of Transportation can be contacted at:

Nebraska Department of Transportation
Attn: Title VI Transit Manager
1400 Hwy 2
Lincoln, NE 68502
(402) 479-4694
kari.ruse@nebraska.gov

Governing Body

The governing body of CCT is comprised of three (3) elected County Commissioners representing Cedar County, Nebraska.

FTA Circular 4702.1B

CCT's Title VI Plan has been developed to address FTA's Title VI requirements and oversight responsibilities. The plan follows the guidelines set forth in FTA Circular 4702.1B.

II. General Reporting Requirements

Chapter III of FTA Circular 4702.1B addresses the general reporting requirements for recipients and subrecipients of FTA funding to ensure that their activities comply with US DOT Title VI regulations. Those requirements are summarized below, accompanied by details on how CCT's Title VI Transit Program fulfills each requirement.

1. Requirement to Provide Title VI Assurances

In accordance with 49 CFR Section 21.7(a), every application for FTA financial assistance must be accompanied by an assurance that the applicant will carry out the program in compliance with DOT Title VI regulations. This requirement shall be fulfilled when the applicant/recipient submits its annual certifications and assurances to FTA.

CCT annually submits its Certifications and Assurances to the Nebraska Department of Transportation (NDOT). NDOT collects CCT's Title VI Assurances prior to passing through FTA funds.

2. Requirement for First-Time Applicants: N/A

New applicants will submit a Title VI program that is compliant with FTA Circular 4702.1B, as well as an assurance that the applicant will carry out the program in compliance with DOT Title VI regulations.

CCT is not a first-time applicant and is therefore except from this requirement.

3. Requirement to Prepare and Submit a Title VI Program

FTA requires that all direct and primary recipients document their compliance with DOT's Title VI regulations by submitting a Title VI Program to their FTA Regional Civil Rights Officer once every three years, or as otherwise directed by FTA. For all recipients (including subrecipients), the Title VI Program must be approved by the recipient's board of directors or appropriate governing entity or official(s) responsible for policy decision prior to submission to FTA. Subrecipients shall submit Title VI Programs to the primary recipient from whom they receive funding in order to assist the primary recipient in its compliance efforts.

The Cedar County Board of Commissioners will approve this Title VI Program by resolution. Documentation of such approval will be submitted with the agency's Title VI Program. The effective date of the Program will be the date of the resolution.

CCT will submit its Title VI Program to the Nebraska Department of Transportation for review and approval.

4. Requirement to Notify Beneficiaries of Protection under Title VI

Title 49 CFR Section 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and appraise members of the public of the protections against discrimination afforded to them by Title VI. At a minimum, recipients shall disseminate this information to the public by posting a Title VI notice on the agency's website and in public areas of the agency's office(s), including the reception desk, meeting rooms, etc. Recipients should also post Title VI notices at stations or stops, and/or on transit vehicles.

A copy of CCT's Title VI Notice to the Public is displayed blow. The notice is also displayed in English and Spanish within the agency's service vehicles and in a public location at the agency's main office in Hartington, Nebraska. The notice is also available in English on the agency website at https://co.cedar.ne.us/default.htm.

Title VI Notice to the Public

Cedar County Transit

Cedar County Transit operates its programs and services without regard to race, color, or national origin in accordance with Title VI of the Civil Rights Act. Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI may file a complaint of discrimination by completing and submitting the agency's Title VI Discrimination Complaint Form. This form can be found online at https://co.cedar.ne.us/default.htm or requested by contacting the agency at the address provided below. A telephone interpreter can be provided to assist persons of limited English proficiency.

To request more information on the agency's Title VI obligations, or to obtain a detailed description of the agency's the Title VI discrimination complaint procedures, please visit the agency website or contact the agency using the information provided. Title VI Discrimination Complaint Forms and additional information can also be obtained through the Nebraska Department of Transportation (NDOT) website at www.dot.nebraska.gov, or by contacting NDOT using the information provided below. A telephone interpreter can be provided to assist persons of limited English proficiency.

Cedar County Transit
Attn: Transit Manager
PO Box 785
56253 Highway 84
Hartington, NE 68739
(402) 640-1256
cedarcotransit@hartel.com

Nebraska Department of Transportation
Attn: Title VI Transit Manager
1400 Hwy 2
Lincoln, NE 68502
(402)-479-4694
kari.ruse@nebraska.gov

Federal Transit Administration Office of Civil Rights
Attn: Title VI Program Coordinator
East Building, 5th Floor-TCR
1200 New Jersey Ave., SE
Washington, D.C. 20590

Cedar County Transit opera sus programas y servicios sin tomar en cuenta raza, color, u origen nacional de conformidad con el Título VI del Acta de Derechos Civiles. Cualquier persona que cree que ha sido agraviada por cualquier práctica discriminatoria ilegal bajo el Título VI puede presentar una queja de discriminación por completar y enviar el Formulario de Queja de Discriminación de Título VI de la agencia. Este formulario se puede descargar en el sitio de web de la agencia en https://co.cedar.ne.us/default.htm. adicionalmente, se puede solicitar el formulario poniéndose en contacto con la agencia a la dirección proporcionada arriba. Un interprete telefónico está disponible para asistir personas de dominio de Inglés limitado.

Para solicitar mas información sobre las obligaciones de Título VI de la agencia, o para obtener una descripción detallada del procedimiento de Quejas de Discriminación del Título VI, favor de visitar la pagina de la agencia o contactar la agencia a la dirección proporcionada arriba. También se puede obtener los Formularios de Quejas de Discriminación del Título VI y información adicional en el sitio de web del Departamento de Transporte de Nebraska (NDOT) en www.dot.nebraska.gov o poniéndose en contacto con NDOT a la dirección proporcionada arriba. Un interprete telefónico está disponible para asistir personas de dominio de Inglés limitado.

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Public Transit

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5. Requirement to Develop Title VI Complaint Procedures and Complaint Form

All recipients shall develop procedures for investigating and tracking Title VI complaints filed against them, and shall make their procedures for filing a complaint available to members of the public. Recipients must also develop a Title VI complaint form, and the form and procedure for filing a complaint shall be available on the recipient's website:

CCT has adopted the Nebraska Department of Transportation's procedures and forms for investigating and tracking Title VI complaints of discrimination. Discrimination Complaint Forms (pictured below) are available in English on the agency website at https://co.cedar.ne.us/default.htm and are maintained in print form by CCT for upon-request distribution; instructions for accessing these forms are provided on the CCT's Title VI Notice to the Public.

Copies of CCT's Title VI Complaint Procedures and Complaint Form are displayed below. A description of CCT's Title VI Complaint Procedures follows the forms.

Title VI Complaint Procedures

Cedar County Transit

Any person who believes they have been discriminated against on the basis of race, color, or national origin by the Cedar County Transit may file a complaint by completing and submitting the agency's Title VI Complaint Form. Complaints must be submitted within 180 days following the alleged incident. Complaints received after 180 days will not be eligible for investigation.

All Title VI and related statute complaints are considered formal—there is no informal process. Complaints must be made in writing and signed by the complainant on the Complaint Form provided. If complaints are received by telephone, the information will be documented in writing and provided to the complainant for confirmation or revision and signature prior to processing. Complaints must include the complainant's name, address, and telephone number, and should specify all issues and circumstances of the alleged discrimination. Allegations must be based on issues involving race, color, or national origin. Complaints can be submitted to the agency at the following contact information:

Cedar County Transit
Attn: Transit Manager
PO Box 785
56253 Highway 84
Hartington, NE 68739
(402) 640-1256
cedarcotransit@hartel.com

Complaints can also be filed directly with the Nebraska Department of Transportation at:

Nebraska Department of Transportation
Attn: Transit Manager
1400 Hwy 2
Lincoln, NE 68502
(402) 479-4694
kari.ruse@nebraska.gov

Complaints can also be filed directly with the Federal Transit Administration at:

Federal Transit Administration
Attn: Title VI Program Coordinator East
Building, 5th Floor-TCR
1200 New Jersey Ave. SE
Washington, D.C. 20590

Cedar County Transit will notify the Nebraska Department of Transportation that a complaint has been received. The complainant will receive an acknowledgment letter informing her/him whether the complaint will be investigated. NDOT has 30 days to investigate the complaint. If more information is needed to resolve the case, the agency may contact the complainant to request additional information. The complainant has 15 days from the date of the letter to supply requested information to the investigator assigned to the 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 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 30 days following the closure letter or LOF to do so.

Este documento describe el Procedimiento de Queja por Discriminación del Título VI de Cedar County Transit. Para obtener una copia de este documento en español, comuníquese con el Departamento de Transporte de Nebraska al número de teléfono que figura arriba. Un intérprete telefónico está disponible para ayudar a personas con dominio limitado del inglés.

NEBRASKA Public Transit

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Title VI Discrimination Complaint Form

Cedar County Transit

To file a Title VI complaint of discrimination, please complete this Complaint Form in full and submit it within 180 days following the alleged incident using the provided agency contact information. Complaints received after 180 days will not be eligible for investigation. Title VI complaints must involve issues pertaining to race, color, or national origin. Complaint Forms may be submitted by an individual or a representative of that individual.

Complaints must be made in writing and contain as much information as possible about the alleged discrimination. If complaints are received by telephone, the information will be documented in writing and provided to the complainant for confirmation or revision and signature prior to processing. The written complaint should include the complainant's name, address, and telephone number, as well as a detailed description of the issues and the name(s) and job title(s) of individuals perceived as parties in the complaint.

After completing this Complaint Form, please return it to the address below:

Cedar County Transit
Attn: Transit Manager
PO Box 785
56253 Highway 84
Hartington, NE 68739
(402) 640-1256
cedarcotransit@hartel.com

Complainants may also choose to return this form to the Nebraska Department of Transportation at the following address:

Nebraska Department of Transportation
Attn: Title VI Transit Manager
1400 Hwy 2
Lincoln, NE 68502
(402) 479-4694
kari.ruse@nebraska.gov

This form may also be submitted to the Federal Transit Administration at the following address:

Federal Transit Administration
Office of Civil Rights
Attn: Title VI Program Coordinator
East Building, 5th Floor-TCR
1200 New Jersey Ave., SE
Washington, D.C. 20590

Para obtener una copia de este documento en español, visite el sitio web de la agencia en https://co.cedar.ne.us/default.htm. Para asistencia adicional, comuníquese con el Departamento de Transporte de Nebraska al número de teléfono que figura arriba. Un intérprete telefónico está disponible para ayudar a personas con dominio limitado del inglés.

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Complainant:	Phone:
Address:	Email:
Person Discriminated Against if Different from Above:	Phone:
Address:	Email:

What is the full legal name of the organization that discriminated against you?:

Type of Discrimination:

☐ Race/Color ☐ National Origin ☐ Retaliation

Date of Incident:

Date and place of alleged discriminatory actions. Please include earliest date of discrimination and most recent date of discrimination:

Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. Also, attach any written material pertaining to your complaint (attach additional pages if necessary):

Names and contact information of persons (witnesses, others) whom we may contact for additional information to investigate your complaint:

The complaint will not be accepted if it has not been signed. Please sign and date this complaint form below. You may attach any written materials or other supporting information that you believe is relevant to the complaint.

Signature *Date*

Attachments: ☐ Yes ☐ No

Please submit this completed form using the contact information provided on page 1.

NDOT USE ONLY	
Received By:	Date:

CCT Title VI Complaint Procedures

CCT forwards all Title VI complaints of discrimination to the Nebraska Department of Transportation Transit Section for review. Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by CCT may file a complaint by completing and submitting the agency's Title VI Complaint Form. Only complaints received no more than 180 days following the alleged incident will be subject to investigation.

All Title VI and related statute complaints are considered formal – there is no informal process. Complaints must be made in writing and signed by the complainant on the form provided. Complaints received by telephone will be placed in writing and provided to the complainant for confirmation or revision and signing prior to processing. For assistance filing a complaint in a language other than English, complainants may contact the agency by phone and an interpreter will be provided to assist the individual as necessary.

Complaints may be filed by the affected individual or a representative of that individual. Complaints must include the complainant's name, address, and telephone number, and should specify all incidences and circumstances of the alleged discrimination. Allegations must be based on issues involving race, color, or national origin.

Complaints may be filed with the agency using the following contact information:

Cedar County Transit
Attn: Transit Manager
PO Box 785
56253 Highway 84
Hartington, NE 68739
(402) 640-1256
cedarcotransit@hartel.com

Complainants who do not wish to file with the transit agency may contact the Nebraska Department of Transportation to receive assistance filing a complaint. NDOT can also assist individuals in submitting a Title VI Complaint in a language other than English. NDOT can be contacted using the following information.

Nebraska Department of Transportation
Attn: Title VI Transit Manager
1400 Hwy 2
Lincoln, NE 68502
(402) 479-4694
kari.ruse@nebraska.gov

Complaints may also be filed with the Federal Transit Administration at the following address:

Federal Transit Administration
Office of Civil Rights
Attn: Title VI Program Coordinator
1200 New Jersey Avenue SE
Washington, D.C. 20590
888-446-451

If a complaint is received by CCT, the agency will submit the complaint to the Nebraska Department of Transportation for review. Upon receipt of the complaint, the NDOT Transit Section will notify the Federal Transit Administration that a complaint has been filed. The NDOT Transit Manager or other investigator will contact the complainant to:

- Acknowledge receipt of the complaint by the investigator.
- Confirm the complainant received adequate assistance to file the complaint.
- Confirm that the complainant wishes to proceed with the complaint.
- Confirm the existence of allegations that require investigation and/or resolution.
- Gather additional facts and further clarify the complaint.

The complainant will be notified in writing that the complaint was received and will be reviewed by the NDOT Transit Section and FTA Region VII, with the involvement of CCT. If the complaint is determined to have validity, it will be investigated. As part of the review, the investigator will, at minimum:

- Gather relevant documentation from the complainant that was not included in the complaint, such as forms, memos, letters, and photographs;
- Maintain a log of all activities associated with the complaint;
- Complete an investigative report containing information, findings, photos, and recommendations for corrective action to be submitted to FTA.

A copy of the complaint, together with a copy of NDOT's investigative report, shall be forwarded to the FTA Region VII Office in Kansas City, MO within 60 days of the date at which the complaint was received by NDOT.

A decision by NDOT to dismiss a complaint can be made for the following reasons:

- The complaint was not filed within 180 days.
- The complaint is not covered by the Title VI statutes for which NDOT is responsible.
- The complaint does not allege any harm covered under the statutes for which NDOT is responsible.
- The complainant requests the withdrawal of the complaint.
- The complainant fails to respond to repeat, documented requests for additional information needed to process the complaint.
- The complainant cannot be located after documented reasonable attempts.

A log will be maintained which is to include the following information:

- The date the complaint/lawsuit was filed.
- A summary of the allegation(s).
- The status of the investigation.
- The actions taken by the recipient/subrecipient in response to the complaint/lawsuit and investigation.
- Documentation to be retained includes the complaint form and a summary of findings.

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 the complaint will be closed. An LOF summarizes the allegations and 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 wished to appeal the decision, she/he has 30 days following the closure letter of LOF to do so.

For additional questions regarding CCT's Title VI complaint procedures or Civil Rights Program, individuals may contact the transit agency at the contact information provided above. For more information on NDOT's Title VI complaints procedure or Civil Rights Program, individuals may contact NDOT at the address provided above.

6. Requirement to Record and Report Title VI Complaints, Investigations, and Lawsuits

In order to comply with the reporting requirements of 49 CFR Section 21.9(b), FTA requires all recipients to prepare and maintain 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 shall include the date that 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.

At this time, CCT has not received Title VI complaints of discrimination, and therefore there were no investigations or lawsuits to report.

CCT will maintain a list of all investigations, lawsuits, and/or complaints naming the agency, in accordance with the guidelines specified by FTA Circular 4702.1B. A copy of the form that will be used to track such complaints is displayed below. CCT will maintain permanent records of all complaint-related documents. The agency will report all Title VI complaints of discrimination to the Nebraska Department of Transportation and the Federal Transit Administration.

Title VI Complaint and Lawsuit Tracking Form

Title VI Complaints

Complainant Name	Date of Incident	Date Filed	Summary of Complaint (include basis of complaint: race, color, or national origin)	Complaint resulted in investigation? (Y/N)	Status of complaint: active or closed?	Summary of Findings OR Reason Complaint was not Investigated (N/A if active)	Notes

Title VI Lawsuits

Name of plaintiff	Date of Incident	Date Filed	Allegation(s)	Status: Active or Closed?	Result (N/A if active)	Notes:

Submitted by:

Cedar County Transit
Attn: Transit Manager
PO Box 785
56253 Highway 84
Hartington, NE 68739
(402) 640-1256
cedarcotransit@hartel.com

7. Plan to Promote Inclusive Public Participation

CCT's public involvement strategy is intended to promote awareness and provide ample opportunity for the public to participate in the agency's transportation decision-making process surrounding projects, fare and/or service changes, and application for Federal operating assistance. This process allows for:

- Ensuring the timely dissemination of information to the public.
- Considering the input and encouraging the participation of underserved groups in the agency's transportation decision-making processes.
- Granting timely public notice and an adequate review period through this process.
- Facilitating adequate public review of major project revisions.
- Granting opportunity for the review of proposed and final plans.
- Encouraging and documenting public comment.

For these purposes, the agency will announce and hold a public hearing in the vent of a fare increase, major change in service, or in the event of a capital construction project. Additionally, the agency will provide adequate public notice in the event of a vehicle purchase or upon the submission of an application for State or Federal operating assistance funds with no major service changes or fare increases.

For the purpose of definition, a major change or reduction service shall include a reduction in total system vehicle hours of 10% or more, the elimination of service in an area with a population of 2,000 or more, the elimination of service on one or more days of the week, or a change in the type of transit service in an area with a population of 2,000 or more. A fare increase shall include an increase in single ride fare for any transit service including other fare categories, or a decrease in the discount(s) offered for fare categories.

Public hearings will be advertised in a newspaper of general circulation in the geographic area the project will serve at least 14-21 calendar days in advance of the public hearing, and again no later than 5-12 calendar days in advance of the public hearing. Notice of hearings shall include a concise description of the proposed project and will advertise the availability of translated copies of said hearing notice and/or other publicly released meeting documents in Spanish. Hearings will be held in accessible locations and at times convenient for public attendance.

Written or verbal comments from the public will be accepted during and for at least 10 days following the public hearing. These comments will be reviewed as part of the agency's decision-making process surrounding transportation projects.

An agency staff member will record and prepare formal minutes of the public hearing. These minutes will be available to the public upon request. Spanish translations of these minutes, as well as of other publicly released meeting documents (e.g., announcements, surveys, comment cards, etc.) will be made available to members of the public upon request. The availability of translated minutes and/or other public documents will be advertised on the agency's public hearing notice.

Summary of Past Outreach Efforts

CCT routinely performs outreach to the public through a number of outlets including the Cedar County News and through partnerships with local senior and assisted living centers. It should be noted that CCT personnel report very infrequent interaction with minority persons or persons of limited English

proficiency – an estimate supported by the Service Area Profile data presented in the Four Factor Analysis accompanying the current Title VI Program submission. Nonetheless, the agency's current public participation strategy has been revised as described above to enhance opportunities for participation by persons of limited English proficiency.

8. Providing Meaningful Access to LEP Persons

Recipients are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. While designed to be a flexible and fact-dependent standard, the starting point is an individualized assessment that balances the following four factors: (1) the number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee; (2) the frequency with which LEP individuals come into contact with the program; (3) the nature and importance of the program, activity, or service provided by the program to people's lives; and (4) the resources available to the grantee/recipient and costs. As indicated above, the intent of this guidance is to suggest a balance that ensures meaningful access by LEP persons to critical services while not imposing undue burdens on small business, small local governments, or small nonprofits.

Four Factor Analysis Results Summary

Cedar County Transit provides transportation to the general public; transportation is provided to residents in Cedar County and eastern Knox County. Cedar County Transit personnel report that contact with clients of limited English proficiency (LEP) is extremely rare, with no LEP clients in contact with the program at the current time. However, the following analysis was carried out to inform a Language Assistance Plan that considers the needs of limited English proficient (LEP) persons who could potentially be encountered by the agency as it administers its programs and services in Cedar and Knox County.

To facilitate this analysis, 2016-2020 American Community Survey data was analyzed at the county level. This data was used to inform the Language Assistance Plan accompanying this Four Factor Analysis. The data show that the number and proportion of LEP persons in Cedar and Knox Counties is low, with approximately 97.2% of the population estimated to speak English only.

CCT Four Factor Analysis

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient

CCT provides transportation service for the residents of Cedar County, Nebraska and residents in Eastern Knox County, Nebraska. To determine the number and proportion of LEP persons residing within the agency's service area, 2016-2020 American Community Survey data representing languages spoken at home for persons over five years of age was analyzed for Cedar County and Knox County. This analysis resulted in the following service area profile. In this analysis, "LEP" was defined as person who speak English "less than 'very well'" according to the American Community Survey. LEP can also be defined as a person who has a limited ability to speak, read, or write the English language.

The agency occasionally provide trips for residents of Cedar and Knox Counties to out-of-area locations such as Norfolk, Lincoln, and Omaha in Nebraska, mostly for medical purposes. While it would be resource-prohibitive for the agency to tailor its language assistance measures to the characteristics of

these metropolitan areas, the agency will take reasonable steps to assist LEP persons who may come into contact with the program as a result of these out-of-area trips.

CCT service area LEP profile

- The total number of persons over the age of five in the two counties included in the CCT service area is 15,350.
- Approximately 97.2% of this total population speak English only.
- From mid-February to mid-March riders were given a language survey to determine what language(s) riders were comfortable using. Cedar County Transit collected 26 responses, with all respondents saying they were comfortable using English when accessing public transportation.
- Approximately 266 persons in this service area speak Spanish.
- Spanish is the largest non-English language group in the CCT service area. Notably this language group contains only 83 LEP persons.
- Other language groups in the CCT service area contained a very low number and proportion of LEP persons and did not near the Safe Harbor Threshold of 1,000 LEP persons nor a 5% or greater proportion of LEP persons. Notably, only 55 LEP persons were identified in the entire CCT service area as speaking a language other than Spanish.

Service Area Profile Conclusions

The number and proportion of Spanish-speaking LEP persons in the vicinity of Cedar County Transit is very low, with no non-English language groups exceeding the Safe Harbor Threshold of 1,000 or more LEP persons or 5% of the service area population. Moreover, agency personnel report that contact with LEP persons is extremely rare, with no LEP clients estimated to be in contact with the program at the current time.

Factor 1a: How LEP persons interact with the recipient's agency

CCT personnel report that contact with LEP persons while administering its programs and services is extremely rare. It is estimated that such contact would most likely occur while scheduling or providing transportation.

Factor 1b: The literacy skills of LEP persons in their native languages, in order to determine whether the translation of written documents will be an effective practice.

No complete data could be obtained regarding the native language literacy of LEP Persons within the CCT service area. The agency did make surveys on language preference available to all riders from mid-February to mid-March 2022 in English and Spanish with other languages available upon request. The agency received 26 responses, all indicating the respondent felt comfortable using English and no responses listing another language used at home. If a complete data set becomes available, it will be utilized by the agency. However, due to the language assistance resources made available by the agency to LEP persons (see accompanying Language Assistance Plan), it is not estimated that barriers to service due to native language literacy would prevent LEP persons from accessing the agency's programs or services at this time.

Factor 1c: Whether LEP persons are underserved by the recipient due to language barriers

CCT personnel report that interaction with persons of limited English proficiency is highly infrequent. This estimate is supported by the very low number and proportion of LEP persons residing within the

agency service area, as identified in the Service Area Profile above. It is not estimated that barriers to service due to language exist at this time.

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

CCT personnel report that contact with LEP persons while administering programs and services is extremely rare.

Factor 3: The Nature and Importance of the Program, Activity, or Service in People's Lives

CCT operates a public transportation service that is open to all individuals. Service is frequently provided to seniors and people with disabilities enabling them greater mobility and enhancing access to critical services such as medical care. CCT also provides all residents rides to increase their social lives through shopping trips, meeting friends, attending school, or other social events. It is deemed that CCT's services are of high value to the residents of Cedar and Knox Counties.

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

CCT has access to Title VI LEP outreach resources through the Nebraska Department of Transportation, including Spanish document translation assistance and verbal translation over the phone, Title VI template documents (e.g., Title VI Notice to the Public, Title VI Complaint form, etc.) for CCT's use, and general Title VI assistance and oversight.

CCT Language Assistance Plan

Cedar County Transit currently has access to document translation assistance through the Nebraska Department of Transportation, as well as general Title VI assistance and oversight through this agency. Using this resource, Cedar County Transit's Title VI Notice to the Public, Discrimination Complaint Form, and Discrimination Complaint Procedures Form have been translated into Spanish for public distribution and posting on the agency website. In the event of a public hearing by CCT, publicly-distributed meeting documents, including meeting minutes, will be also provided in Spanish upon request using these resources.

CCT also has access to verbal translation over the phone through the Nebraska Department of Transportation. The agency will use this resource if in-person or over the phone verbal translation is required when working with riders. The agency will also take reasonable steps to assist LEP persons who may choose to access its programs and services in the future.

Additionally, U.S. Department of Agriculture "I Speak" cards (displayed below) will also be located at the agency's main office to enable LEP persons to quickly identify their spoken language when it cannot be readily identified by a CCT staff member. This will assist CCT in determining additional language assistance needs as they arise.

I Speak Statements

- ☐ Unë flas **shqip** (Albanian)
- ☐ **አማርኛ** እናገራለው (Amharic)
- ☐ .انا اتكلم اللغة العربية (Arabic)
- ☐ Ես խոսում եմ **հայերեն** (Armenian)
- ☐ আমি বাংলা ভাষী। (Bengali)
- ☐ Ja govorim **bosanski jezik** (Bosnian)
- ☐ ကျွန်တော်**မြန်မာစကား**ပြောသည်။ (Burmese)
- ☐ 我说中文 (Chinese Simplified)
- ☐ 我說中文 (Chinese Traditional)
- ☐ Ja govorim **hrvatski**. (Croatian)
- ☐ اینجانب به زبان فارسي صحبت می کنم (Farsi)
- ☐ Je parle **français**. (French)
- ☐ Je parle le **Français haïtien** (French Creole)
- ☐ Μιλάω **ελληνικά**. (Greek)
- ☐ હું **ગુજરાતી** બોલું છું (Gujarati)
- ☐ Mwen pale **Kreyòl**. (Haitian Creole)
- ☐ म **हिंदी** बोलता हूँ (Hindi)
- ☐ Kuv hais **lus hmoob**. (Hmong)
- ☐ Ana m a sụ **Igbo** (Igbo)
- ☐ Parlo **Italiano** (Italian)
- ☐ 私は**日本語**を話します (Japanese)
- ☐ Mi chat **Jamiekan langwjij** (Jamaican Creole)
- ☐ **yktɛ̃kqkf lɛ̃**. (Karen)
- ☐ ខ្ញុំនិយាយภาสาខ្មែរ (Khmer)
- ☐ 본인의 모국어는 **한국어**입니다 (Korean)
- ☐ .ئه ز زمانی **کوردی** ده ئاخفم (Kurdish)
- ☐ Ǹ a po **Klào** Win. (Kru)
- ☐ ຂ້າພະເຈົ້າເວົ້າ **ພາສາລາວ**. (Lao)
- ☐ Yie gorngv **Mienh** waac. (Mien)
- ☐ म **नेपाली** बोल्छु (Nepali)
- ☐ Mówię **po polsku**. (Polish)
- ☐ Eu falo **Português**. (Portuguese)
- ☐ ਇਹ ਸ੍ਪੇਆਕ **ਪੰਜਾਬੀ** (Punjabi)
- ☐ Cunosc limba **Română**. (Romanian)
- ☐ Я говорю **по-русски**. (Russian)
- ☐ Ou te tautala **faaSamoa**. (Samoan)
- ☐ Govorim **srpski**. (Serbian)
- ☐ Waxaan ku hadlaa **Somali**. (Somali)
- ☐ Yo hablo **español**. (Spanish)
- ☐ أتحدث **السودانية** (لغوي سوداني) (Sudanese)
- ☐ Marunong po akong magsalita ng **Tagalog**. (Tagalog)
- ☐ ข้าพเจ้าพูด **ภาษาไทย** (Thai)
- ☐ **ኣነ ትግርኛ ይዛረብ** እየ. (Tigrinya)
- ☐ Я розмовляю **українською**. (Ukrainian)
- ☐ میں **اردو** بولتا/ بولتی ہوں . (Urdu)
- ☐ Tôi nói tiếng **Việt**. (Vietnamese)
- ☐ **ייִדיש** רעד איך (Yiddish)
- ☐ Mo gbọ **Yoruba** (Yoruba)

USDA is an equal opportunity provider and employer.

Monitoring, Evaluating, and Updating the LEP Plan

Cedar County Transit will update the current Language Assistance Plan as required. At minimum, the plan will be reviewed and updated every three years. Updates may include the following:

- The number of documented LEP person contacts encountered since the last update. Description of how the needs of LEP persons have been addressed.
- Determination of the current LEP population within the agency service area.
- Determination of whether the need for language assistance has changed.
- Determination of whether local language assistance has been effective and sufficient at meeting needs.
- Determination of whether the agency's available outreach resources are sufficient to supply necessary language assistance.
- Determination of whether complaints have been received concerning the agency's failure to meet the needs of LEP persons.

Employee Training

CCT's transit personnel are required to review the current Title VI Program document and sign a written statement declaring their understanding of their obligation to provide service regardless to race, color, or national origin.

Necessary personnel will be familiar with the agency's procedures for handling a potential Title VI complaint.

CCT's Transit Manager has taken part in Title VI planning and training sessions through the Nebraska Department of Transportation and University of Nebraska.

Additional resources for employee training include a Title VI training hosted by the Nebraska Department of Transportation and the University of Nebraska, and ongoing Title VI assistance and oversight provided by the Nebraska Department of Transportation and University of Nebraska at Omaha.

9. Minority Representation on Planning and Advisory Bodies

Title 49 CFR Section 21.5(b)(1)(vii) states that a recipient may not, on the grounds of race, color, or national origin, "deny a person the opportunity to participate as a member of a planning, advisory, or similar body which is an integral part of the program." Recipients that have transit-related, nonelected 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.

CCT currently does not have a transit-related, non-elected planning board or committee. In the event such a committee were established prior to the agency's next Title VI program submission, the following table (pictured below) would be used to depict minority representation on said committee.

Sample Minority Representation Table

Minority Representation Table							
# of non-elected members	% Caucasian	% African American	% Latino	% Asian American	% Native American	% Other Ethnicity	Notes

10. Requirement to Provide Assistance to Subrecipients: N/A

CCT is not a primary recipient and is therefore exempt from this requirement.

11. Monitoring of Subrecipients: N/A

CCT is not a primary recipient and is therefore exempt from this requirement.

12. Equity Analysis to Determine 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 on the basis of race, color, or national origin." For the purposes of this requirement, "facilities" does not include bus shelters, as these are transit amenities and are covered in Chapter IV, nor does it include transit stations, power substations, etc., as those are evaluated during project development and the NEPA process. Facilities included in this provision include, but are not limited to, storage facilities, maintenance facilities, operations centers, etc.

In the last seven years, CCT acquired land to build a new facility including storage, maintenance, and operations. The analysis conducted prior to this acquisition is being submitted along with this Title VI plan.

In possible future circumstances, CCT will ensure that both environmental analysis and Title VI environmental justice requirements are incorporated into the scope of work for all facilities projects. The agency will 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. The agency will engage in outreach to persons potentially impacted by the siting of facilities. The Title VI equity analysis will compare the equity impacts of various siting alternatives, and the analysis will occur prior to the selection of the preferred site.

When evaluating the locations of facilities, CCT will give attention to other facilities with similar impacts in the area to determine whether any cumulative adverse impacts might result. Analysis will be conducted at the Census tract or block group, where appropriate, to ensure that proper perspective is given to localized impacts.

If the agency determines that the location of a project will result in a disparate impact on the basis of race, color, or national origin, the agency will only locate the project in that location if there is a substantial legitimate justification for locating the project there, and when there are no alternative locations that would have a less disparate impact on the basis of race, color, or nation origin. The agency will show how both tests are met and will 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; the agency will then implement the least discriminatory alternative.

13. Requirement to Provide Additional Information upon Request

FTA may request, at its discretion, information other than that required by FTA Circular 4702.1B from a recipient in order for FTA to investigate complaints of discrimination or to resolve concerns about possible noncompliance with DOT's Title VI regulation.

CCT will fully cooperate with any FTA investigation of discrimination complaints to the extent required by Title VI regulations.

III. Requirements and Guidelines for Fixed-Route Transit Providers: N/A

CCT is not a provided of fixed route transportation and is therefore exempt from this requirement.

IV. Requirements for States: N/A

V. Requirements for Metropolitan Planning Organizations: N/A

VI. FTA Compliance Reviews: N/A

#12. Attachment A.

Cedar County Project Site Equity Analysis, Civil Rights Compliance, and Public Comment

Proposed Project Site: 56251 Highway 84, Hartington NE

The preferred project site is a 1.6 acre vacant lot that is currently for sale in the City of Hartington. The County will not seek Federal funds to purchase the property but requests Federal participation for the cost of constructing the building for a bus storage and office facility.

The project site is adjacent to a tire store that was a food processing plant in the 1970s and 80s. There, the Nebraska Department of Environmental Quality (NDEQ) does have records for the site dating back to 1988. The processing plant had permits for waste water lagoons and a permit to discharge cheese byproducts into the city sewer system. The results of the NDEQ search are attached.

Two other sites were considered. One site had an existing building on the property that would require costly demolition. The second site was a vacant lot but cost prohibitive. The proposed location is within the County's budget, has easy access to a major highway and the lot is large enough for future building expansion.

Cedar County has an approved Title VI plan on file with NDOT. The results of the four-factor analysis conducted for the plan in 2015 are summarized below:

1. The total number of persons over the age of five in the County is 8,250.

2. Approximately 97% of the total service area population speaks English only.

3. Spanish or Spanish Creole is the largest non-English language group in the County. Notably, however, this language groups contains only 37 LEP persons.

4. Other language groups in the County contained a very low number and proportion of LEP persons, and did not near the Safe Harbor Threshold of 1,000 LPE persons or a 5% or greater proportion of LEP persons. Notably, only 11 LEP persons were identified in the entire County as speaking a language other than Spanish or Spanish Creole.

Upon approval by FTA, Cedar County will seek community input through a public hearing prior to acquiring the property.