

**Title VI Program  
Biddeford-Saco Old Orchard Beach  
Transit Committee dba Biddeford Saco Old Orchard Beach  
Transit (BSOOB Transit)  
Adopted November 22<sup>nd</sup>, 2016  
Updated November 13, 2019 and April 5, 2021**

**Designated Title VI Coordinator:  
H. Rodney Carpenter, Interim Executive Director  
13 Pomerleau Street, Biddeford, Maine 04005  
Phone: 207-282-5408 | Email: rcarpenter@BSOOBTransit.org**

**Introduction**

Title VI was enacted as part of the landmark Civil Rights Act of 1964. It prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. All recipients and sub recipients of Federal Transit Administration (FTA) funds must ensure that programs, policies and activities comply with FTA Title VI regulations. To provide recipients with specific guidance, FTA published Circular 4702.1B, October 2012. The instruction provided in the circular is intended to ensure recipients meet the Title VI requirements and appropriately integrate them into FTA-funded programs.

FTA-funded programs must submit to the FTA its Title VI Program every three years. Title VI Programs for systems like BSOOB (i.e., flex route/demand responsive service) are to include the following:

1. Notice of rights under Title VI
2. How to file a Title VI complaint
3. List of Title VI investigations, complaints or lawsuits
4. Public participation plan
5. Limited English Proficiency (LEP) language plan
6. Racial breakdown of non-elected advisory councils
7. Board of Director's resolution or meeting minutes demonstrating that the Board approved the Title VI Program
8. Narrative describing sub recipient monitoring

## 9. Facility equity analysis

This update of BSOOB's Title VI Program has been prepared to ensure that the level and quality of its flex route services are provided in a nondiscriminatory manner and that the opportunity for full and fair participation is offered to its riders and other community members. Additionally, through this program, BSOOB has examined the need for services and materials for persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. We are installing tablets on all our buses and trolleys that will act as phones, cameras and will host our new See Say Safety software. We will purchase a translation application on each tablet that will be used by our drivers to best communicate with our passengers that require language assistance.

BSOOB is committed to ensuring that no person is excluded from participation in, or denied the benefits of, or subjected to discrimination in the receipt of any of BSOOB's services on the basis of race, color or national origin.

Under the Civil Rights Act of 1964, and as a recipient of federal funding under the programs of the Federal Transit Administration (FTA) of the U.S. Department of Transportation (US DOT), BSOOB Transit has an obligation to ensure that:

- The benefits of its bus services are shared equitably throughout the service area
- The level and quality of bus services are sufficient to provide equal access to all riders in its service area
- No one is precluded from participating in BSOOB Transit's service planning and development process
- Decisions regarding service changes or facility locations are made without regard to race, color or national origin and that development and urban renewal benefitting a community as a whole not be unjustifiably purchased through the disproportionate allocation of its adverse environmental and health burdens on the community's minority population

- A program is in place for correcting any discrimination, whether intentional or unintentional.

## **Notice of Rights Under Title VI**

BSOOB provides the following notice of rights under Title VI information on all transit schedules, brochures, pamphlets, maps, vehicles, facilities and the transit system website:

Biddeford Saco Old Orchard Beach Transit Committee is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and relevant guidance. The Agency assures that no person in the United States shall, on the grounds of race, color or nation 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. To request additional information on BSOOB Transit's Title VI policy, or to file a discrimination complaint, please contact H. Rodney Carpenter, Interim Executive Director, BSOOB Transit, 13 Pomerleau Street, Biddeford, Maine, 04005 and phone 207-282-5408 or email [rcarpenter@BSOOBTransit.org](mailto:rcarpenter@BSOOBTransit.org). Immediate language translation services will be handled by translation software on our tablets on board our buses.

## **How to File a Title VI Complaint**

### **Procedures for Filing a Title VI Complaint:**

Members of the public, including any individual, group of individuals, or entity, who believe they have been the subject of Title VI discrimination by BSOOB Transit can file a written and signed BSOOB Transit Title VI complaint form up to 180 days from the date of the alleged discrimination. Allegations received that imply harassment, retaliation, or unequal treatment in services will be processed as an allegation of discriminatory practice.

The completed form should be submitted to H. Rodney Carpenter, Interim Executive Director, 13 Pomerleau Street, Biddeford, Maine 04005, Phone: 207-282-5408 | Email [rcarpenter@BSOOBTransit.org](mailto:rcarpenter@BSOOBTransit.org) .

Title VI complaints must be signed and dated.

The BSOOB Title VI complaint form is provided as Attachment 1.

To find out more about BSOOB Transit's nondiscrimination procedures or to file a complaint, look for information online at [www.BSOOBTransit.org](http://www.BSOOBTransit.org) or call 207-282-5408. Hard copy forms and instructions can be mailed upon request.

In the case where a complainant is unable, incapable or unwilling to provide a written statement, a verbal complaint of discrimination may be made to the Executive Director. Under these circumstances, the complainant will be interviewed, and the Executive Director will assist the complainant in converting the verbal allegations to writing.

The complainant has the right to file formally with the Federal Transit Administration (FTA) or to seek legal counsel.

#### Procedures for Processing a Title VI Complaint:

All civil rights complaints received by the BSOOB Transit shall be forwarded to the Title VI Coordinator. Complaints will then be disseminated to appropriate administrative staff for investigation.

Staff assigned shall investigate complaint(s) and assist the Title VI Coordinator in identifying and interviewing witnesses with knowledge or relevant information of the event. The accused will be informed and permitted to respond to the allegation. If necessary, additional information may be requested from the complainant and/or witnesses.

Once the complaint is received, BSOOB Transit will review it to determine whether or not BSOOB Transit has jurisdiction. The complainant will receive an acknowledgment letter informing her/him whether the complaint will be investigated by BSOOB Transit.

BSOOB has 10 business days to investigate the complaint. If more information is needed to resolve the case, BSOOB Transit 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 calendar days, the investigator can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue the case.

As necessary, meetings may be requested with the complainant to discuss resolution. Staff investigating may request guidance from BSOOB Transit, as necessary.

If a complaint is deemed incomplete, additional information will be requested, and the complainant will be provided thirty (30) business days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.

If the complaint is deemed to have investigative merit a complete investigation will be conducted, and an investigative report will be completed within sixty (60) days from receipt of the complaint. The report will include a narrative description of the incident, summaries of all persons interviewed, a finding with recommendations for remedial steps as appropriate and necessary. The remedial steps, if any, will be implemented as soon as practicable. The complainant will receive a copy of the final report together with any remedial steps.

If no violation is found and the complainant wishes to appeal the decision, he or she may appeal directly to the Chair, BSOOB Transit Committee c/o 13 Pomerleau Street, Biddeford, Maine 04005.

Upon completion of the investigative procedures, the assigned staff will draft a report based on the facts and submit it to BSOOB Transit, or the appropriate agency. The report will contain, at minimum, the findings and conclusions concerning the complaint and recommendations for corrective and disciplinary actions, if necessary.

After the investigator reviews the complaint, BSOOB Transit will issue one of two letters to the complainant: (1) a closure letter that summarizes the allegations and states there was not a Title VI violation and that the case will be closed, or (2) a Letter of Finding (LOF) that summarizes the allegations and the interviews regarding the alleged incident and any additional training of staff member(s) or other action that will occur.

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

When a complaint has been directly filed with another state or federal agency, the agency is to inform the Title VI Coordinator where the complaint has been filed and coordinate any action needed to resolve the complaint.

Violations found to exist will prompt appropriate action be taken, with progress of resolution monitored and reported. Any actions taken as a result of the investigation will be the responsibility of the BSOOB Transit, or other governing agency. If no violation is found and the complainant is not satisfied, complaints may be filed directly with the FTA Office of Civil Rights.

A letter will be provided to the complainant from the BSOOB Transit that details the findings and conclusion, and corrective action taken or to be taken, if applicable.

The BSOOB Transit will maintain a complaint log of information pertaining to Title VI and other complaints of discrimination, harassment, or retaliation including: the date the complaint, summary of the allegation(s), status of complaint; and actions taken.

Should the BSOOB Transit receive a complaint in the form of a formal charge or lawsuit, the BSOOB Transit may seek professional counsel to perform the investigation and other procedures described herein.

Complaints may also be filed with the Federal Transit Administration (FTA) no later than 180 days after the date of the alleged discrimination. Complaints to FTA may be submitted to the following office: Federal Transit Administration, Office of Civil Rights, 55 Broadway, 9th Floor, Cambridge, MA 02142.

### **List of Title VI Investigations, Complaints or Lawsuits**

BSOOB Transit maintains a list of any alleged discrimination on the basis of race, color, or national origin, including any active investigations conducted by entities other than FTA, lawsuits, and complaints naming the agency. The list includes the date that the investigation, lawsuit or complaint was filed; a summary of the allegation(s) and date resolved.

With each application BSOOB Transit files with FTA, certification regarding any Title VI lawsuits or discrimination complaints and a summary of any civil rights compliance review activities.

As shown below, there have been zero (0) Title VI investigations, complaints or lawsuits in the three-year period since the last Title VI Program submittal.

### **Table 1: Listing of Investigations, Lawsuits and Complaints (June 2016-November 2019)**

<b>Type</b>	<b>Date</b>	<b>Summary</b>	<b>Status</b>	<b>Action(s) Taken</b>
Investigations			None	
Lawsuits			None	
Complaints			None	

## **Public Participation Plan**

BSOOB Transit assures that it will perform FTA related programs without regard to race, color or national origin, and minority populations are not denied the benefits of or excluded from participation in the programs. The process by which annual program of projects are submitted include:

- Methods to ensure fair and equitable distribution of services;
- Ongoing monitoring through site visits and reviews of all services for compliance with Title VI
- A planning and public involvement process, and project development and selection processes which include Title VI and Limited English Proficiency compliance.

The aforementioned activities include, but are not limited to:

- Ensuring public involvement is inclusive to all segments of the community
- Joint effort by the sponsor and other implementing agencies, interested groups, individuals, and community-based organizations for a proactive impact and to eliminate disparate impacts as they are identified
- Interaction techniques used in this process include: task forces, technical advisory committees, focus groups, presentations at community board meetings, use of media (newspapers, radio, TV), public access channels, newsletter, computer bulletin boards, and the Internet
- Impact analysis may include the effect on residential areas and on a neighborhood's (i.e., ethnic) character and stability;

the effect of an improvement on minority businesses and residences and those of other special groups and interests; and the effect on employment (gains and losses) for minorities, women and other groups. In addition, the planning process will look to compare the minority and/or low-income populated areas to other income areas to ensure equitable services and access.

This concerted effort will be on-going to ensure that the disadvantaged and those traditionally under-served are involved in the selection process.

BSOOB Transit's Public Participation Plan has been prepared to ensure that no one is precluded from participating in the service planning and development process. BSOOB Transit makes a concentrated effort to involve customers and the general public, including minority, low-income, disabled and LEP populations within the service area when conducting public outreach and involvement in service changes, fare changes, plans, budgets and other decisions that may have an impact on their lives.

A variety of approaches and outreach activities are utilized to engage interested parties and members of the public. The methods used to inform the public of these changes include newspapers, press releases, media outlets, notification to community based organizations, correspondence and advocacy of minority predominant communities, agency website, various social media, surveys and seat drops on service routes.

BSOOB Transit Committee meetings are open to the public and the meeting location is accessible by transit as well as ADA accessible. All supporting materials are posted on BSOOB Transit's website along with the agenda. The Board meets approximately monthly. The current regular meeting dates for the Board are the fourth Thursday of each month, at 4 PM at Saco Transportation Center, 138 Main St. Saco, ME, 04072 and listed on BSOOB's website, allowing the public ample notice for meeting dates. Alerting the

public to these meetings includes the following outreach tactics:

- formal notice on one or more local newspapers
- brochures on board all buses
- social media posts
- notices on BSOOB's website and the websites of member communities
- e-mail blasts to numerous community organizations, stakeholders and residents who have asked to be on BSOOB Transit's e-mail distribution list.

BSOOB Transit provides translation services, including American Sign Language, upon advance request.

Public meetings are offered to further share information and gather input from the public. These meetings are publicized through many of the same means stated above.

Monthly meetings include outreach to affected communities for on-going input of needs, changes and other relevant topics to improve services.

Public hearings are provided when formal comments from the public regarding plans that impact services and fares are desired and/or requested. Notices of public hearings are published in newspapers as well as many of the same means stated above. The process for a public hearing is as follows:

- The Chair or a member of management designated by the Chair shall open a Public Hearing on the proposed change at a regular scheduled meeting of the Transit Committee or at a publicized special meeting.
- Individuals shall have the opportunity to speak on the proposed change prior to the Transit Committee's vote. (The Committee may set a time limit on individual comments but should allow a minimum of three (3) minutes for each individual who wishes to speak).

- In addressing the Committee, individuals should identify themselves for the record. At a minimum the minutes should identify each speaker, speaker's hometown and whether speaker is in favor or against the proposed fee increase or service reduction.
- Letters and emails from members of the public received in relation to the change shall be reviewed by the Transit Committee and entered into the record.
- After members of the public that are in attendance have had a chance to speak at least once, the Chair or member of management may close the public hearing.
- The Committee shall consider comments and correspondence received prior to voting on the proposed changes.
- A copy of the proposed change announcement, press releases and news articles regarding the public comment process, as well as, correspondence from the public on the topic shall be included with the permanent meeting minutes of the Transit Committee.
- Public comment is not required prior to enacting service increases or minor service decreases.

BSOOB Transit coordinates with regional planning efforts including outreach to targeted populations (minority, low income, LEP, disabled, etc.) within the BSOOB Transit service area. BSOOB Transit works with the MPO and State to obtain census and other data to help identify the location of the targeted populations. BSOOB Transit will disseminate information to the identified populations (e.g., church, neighborhood gathering space) to seek comment, interest in new service, service revisions, service extensions, fare changes, etc. BSOOB Transit will document and maintain on file all activities related to Title VI outreach.

BSOOB Transit participates in the local public transit-human services transportation coordinated planning effort. This effort results in regular meetings with representatives of human service agencies to discuss the transportation needs of elderly persons,

persons with disabilities, low income and LEP persons and current or planned services that meet the needs of these individuals.

The public involvement process for the Transportation Improvement Program (TIP) and the Transit Program of Projects provides the public another opportunity to participate in BSOOB Transit's transportation planning efforts. This effort is led by the Portland Area Comprehensive Transportation System (PACTS), the Metropolitan Planning Organization (MPO). PACTS has a written public involvement plan and an approved Title VI Plan. Strategies used by PACTS to inform and involve the public in transportation planning efforts include:

- Website and blog
- News releases and outreach to local media, including regular meetings with editors
- Videos, brochures and visual displays
- Annual reports and presentations to civic and professional groups
- Workshop, forums and open houses
- Public opinion surveys, interested parties email distribution list
- Public notices published in local media and distributed to interested parties by email

PACTS solicits involvement of non-transportation organizations that serve the transportation disadvantaged to serve on PACTS committees and includes representatives of these organizations on its interested parties email list. Annually, PACTS contacts transportation and non-transportation groups that serve the transportation disadvantaged in preparation for writing annual goals. The current contact list includes 45 organizations. All PACTS committee meetings (policy, executive, technical transit and planning) are open to the public.

BSOOB Transit will publish a public notice of its intent to apply for FTA funding. The notice requests comments on the project from

the public, other transportation providers and human service agencies. In addition to publication in newspapers, the notice will also be mailed to human service agencies and other providers. Any comments received are considered in the development of projects.

## **Limited English Proficiency (LEP) Language Plan**

### Who qualifies as an LEP Individual?

Any individual who speaks a language other than English as their primary language, and who cannot speak English well or at all. In addition, individuals who have a limited ability to read, write or speak are considered LEP individuals. To comply with guidance and rules issued by the U.S. Department of Transportation, and Title VI of the Civil Rights Act of 1964, BSOOB Transit will take reasonable steps to ensure that all persons have meaningful access to its programs and services, at no additional cost.

The following LEP Plan has several elements contained in the overall assessment used to identify LEP individuals who need assistance. Implementation includes the development of language assistance measures, training, notification process, and a monitoring plan.

### Four-Factor Analysis

In order to develop this plan, BSOOB Transit implemented the following required four-factor analysis:

1. The number or proportion percentage of LEP persons eligible to be served or likely to be encountered by BSOOB Transit's service;
2. The frequency with which LEP persons come in contact with BSOOB Transit's service;
3. The nature and importance of BSOOB Transit's service to the LEP population's lives;
4. The resources available to BSOOB Transit for LEP outreach, as well as the costs associated with that outreach.

Factor 1: The number or proportion percentage of LEP persons eligible to be served or likely to be encountered by BSOOB's service.

The first step in determining components of an LEP Plan is understanding the proportion of LEP persons who may encounter and use BSOOB Transit's services, their literacy skills in English and their native language, and the location of their communities and neighborhoods.

To do this, BSOOB Transit evaluated the level of English literacy and to what degree individuals in its service area speak a language other than English and what are those languages.

Table 2 shows that, the overall population and LEP population across the BSOOB Transit service area, broken down by city. The total population is 46,183. Within that population, 5,597 (12.1%) are estimated to speak another language at home and 1,221 (2.6%) are estimated to speak English "less than very well", and speak another language at home.

**Table 2. Speak Language Other Than English; Speak English Less Than Very Well**

<b>Town</b>	<b>Total Population (5 Years and Older)</b>	<b>Total Population (5 Years and Over) Speaking Language other than English</b>	<b>Total Population (5 Years and Over) Speaking Language other than English &amp; Where at Least 0.50% Speak English less than "Very Well"</b>
<b>Biddeford</b>	22,061	3,419 (15.5%)	995 (4.5%)
<b>Saco</b>	17,892	1,719 (9.6%)	274 (1.5%)
<b>Old Orchard Beach</b>	8,025	741 (9.2%)	59 (0.7%)
<b>Total Biddeford-Saco-Old Orchard Beach service area</b>	47,978	5,879 (12.3%)	1,328 (2.8%)

Source: U.S. Census Bureau, American Community Survey, 2017

Table 3 identifies those languages or language groups, other than English, that are spoken at home and where English is spoken "less than very well", and that determine the LEP population. There are no languages or language groups that have a population of at least 1,000 or at least 5% of the total service area population. Therefore, all languages or language groups are safe harbor provision languages.

**Table 3. Languages in households where a language other than English is spoken and where at least 0.50% speak English less than very well**

<b>Town</b>	<b>Language 1 Indo-European, other than Spanish</b>	<b>Language 2 Asian and Pacific Island</b>	<b>Language 3 Other, including Spanish</b>
<b>Biddeford</b>	421 (1.91%)	235 (1.07%)	339 (1.54%)
<b>Saco</b>	209 (1.17%)	65 (0.36%)	0
<b>Old Orchard Beach</b>	55 (1.53%)	0	0
<b>Total Biddeford- Saco-Old Orchard Beach service area</b>	685 (1.43%)	300 (0.63%)	339 (0.71%)

Source: U.S. Census Bureau, American Community Survey, 2017

These small numbers of LEP persons are distributed throughout the BSOOB Transit service area and are likely to be reasonably close to the service, especially since it is a route deviation service.

*Factor 2: The frequency with which LEP persons come in contact with BSOOB's service.*

There are a number of places where BSOOB Transit riders and members of the LEP population can come into contact with BSOOB Transit's services including riding the bus, calls and direct contact with customer service representatives, outreach materials and orientation events.

Major possible points of contact include:

- Using bus service (on board signage, announcements and driver language skills)

- Communication with customer service staff (phone, email, website, in person at Saco Transportation Center)
- Printed and online materials including:
  - Local news media including print and radio
  - Public meetings and orientation events
  - Participating in surveys

When limited English proficiency is a barrier to using BSOOB Transit's transit services, the consequences for the individual can be to limit their access to employment, education, healthcare and other life necessities. Critical information from BSOOB Transit that can affect access includes:

- Route and schedule information
- Fare and payment information
- Information regarding making the best use of the system
- Service alerts and announcements
- Complaint and comment forms
- Announcements related to public meetings
- Emergency communications

BSOOB Transit currently has no hard data to indicate the types and frequency of actual interactions of LEP populations with the transit system, although there is anecdotal information from drivers, dispatchers and other agency personnel to indicate that such interactions do occur, but on a very limited basis. BSOOB Transit understands that the LEP population is a prime transportation disadvantaged market for the transit system and will be increasing its efforts to collect hard data on LEP interactions and issues, as described in later paragraphs.

*Factor 3: The nature and importance of BSOOB's service to the LEP population's lives.*

The importance of services that can be utilized effectively by LEP population can have positive impacts on access to health care, education and employment. Public transit is a key resource in achieving mobility for many LEP persons.

BSOOB Transit looks to provide service information, riding instructions, Title VI and ADA information, complaint procedures, detours, route changes, fare increases and other critical services and limitations that may affect individuals and on all vehicles, and schedules, timetables, social networks and websites.

The BSOOB Transit community outreach effort considers the limits of information exchange and the need to reach out to the following community-based organizations that work with LEP populations. Outreach includes:

- Community Action programs
- Independent Living networks
- Social Services departments
- Aging departments
- Work force development groups
- Translator networks
- York County Community Action
- Greater Portland Metro Transit Services
- South Portland Bus Services

BSOOB Transit performs outreach in the form of questionnaires/surveys intended to obtain information on languages spoken, trends, program awareness and services offered. Further identified are the needs of LEP populations that are not being met and barriers to service use.

BSOOB Transit participates in the development of the coordinated plan to meet the specific transportation needs of seniors and people with disabilities, especially those with LEP needs. BSOOB Transit's buses are accessible to persons with disabilities, but BSOOB Transit has no data that suggests that seniors and people with disabilities are part of the LEP population.

BSOOB Transit will install tablets on every bus. These tablets will be equipped with language translation software to provide immediate service.

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

BSOOB Transit is committed to assuring that resources are used to reduce the barriers that limit access to LEP populations to the best of our ability, and that information and services are disseminated to LEP persons in a timely manner. While BSOOB Transit does not track these expenses of providing language assistance, ongoing monitoring of this task is constant. The BSOOB Transit will continue to plan within its budget funding to meet compliance.

Planning activities include:

- Development of various public outreach documents
- Engaging institutions of higher learning like UNE and UMA-Saco
- Web site presence
- Training and customer service programs
- Planning department activities such as conducting public hearings
- Flexible schedules and timetables
- Regular meetings with local community

Assistance strategies include:

- First encounter planning when engaging an LEP individual
- User-friendly web presence
- Notification in applicable languages that meet the 5% or one-thousand-person threshold
- Identify vital materials for distribution
- Identify bilingual needs and look to address as applicable
- Identify translation services and technologies needed

As a result of preparing this Title VI Program update, BSOOB Transit has realized that it needs to increase its efforts to locate LEP individuals and groups, and to better ensure that they know about the transit service and feel comfortable in using it. BSOOB

Transit's outreach personnel will increase both the scope and level of effort of their outreach efforts with LEP populations.

BSOOB Transit will provide written instructions for all applicable employees who regularly interact with the public, about how to respond to and assist an LEP individual. The policy developed will look to ensure competent interaction through known obligations to allow for meaningful access to information, services and training.

#### Training:

- Upon being hired, staff will receive this LEP plan explaining LEP policies and procedures;
- Staff having contact with the public will undergo training with regards to working effectively in-person and through interpreters;
- Mandatory training is required for front line staff at hiring and at refresher intervals determined by management. Training will further include the definition of a service area, programs and activities affected, LEP determinations and thresholds, types of LEP services that are available, and the importance of compassionate practices across all populations;
- State and Federal training programs and webinars will be mandatory to the extent they are practical;
- Best practices identified for engaging LEP populations will look to be collected on an on-going basis;
- This plan will be considered a living document that organizes the research, planning and other materials used to disseminate information to our staff, affected agencies and the public.

BSOOB Transit issues its LEP policy and procedures to all front-line employees required to understand the integration of LEP individuals. This is performed under many different circumstances such as: orientation of new employees, training and customer service, during operations, at first encounter, etc.

BSOOB Transit, having established services that can provide outreach, also has a responsibility to provide awareness of the availability of those services to the LEP populations. This is performed by publishing material (posted in applicable languages) for dissemination on vehicles, stop locations, transfer points, agencies of need, web presence, social networks, translators, community organizations, local media, newspapers, schools and colleges, community and religious organizations and other available outreach services.

Some locations of posting include:

- BSOOB Transit website
- BSOOB Transit vehicles
- Southern Maine Healthcare facility
- Shaw's Shopping Plaza
- Five Points Shopping Center
- Dollar Stores
- Quick Marts
- Human Services Agencies
- Community Organizations
- Places of Worship

### Monitoring and changing the LEP Plan

BSOOB Transit monitors outreach procedures on an ongoing basis through a systematic approach of feedback generated by questionnaires, surveys and census changes. Localized LEP population and feedback from community-based organizations that serve LEP communities also keep us apprised of their needs and changes.

BSOOB Transit considers the information provided and makes changes to the language assistance plan as necessary with input from the population and their affected organizations. The plan otherwise is updated on a triennial basis (every 3 years).

Vital written documents include Title VI Complaint Form, Notice to Public, and other documents that provide access to services. Within

the past three years, there have been no requests by LEP persons to have these documents provided in another language.

BSOOB Transit provides notice to LEP persons about the availability of language assistance. BSOOB Transit has voice recognition language translation software application on its tablets on each bus. BSOOB Transit also posts Title VI posters in its offices and at other prominent places.

BSOOB Transit monitors, evaluates and updates the language assistance plan. On a yearly basis, BSOOB Transit's Title VI Coordinator will review the Title VI plan in conjunction with census data, FTA requirements, and any developments that would impact the plan including complaints and requests for language assistance services. Based on this review, BSOOB Transit's Language Assistance Plan will be updated accordingly.

BSOOB Transit will participate in LEP training sessions provided by MaineDOT at Maine Transit Association meetings and will also review on an annual basis MaineDOT's training document titled "How to Work with a Telephone Interpreter" and any other Title VI documents on MaineDOT's website.

All BSOOB Transit staff and volunteers will be trained on Title VI. Training will include the following documents:

- Non-discrimination poster
- Title VI complaint form
- Complaint log
- LEP (Four Factor Analysis and Language Assistance Plan)
- Title VI brochure

Affidavits will be signed when training is completed and filed as part of the Title VI program documentation.

BSOOB Transit will conduct on-board rider surveys, in part to discover LEP persons, their usage of the transit service, and any barriers that they may find in such usage.

BSOOB Transit will survey its drivers, call takers and dispatchers to better understand the frequency with which LEP riders come into contact with BSOOB Transit services. The survey will ask what language skills already exist among employees, the number and nature of encounters with riders or other community members where language is a barrier, and what type of needs or requests for assistance has been received from LEP customers.

BSOOB Transit will have on call, a translation service for vital documents, such as:

- ADA overview
- ADA application
- Reduced fare information and application
- How to Ride Guide including fare information
- Title VI brochure
- Title VI complaint form
- General complaint form
- Public meeting announcements

BSOOB Transit will also have on call an interpreter service when such assistance is requested for attendance at meetings, or to by call takers and by drivers when passengers need assistance.

BSOOB Transit will work with the local school systems to help identify LEP families and to attempt to provide them with appropriate information and travel training on how to use the transit system.

### **Racial Breakdown of Non-Elected Advisory Councils**

Decisions regarding policy, service changes, fares, operations and capital programs are made by a municipally appointment to the transit committee. BSOOB Transit has a governing committee of 9 members who are appointed by each of the three owner municipalities. The governing committee has two sub-committees. All meetings are open to the public. The following chart lists the

governing committee and two other sub-committees and their membership racial breakdown.

<b>Board, Committee or Task Force</b>	<b>Caucasian</b>	<b>Latino</b>	<b>African American</b>	<b>Asian American</b>	<b>Native American</b>
BSOOB Transit Governing Committee	9	0	0	0	0
Finance Committee	3	0	0	0	0
Executive Committee	3	0	0	0	0

**Governing Committee Resolution or Meeting Minutes Demonstrating that the Board Approved the Title VI Program**

BSOOB Transit’s Governing Committee approved this updated Title VI Program at a meeting on December 5, 2019. A record of the meeting minutes is provided as Attachment 2.

**Narrative Describing Subrecipient Monitoring**

This is not applicable to BSOOB Transit.

**Facility Equity Analysis**

During the past three (3) years, BSOOB Transit did construct a major addition to its existing maintenance/office facilities. There was no Facility Equity Analysis conducted for this project, nor was one required due to the scope and type of project.

When BSOOB Transit plans to construct or expand a facility, such as a vehicle storage facility, maintenance facility, transit hub or operation center, the agency will include a copy of the Title VI Equity Analysis conducted during the planning stage with regard to the location and impact of the facility. The following principles will be applied in the analysis:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations
- To follow federal guidance provided in FTA Circular 4703.1 (August 2012)

Any construction projects funded through FTA programs will include an environmental justice analysis in the National Environmental Policy Act (NEPA) documentation as applicable.

Service Standards and policies include:

- Vehicle load:  
The average of all loads during peak operating period should not exceed capacity which are shown here.

	Seated capacity	Total customers	percentage
2002 Orion	29	55	190%
2003 MCI	49	49	100%
2003 New Flyer	30	55	183%
2008 Orion	45	45	100%

2010 Eldorado	29	37	128%
2010 Eldorado	29	37	128%

- **Headways (frequencies)**  
BSOOB Transit provides seventy (75) minute service on three services and fifty (50) minute service on one service and one hundred fifty (150) minutes on one service. Scheduling involves many factors including financial support, cost, ridership expectation and density.
- **On-Time Performance**  
90% of BSOOB Transit’s buses complete their routes no more than 9 minutes late. BSOOB Transit strives to maintain a 90% reliability factor. Exceptions will be inclement weather, snowstorms, floods, and ice. BSOOB Transit monitors this closely. A transit vehicle is considered on time if it departs no more than 1 minute early and no more than 5 minutes late.
- **Service Availability**  
BSOOB Transit routes are based on  $\frac{3}{4}$  mile buffer zones, so that 90% of riders can reach a transit stop. BSOOB Transit distributes transit service to 5 communities, 3 of which are the owners (Biddeford, Saco and Old Orchard Beach). Scarborough is contracted at \$25,000 per year and Portland doesn’t contribute to BSOOB Transit’s operating budget.
- **Vehicle Assignment Policy:**  
Bus assignments are standard across the spectrum. BSOOB Transit doesn’t have any bus shorter than 35 FT, Buses are assigned by service intervals. Buses are assigned to routes on a more or less permanent basis, based on availability and serviceability. Replacement buses will be assigned to all routes on an equitable and rotating basis. No route is favored over the other.

- Transit Amenity Policy:

Vehicles:

All transit vehicles will continue to have equal amenities such as air conditioning and bicycle racks. Vehicles are rotated on routes without regard to any other factors than the ones in the assignment policy.

Bus Shelters:

BSOOB Transit has 4 shelters that have been operational for up to 7 years. These shelters are placed in areas of high ridership volume. Shelters are maintained and insured by BSOOB Transit. A bus shelter maintenance policy is in development as we are a part of the PACTS region sign and shelter project. This project will investigate, and rank stops that need a shelter and will cover installation/removal of all shelters within the BSOOB Transit operating area.

## **ATTACHMENT 1**

### **Title VI Complaint Form**

Biddeford-Saco-Old Orchard Beach Transit (BSOOB Transit) is dedicated to ensuring that no person is excluded from participation or denied benefits of services on the basis of race, color or national origin, per Title VI of the Civil Rights Act of 1964 as amended.

Complaints must be filed within 180 days from the date of the alleged discrimination with the following information provided to assist in processing. If you require assistance in completing this form, please contact BSOOB Transit by calling 207-282-5408. Return the completed form to:

H. Rodney Carpenter, Interim Executive Director  
13 Pomerleau Street, Biddeford, Maine 04005  
Phone: 207-282-5408  
Email: [rcarpenter@BSOOBTRansit.org](mailto:rcarpenter@BSOOBTRansit.org)

# ATTACHMENT 1



## Customer Contact/Complaint Form

<b>Section I: Contact Information</b>			
Date:			
Name:			
Address:			
Telephone # where you wish to be contacted:			
E-mail address:			
Please check if you need this document in an accessible Format Requirement:	Large Print	Audio	Other
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Section II: Type of Complaint</b>			
Type of Complaint (check mark or x):			
1. <b>General Complaint or Concern:</b> Bus service, schedule or specific incident. ( )			
2. <b>Civil Rights: Title VI Complaint:</b> Discrimination based on race, color or national origin: ( )			
3. <b>Civil Rights: ADA Discrimination:</b> Discrimination based on a disability. ( )			
Are you filing this complaint on your own behalf?		Yes	No
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: Details of Complaint or Incident**

**1. General Complaint, Concern or Incident:**

Date of incident: (Month, Day, Year): \_\_\_\_\_ Time  
\_\_\_\_\_ AM PM

Bus # \_\_\_\_\_ Route # \_\_\_\_\_ Inbound / Outbound Driver # or information  
\_\_\_\_\_

Additional information (location, details, witnesses, illustrations, etc.):

*Please use space on opposite side of page to describe the incident.*

**If this is a Civil Rights / Title VI Complaint, meaning you believe you were discriminated against based on your race, color or national origin,** please explain below as clearly as possible what happened and why you believe you were discriminated against. Describe all persons involved. Include name and contact information of person (s) who discriminated against you (if known) as well as names and contact information of witnesses.

**If this is a Civil Rights/ADA Complaint, meaning you believe you were discriminated against based on your disability,** please explain below as clearly as possible what happened and why you believe you were discriminated against. Describe all persons involved. Include name and contact information of person (s) who discriminated against you (if known) as well as names and contact information of witnesses.

- If this complaint is related to equipment or structures (for example: buses or bus stops), please try to be as specific as possible in identifying which vehicle or locations may be creating the situation.

**If more space is needed, please attach an additional sheet to this form.**




Signature and date required below:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Submission Options:** You may submit this form in person at the Saco Transportation Center, 138 Main Street, Saco, ME 04072, or by mail to the address below or you may scan this completed form along with all supporting materials and e-mail to the individual stated below.

H. Rodney Carpenter, Interim Executive Director  
13 Pomerleau Street, Biddeford, Maine 04005  
Phone: 207-282-5408  
Email: rcarpenter@BSOOBTransit.org

## ATTACHMENT 2



### Meeting Minutes or Resolution Demonstrating that the Board Approved the Title VI Program

Biddeford-Saco-Old Orchard Beach Transit Committee  
**Meeting Minutes**  
**December 5, 2019**  
*Saco Transportation Center Conference Room*  
4:00 PM

1. **Call to Order:** Vice Chair Alan Minthorn called the meeting to order at 4:04 PM.
2. **Members present:** Alan Minthorn, Kenny Blow, Louise Reid, Bette Brunswick, Denise Clavette, Greg Tansley (via telephone)  
**Auditors present:** Casey Leonard and Parker Madden, Runyon Kersteen Ouellette  
*Staff: Tony Scavuzzo, Anne Austin, Craig Pendleton, Doug Morison*
3. **Approval of the Minutes -**  
  
**Motion by Denise Clavette to approve the Meeting Minutes of October 24, 2019 as written. Seconded by Kenny blow. No discussion. All were in favor. Passed unanimously.**
4. **RKO – Audit Results** – Casey Leonard presented the audit results summary. The audit went very well this year.

#### **Summary of Audit Results-** Financial Statement Opinion – Unmodified

- Report Required by *Government Auditing Standards* (GAS)
  - No Material Weaknesses
  - No Significant Deficiencies
- Report Required by the Uniform Guidance
  - Program Tested  
Federal Transit Cluster – 20.507
    - No Findings
- Report Required by the MAAP
  - Program Tested  
Formula Grants for Rural Areas
    - No Findings

Parker Madden continued the audit presentation, reviewing net position graph, revenues, expenditures, revenue distribution, and expense distribution 2019 versus 2018 graphs.

Casey Leonard reviewed two minor recommendations in the Letter to Management. Trivial to compliance audit.

**Motion by Louise Reid to accept the audit for FY 2019 as presented by Runyon Kersteen and Ouellette. Seconded by Kenny Blow. All were in favor. Passed unanimously.**

5. **Financials** – Doug Morison, Finance Manager, reviewed the October 2019 financials. Former Finance Manager, Curt Koehler had prepared the financial memo prior to his November departure.

As of October 31, total revenues were \$84,000 ahead of last year but the percentage is quite different due to the magnitude of this year's budget, above last year. Municipal contributions, up by \$75,000, accounting for most of this increase. There is nothing alarming in revenues at this point.

Total expenditures were \$142,000 higher than last year. Personnel costs were up by \$109,000, mostly from wage and benefit cost increases, not additional employees. Fuel costs were about even, year to year, but should be decreasing as we are now into our lower-priced contract. There have been several costly repairs to some of our aged fleet this year. That is beyond our control and we cannot wait to get going with purchasing the new buses that for which we have been approved.

Our effective cash position is lower than last year. I see no concrete reason for this other than cash flow. Receivables were up by almost \$40,000. Fixed assets value were reduced from a year ago by \$369,000, the result of transactions last year, but after October.

6. **Executive Director's Presentation** – Tony Scavuzzo, Executive Director, gave his presentation, highlighting progress to date, fare box update, and funding challenges. *Progress-*

- Triennial audit was successful. Preparing feedback to close all loops and respond to FTA contractor (DMP Group).
- December agency wide meeting in progress (yesterday and tomorrow). Sharing information and obtaining feedback are main goals.
- Circled back with City/Town Managers and entering city council workshops post election to stay visible and provide updates on progress to each municipality.
- Planning a "Transit Summit" in early 2020 to spend more time discussing current state of BSOOB Transit, funding challenges and create direction to move forward toward. Plan on one-half to one full day. Details, date & times TBD.
- Awarded 5339 grant (\$880,000) from FTA which will be used to replace four trolleys. 20% local match is coming from MEDOT.
- Title VI document approval.

- Benefits update - Health insurance increase of 6.4%. Company will cover 50% of increase. HRA will stay at 85%. Vision Insurance will be added.

*Project update –*

Wifi on board - U.S. Cellular is our choice after demos with AT&T and Verizon. Wanted our business. Got 80% government discount and unlimited data with no overage charges. Will drive new technology and future on board video.

Automated Vehicle Locator (GPS) – UniteGPS is our choice. Will have fleet view of all buses via web app available for viewing online, smart phone and plan for screen at STC.

Electronic Fare collection – Discussing financial and operations specifics. Have plan for where readers will be installed on board. Working on marketing new way to pay and educating riders and current partners on options. Want everyone we can get in electronic fare box.

Electric buses – Pantograph (on route charger) technology may not be ready to install by December 2020. Project timeline is at risk. Thinking about alternatives to keep Dec 2020 delivery.

*Funding challenges –*

- Presenting a balanced budget is a big deal given the road to get here.
- Have not had the money to grow and progress as a 21st century transit organization should.
- Evolved to a point where we potentially could have 12 new vehicles in next 2-3 years and new age technology to accompany (AVL, electronic fare box, wifi on all buses etc.)
- Will mean new expenses to support these services to keep up with industry standards.
- Plan to increase municipal share to \$200K from \$165K next fiscal year.
- This is mission critical to replace the loss of MTA funding (\$130K/year).
- They do not want to support operations any longer, only capital improvements
- Both Portland connections also face potential changes which would greatly effect their existence.

**6. (a.) Approval of Biddeford-Saco-Old Orchard Beach Transit’s Title VI –**

**Motion by Kenny Blow to approve the Biddeford-Saco-Old Orchard Beach Transit’s Title VI Program as presented by designated Title VI Coordinator Anthony Scavuzzo, Executive Director. Seconded by Denise Clavette. All were in favor. Passed unanimously.**

**7. Adjournment – Motion by Denise Clavette to adjourn meeting. Seconded by Kenny Blow. Meeting adjourned at 5:35 pm.**

Respectfully submitted by:  
Anne Austin