

MEMORANDUM

TO: GTC Planning Committee Members & Alternates
FROM: James Stack, Executive Director *JS*
DATE: February 4, 2021
SUBJECT: Approval to submit the Draft *Title VI/Nondiscrimination Implementation Plan* to NYSDOT Office of Civil Rights

The purpose of *Title VI/Nondiscrimination Implementation Plan* is to document policies and expectations to ensure continuous compliance with Title VI of the Civil Rights Act of 1964 and additional nondiscrimination authorities and executive orders.

Title VI of the Civil Rights Act of 1964 prohibits discrimination based upon race, color, national origin in any program or activity of an entity that receives Federal-aid. Since then, other nondiscrimination authorities and executive orders protect against discrimination based on gender, age, disability, low-income status, and limited English proficiency in any program or activity of an entity that receives Federal-aid.

This Title VI Implementation Plan and additional documentation related to Title VI includes:

- A policy statement describing GTC's commitment not to discriminate based on race, color, national origin, sex, age, disability, limited English proficiency, or income status when carrying out programs or activities conducted by the agency, its contractors, or subrecipients of Federal assistance.
- A summary of GTC's organization showing how agency staff support the program and resolve issues.
- A summary showing how GTC monitors, reviews, and reports compliance measures including employee training and deliberate community outreach to protected groups that are traditionally underrepresented in participating in transportation decisions.
- A summary showing the process and procedures for handling complaints of alleged discrimination as well as the policy for contractors, consultants, or sub recipients of Federal-aid who fail to comply with Title VI program requirements.

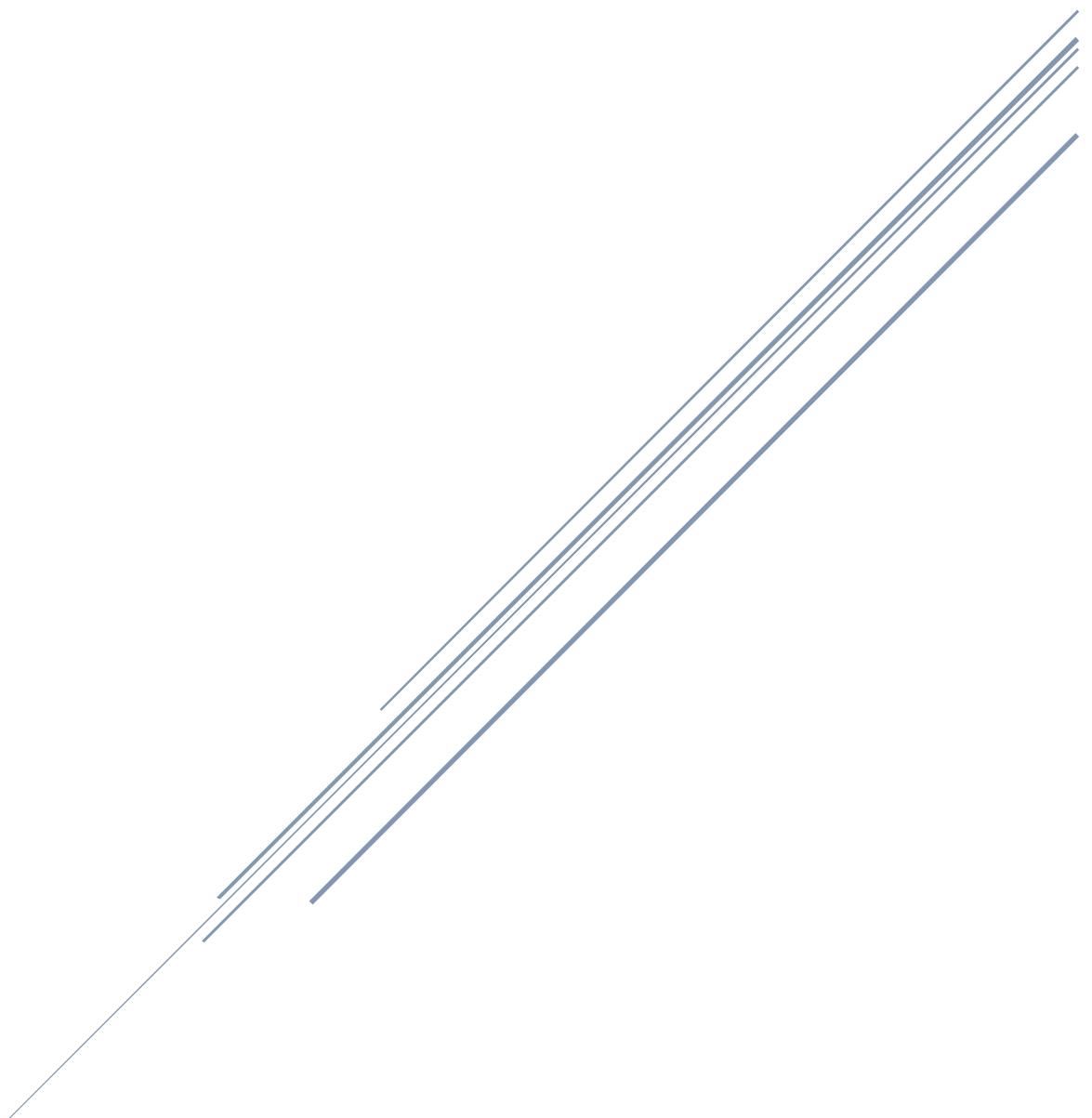
GTC is seeking review and approval of the draft Plan prior to submitting to the NYSDOT Office of Civil Rights for formal acceptance. Once NYSDOT is satisfied, the Planning Committee will make a final recommendation to the GTC Board at a future meeting. The *Title VI/Nondiscrimination Implementation* would then go into effect immediately.

Recommended Action

Review and approve the submission of the draft *Title VI/Nondiscrimination Implementation* to NYSDOT Office of Civil Rights.

DRAFT TITLE VI/NONDISCRIMINATION IMPLEMENTATION PLAN

February 2021



Genesee Transportation Council

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2021 GTC Title VI/Nondiscrimination Implementation Plan

Introduction

By federal law, every urbanized area of the country with over 50,000 people must have a formal planning organization for transportation, known as a Metropolitan Planning Organization or MPO. The Genesee Transportation Council (GTC) fills that role for the Genesee-Finger Lakes Region, which includes nine counties: Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming, and Yates. GTC is the designated MPO responsible for conducting transportation planning and overseeing transportation investment using federal aid in the region and provides a forum for cooperative transportation decision-making.

Title VI of the Civil Rights Act of 1964 prohibits discrimination based upon race, color, national origin in any program or activity of an entity that receives Federal-aid. Since then, other nondiscrimination authorities and executive orders protect against discrimination based on gender, age, disability, low-income status, and limited English proficiency in any program or activity of an entity that receives Federal-aid.

To ensure continuous compliance with Title VI, the Federal Highway Administration (FHWA,) requires each Federal-aid recipient to have a Title VI program and a Title VI/Nondiscrimination Implementation Plan in place to document policies and expectations.

This Title VI Implementation Plan and additional documentation related to Title VI includes:

- A policy statement describing GTC's commitment not to discriminate based on race, color, national origin, sex, age, disability, limited English proficiency, or income status when carrying out programs or activities conducted by the agency, its contractors, or subrecipients of Federal assistance.
- A summary of GTC's organization showing how agency staff support the program and resolve issues.
- A summary showing how GTC monitors, reviews, and reports compliance measures including employee training and deliberate community outreach to protected groups that are traditionally underrepresented in participating in transportation decisions.
- A summary showing the process and procedures for handling complaints of alleged discrimination as well as the policy for contractors, consultants, or sub recipients of Federal-aid who fail to comply with Title VI program requirements.

Additionally, this Plan includes:

- A Title VI Assurances document (Appendix A)
- Annual work plan of Title VI activities and actions
- Annual accomplishment report highlighting efforts to ensure nondiscrimination practices in all agency activities (Appendix C)

Title VI/Nondiscrimination Policy Statement

GTC's Commitment to the Public

The Genesee Transportation Council assures that no person shall, on the grounds of race, color, national origin, disability, age, gender, or income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. GTC further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

It is also the policy of the Genesee Transportation Council to ensure that none of its programs, policies, and other activities has disproportionate adverse effects on minority and low income populations. The Genesee Transportation Council identifies minority and low income communities from US Census data. Genesee Transportation Council takes a proactive approach to engage these communities and ensures their full and fair participation in the transportation decision-making process.

In addition, GTC will provide meaningful access to services for persons with Limited English Proficiency.

In the event GTC distributes federal-aid funds to another agency as a subrecipient, GTC will include Title VI language in all written agreements and will monitor for compliance.

GTC is responsible for initiating and monitoring Title VI activities, preparing required reports and other GTC responsibilities as required by 23 CFR 200 and 49 CFR 21.

En Espanol

El Consejo Genesee de Transporte asegura que ninguna persona, por motivos de raza, color, nacionalidad, discapacidad, edad, sexo o situación económica, será excluida de participar en ningún programa o actividad, ni se le negarán los beneficios de los mismos, ni será objeto de discriminación de ningún tipo. El GTC, (por sus siglas en inglés) asegura además que se hará todo lo posible para asegurar la no discriminación en todas las actividades de sus programas, ya sea que esos programas y actividades estén financiados por el gobierno federal o no.

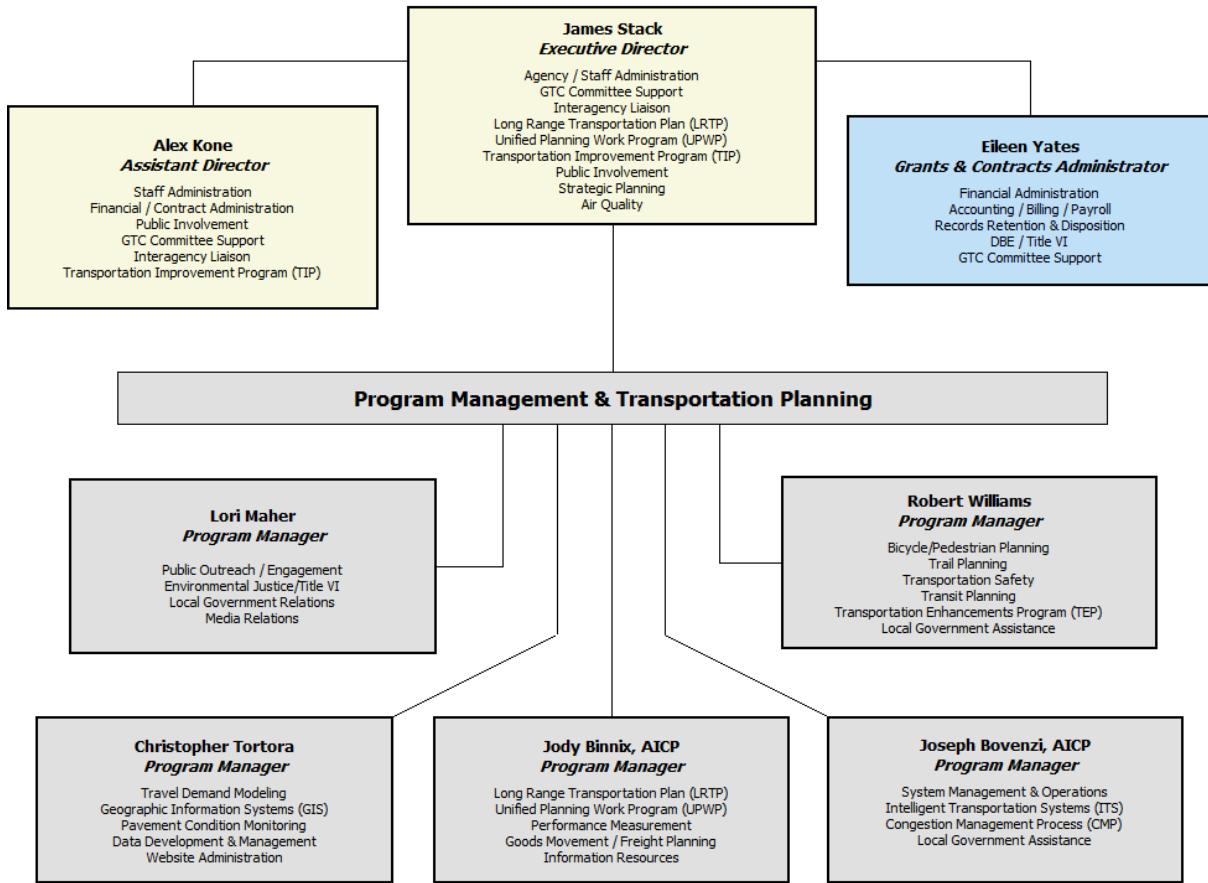
Authorities and Citations

The following is a compilation of the federal regulations, statutes, and orders that together create the legal requirements for nondiscrimination within the Genesee Transportation Council:

- Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (please refer to 23 CFR 200.9 and 49 CFR 21).
- The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of Federal Aid recipients, sub recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 [S. 557] March 22, 1988).
- The 1970 Uniform Act (42 USC 4601 to 4655) prohibits unfair and inequitable treatment of persons displaced or property to be acquired as a result of federal-aid programs and projects.
- Section 504 of the 1973 Rehabilitation Act (29 USC 790) prohibits discrimination on the bases of physical or mental disability.
- The 1973 Federal-aid Highway Act (23 USC 324) prohibits sex/gender discrimination.
- The 1975 Age Discrimination Act (42 USC 6101) prohibits age discrimination.
- Executive Order 12898 on Environmental Justice prohibits discrimination based on minority or income status.
- Executive Order 13166 on Limited English Proficiency prohibits discrimination based on how well a person speaks English.

GTC Organization and Reporting Structure

GTC Staff Organization & Responsibilities



May 2019

Title VI Coordinator Designation and Responsibilities

GTC is governed by a 27-member Board, which is supported by an Executive Committee, Planning Committee, and other committees authorized to monitor development of the GTC's federally-required work projects – Long Range Transportation Plan (LRTP), Unified Planning Work Program (UPWP), and Transportation Improvement Program (TIP) as well as temporary committees to deal with specific issues.

A small staff of eight provides professional and technical support to the Board and its committees. The staff's Executive Director reports directly to the Board.

The Executive Director is responsible for overall implementation of GTC's Title VI/Nondiscrimination Program. Typically, the staff person responsible for Public Engagement is designated the Title VI Coordinator. He/she is responsible for initiating, monitoring, and ensuring GTC's compliance with the Title VI requirements including:

- ◆ Ensuring all GTC program administration is compliant with Title VI.
- ◆ Monitoring progress, implementation, and compliance issues.
- ◆ Coordinating data collection supporting GTC nondiscrimination activities, including statistical data (i.e., race, color, national origin, gender, age, disability, low-income status, and language proficiency) for use in planning and monitoring by GTC, its member agencies, consultants and the public.
- ◆ Disseminating Title VI program information to GTC employees, beneficiaries, and the public and, where appropriate, in languages other than English.
- ◆ Ensuring inclusion of appropriate Title VI language in contracts and studies.
- ◆ Providing Title VI language, provision, and ad related requirements, as applicable, to any consultants under direct contract with GTC.
- ◆ Facilitating staff training programs on the Title VI, fundamental principles of Environmental Justice and other statutes related to nondiscrimination.
- ◆ Ensuring projects conducted by or on behalf of GTC 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.
- ◆ Ensuring the full and fair participation by all potentially affected communities in the transportation decision-making process.
- ◆ Preventing the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.
- ◆ Identifying, investigating, and eliminating discrimination when found to exist in connection with GTC programs. Seek the cooperation of the sub recipient in correcting deficiencies and provide the technical assistance and guidance needed to comply voluntarily. When a sub recipient fails or refuses to voluntarily comply with requirements within the allotted period, the Genesee Transportation Council will submit a copy of the case file to NYSDOT's Office of Civil Rights or the FHWA and a recommendation that the sub recipient be found in noncompliance.
- ◆ Preparing an annual Title VI Report, which evaluates the effectiveness of GTC's Title VI program and related efforts, by documenting accomplishments over the past year and establishing goals for the forthcoming year.
- ◆ Staying current on federal and state laws, rules, regulations, guidelines, and other resources pertaining to GTC's Title VI program.
- ◆ Updating the Title VI/Nondiscrimination Plan as needed, or as required.

Contact Information: Lori Maher, GTC Title VI Coordinator

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(585) 232-6240 | LMaher@gtcmopo.org

(as of January 2021)

Complaint Procedure

GTC's host agency is the Rochester Genesee Regional Transportation Authority (RGRTA) and shares responsibility in handling complaints related to discrimination under Title VI. The RGRTA Board of Commissioners approved their 2020-23 Title VI Program Plan on November 5, 2020.

The general complaint form, in English and Spanish, and the complaint procedures appear on www.myRTS.com. The following information about the complaint process appears on the GTC website <https://www.gtcmpo.org/EJTitleVI> directing complainants to RGRTA.

If you believe you have been subjected to discrimination under Title VI, you may file a complaint with the Rochester Genesee Regional Transportation Authority (RGRTA), GTC's host agency.

Any person who believes that he or she has individually, or as a member of any specific class of persons, been excluded from participation in, been denied the benefits of, or otherwise subjected to discrimination under any RGRTA service, program, or activity, and believes the discrimination is based upon race, color, or national origin has the right to file a Title VI complaint with RGRTA.

All complaints must be filed in writing with the RGRTA Legal Department within 180 days of the alleged discriminatory act or occurrence. Complaint forms may be obtained through the following contacts:

- <https://www.myrts.com/titleVI>
- (585) 288-1700
- www.myRTS.com/contact-us

In addition to the Title VI process at RGRTA, Title VI complaints may be filed with the Federal Transit Administration, Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

- <https://www.myrts.com/titleVI>
- (585) 288-1700
- www.myRTS.com/contact-us

In addition to the Title VI process at RGRTA, Title VI complaints may be filed with the Federal Transit Administration, Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

Note: The Complaint Form is Appendix B.

The procedure explains how to obtain the RGRTA Title VI Complaint Form, get language or disability assistance, and file the Complaint using USPS mail, using the online "Contact Us" tool, or through in-person delivery. The procedure includes directions for filing a Title VI Complaint, information about non-retaliation and the Freedom of Information Act, and an explanation of the requirements for a complete Title VI Complaint.

If transit-related Title VI Complaints, lawsuits, or investigations naming RGRTA or its subsidiaries occur, RGRTA will maintain a list of them in accordance with 49 CFR §21.9(b). This list would include the date the investigation, lawsuit, or complaint was filed, a summary of the allegation(s), the status of the investigation, lawsuit, or complaint, and responsive actions taken by RGRTA. The General Counsel and Manager of Loss Prevention shall maintain this list in accordance with Legal Affairs' established procedure found in Exhibit 5.

Consultant Contracts Activities

GTC executes contracts with consultants for specific projects or activities. The standard language incorporated into these contracts requires that the consultants comply with all applicable federal, state, and local laws, rules, ordinance, and regulations at all times.

Contract provisions will include nondiscrimination and equal opportunity employment language: that GTC may not discriminate in any programs or services based on race, color, sex, or national origin.

GTC will include Disadvantaged Business Enterprise (DBE) Clauses and a copy of the Affidavit of Nondiscrimination Form F that would be signed by relevant parties in Requests for Proposals.

GTC will include Title VI assurance and provision language in all federally-funded consultant contracts, including Appendix A of the USDOT Standard Assurance (USDOT Order 1050.2).

GTC will follow applicable Disadvantaged Business Enterprise (DBE) and Small Business Enterprise goals in designated projects and proactively seek to achieve those goals (23 USC 304 and 49 CFR 26.)

The technical assistance and guidance provided by the Title VI Coordinator and GTC staff is intended to support voluntary compliance by GTC consultants. When a consultant fails or refuses to comply with GTC's recommendations, GTC will send a deficiency letter to the consultant documenting recommended remedial actions.

Consultants placed in a deficiency status will be given reasonable time, not to exceed 90 days after the receipt of the deficiency latter, to voluntarily correct deficiencies. If a consultant fails or refuses to comply voluntarily with requirements within the allotted timeframe, GTC will submit copies of the case and a recommendation that the consultant be found in noncompliance to the New York State Department of Transportation, the Federal Transit Administration, and the Federal Highway Administration.

Title VI Notice to Public

GTC has an evolving process to elicit and solicit public participation from all stakeholders.

GTC endeavors to educate the public of their rights to participate in the transportation decision-making process. GTC includes a standard message in press releases, project webpages, mass e-mails, and other communications offering to provide services for people to participate.

GTC will provide accommodations for anybody who wishes to participate in this planning project/program despite disability or proficiency in English. Please contact GTC at (585) 232-6240 or send email to contactgtc@gtcmopo.org to arrange for auxiliary aids or language services.

GTC will assist project sponsors to provides tools, techniques, and strategies to involve and educate all interested people in planning activities, including those with limited proficiency in English.

Services:

- American Sign Language Interpretation – GTC has a standing relationship with Interpretek to provide American Sign Language interpreting services.
 - www.interpretek.com
 - Phone: 585-235-7500
 - 75 Highpower Road, Rochester, NY 14623
- Spanish Language Services- GTC has a standing relationship with Ibero-American Action League to provide Spanish translation and interpreting services.
 - <http://iaal.org/diversity-and-language-services/>
 - Phone: 585-256-8900 Ext. 152
 - 817 E. Main Street, Rochester, NY 14605
 - elisa.dejesus@iaal.org
- New York State Relay Service for hearing-impaired individuals.
 - <https://nyrelay.com/>
 - Phone: 711
- Other services available upon request.

The following statement appears prominently in English and Spanish on the GTC website <https://www.gtcmpo.org/title-vi> and is promoted throughout the year.

The Genesee Transportation Council hereby gives public notice that it is the Genesee Transportation Council's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, gender, or national origin be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Genesee Transportation Council receives federal financial assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with the Genesee Transportation Council and host agency, Rochester Genesee Regional Transportation Authority (RGRTA). Any such complaint must be in writing and filed with the Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. Title VI Discrimination Complaint Forms may be obtained from this office at no cost to the complainant on our website <https://www.gtcmpo.org/title-vi> or by calling (585) 232-6240.

En Espanol:

{INSERT TRANSLATED COPY}

Reporting Title VI Accomplishments and Activities

GTC submits a Title VI Report citing accomplishments and activities for the previous year to NYSDOT in the following areas:

- Public Outreach and Participation
- Americans with Disabilities Act (ADA)
- Limited English Proficiency (LEP)
- Environmental Justice (EJ)
- Data Collection and Analysis
- Document Review
- Training
- Complaints/self- monitoring
- Goals for next year

A highlight of the 2020 year was virtually engaging the public on core work products and assisting our planning study partners to maintain momentum during the COVID-19 pandemic.

GTC conducted the majority of its public outreach using the PublicInput.com Integrated Community Engagement Software, procured in April 2020. This web-based software system provides a platform to manage the public engagement process to host virtual public meetings and offering options for all people to participate in projects and programs.

There are several key features related to equity:

- Built-in language translator
- Ability to create unique emails and text messages for each project
- Options for people to access the audio portions of online public meetings with a telephone and toll-free phone number, speak with the project team in real-time, leave recorded voice message at any time in any language
- Access and participate in the meeting with a home computer or mobile device by typing in the chat box or sending longer e-mails

Additionally, GTC can collect and analyze specific demographic information for future outreach strategies including geo-targeted outreach and a dynamic database that grows with every interaction.

About a dozen UPWP projects progressed in 2020 seeking input to identify conditions and needs, or to present recommendations using a variety of outreach platforms. GTC assisted five project teams to conduct virtual outreach using PublicInput.com. Consulting firms used other virtual meeting tools on the other projects.

Goals for next year include exploring adding an Environmental Data Module to the web-based software system to ensure GTC's public engagement efforts are more equitable. Layering data from the Environmental Protection Agency (EPA) directly onto the project's public participation map will reveal outreach results. It will help plan outreach and publish reports that demonstrate our engagement in Environmental Justice communities including Limited English Proficiency, Low income, Minority, and Education levels.

Note: The full report for the Federal Fiscal Year (October 1, 2019 through September 30, 2020) is included in Appendix C.

Title VI Training

GTC staff receives periodic training from our host agency, RGRTA. In October 2020, GTC staff participated in the training covering Creating a Culture of Well-Being and Inclusion, Harassment prevention, the EEO Policy and more.

The Title VI Coordinator also attends frequent professional development sessions offered at national and local industry conferences.

When working with subrecipients including, municipal sponsors or member agencies to administer UPWP-funded planning projects, information about Title VI and Environmental Justice are clearly emphasized in the UPWP Guidelines.

"FHWA and FTA place requirements on the use of these planning funds consistent with federal and state regulations including, but not limited to, Titles 23 and 49 of the Code of Federal Regulations, Title VI of the Civil Rights Act of 1964, and Executive Order 12898 regarding Environmental Justice. In addition, GTC has additional requirements to further ensure a fair, equitable, and cooperative transportation planning process in the region."

GTC provides specific language describing expectations to sponsors administering UPWP projects with a public involvement aspect early the project schedule. Additionally, GTC includes its policy about Environmental Justice.

Meetings should be designed for attendance by all citizens in the project area. Efforts must be made to identify interested parties prior to conducting the public meetings. Applicants should try to engage groups that have not traditionally been involved in transportation projects but have a vested interest in the outcome of the project. Applicants must respond to the impact of a project on minority, disabled, and low-income populations.

Environmental Justice

It is GTC's policy to actively consider and include the disadvantaged populations of the region — low-income, minority, limited-English proficiency, disabled — in compliance with the letter and spirit of Environmental Justice. Environmental Justice is the term given to a series of federal laws and directives designed to ensure that transportation facilities and services do not have a disproportionately negative effect on any group regardless of race, color, national origin, disability, age, gender, or income status.

GTC's Ongoing Activities to Reduce Barriers

It has been the GTC's long-standing practice to ensure nondiscrimination and to ensure that transportation decision-making considers the needs of people protected under Title VI and other nondiscrimination authorities.

GTC's overarching policies and actions increasingly focus on making environments usable for all people, as well as removing specific barriers.

While online engagement has led to dramatic increases in participation overall, PEW statistics underscore the need to provide more traditional/offline options to supplement every initiative:

- 27% of Americans 65 years or older do not use the internet.
- 17% of Americans who make \$30,000/annually or less does not use the internet.
- 15% of minority groups do not use the internet.

Through the PublicInput platform, every survey can be converted into text message format, language can be translated through a built in translation tool, and comments can be collected via email, online, or with a voicemail inbox. During public meetings, the public can access the audio portions of online public meetings with a toll-free phone number, speak with the project team in real-time, leave recorded voice message before or after a meeting in any language. People can access and participate in the meeting by visiting the meeting website on a home computer or mobile device without having to download and learn any separate video conference platforms. By facilitating this broad range of synchronous and asynchronous formats, people of every educational and socioeconomic background, as well as members of the workforce who are unable to attend meetings during traditional timeframes are given the freedom to participate. To ensure understanding of the diversity and equity in our engagement, GTC can collect specific demographic information and compare to census data or environmental justice maps to inform future outreach strategies including geo-targeted outreach or community-based partnerships.

The GTC webpage www.gtcmpo.org is accessible for all users, including those who use screen readers or other aides in full compliance with Section 504 of the 1973 Rehabilitation Act (29 USC 790). The website has a built in option to enlarge text, website language translation (utilizes the Google Translate tool for literal translations of individual pages.)

Other ongoing practices include:

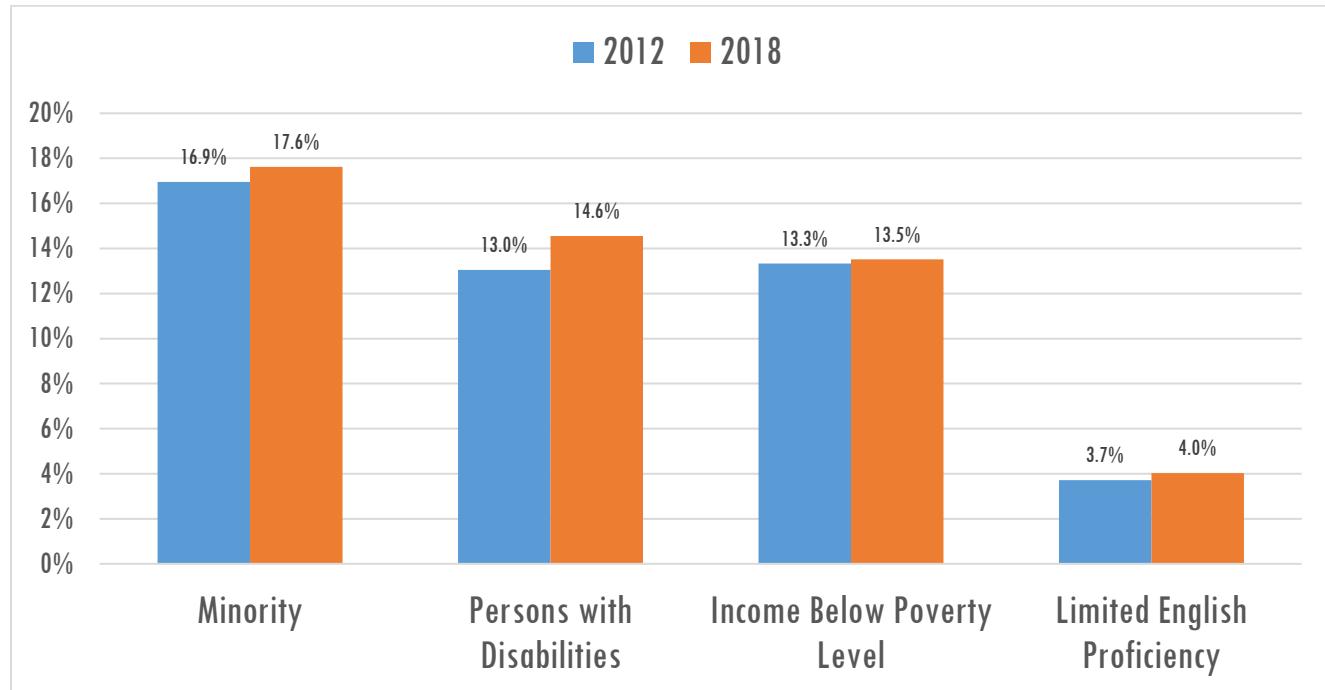
- Holding all in-person meetings at convenient times in locations that are wheelchair accessible.
- Maintaining a list of organizations serving communities who are traditionally underrepresented. GTC invites them and their clients to participate in the development of various GTC-sponsored activities and projects including LRTP, UPWP, TIP and PEP.

Demographic Data and Analysis

Consistent with EJ guidelines, GTC identifies four groups that are typically underrepresented in the transportation planning process:

- Minorities
- Persons with Low Income Status
- Persons with Disabilities
- Persons with Limited English Proficiency

Regional Demographics



Minorities

The U.S. Census defines minorities as people of African, Asian, Hispanic or Latino, Native Alaskan, or Native American origin.

In the nine-county Genesee-Finger Lakes Region, minority populations reside in each county. The highest percent across the region are Black or African American alone, at 10.6%, followed by Hispanic or Latino (of any race) at 6.8%. Monroe County has the highest concentration of people with minority status with 113,538 (15.5%) Black or African American and 63,631 (8.5%) Hispanic or Latino of any race. The following chart shows an overview of demographics by race from the 2018 American Community Survey (5-Year Estimates.) This information is important to consider when developing specific community engagement plans.

The U.S. Census Bureau must adhere to the 1997 Office of Management and Budget (OMB) standards on race and ethnicity that guide the Census Bureau in classifying written responses to the race question:

White – A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

Black or African American – A person having origins in any of the Black racial groups of Africa.

American Indian or Alaska Native – A person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment.

Asian – A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

Native Hawaiian or Other Pacific Islander – A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

Note: The 1997 OMB standards permit the reporting of more than one race. An individual's response to the race question is based upon self-identification.

2018 Regional Demographic Profile by Race

	Total population	White (non Hispanic or Latino)	% of Total population	Black or African American alone	% Black or African American alone	American Indian and Alaska Native alone	% American Indian and Alaska Native	Asian alone	% Asian	Native Hawaiian and Other Pacific Islander alone	% Native Hawaiian and Other Pacific Islander	Hispanic or Latino (of any race)	% Hispanic or Latino (of any race)
Region	1207956	995014	82%	128359	10.6%	5214	0.4%	30944	2.56%	285	0.0%	81627	6.8%
Genesee County	58112	53404	91.90%	1304	2.2%	510	0.9%	477	0.82%	0	0.0%	1849	3.2%
Livingston County	63907	59696	93.41%	1805	2.8%	128	0.2%	833	1.30%	22	0.0%	2223	3.5%
Monroe County	744248	566271	76.09%	113538	15.3%	3378	0.5%	26661	3.58%	120	0.0%	63631	8.5%
Ontario County	109472	101467	92.69%	2770	2.5%	487	0.4%	1455	1.33%	37	0.0%	5058	4.6%
Orleans County	41175	36583	88.85%	2541	6.2%	151	0.4%	326	0.79%	21	0.1%	1961	4.8%
Seneca County	34612	31669	91.50%	1707	4.9%	135	0.4%	242	0.70%	0	0.0%	1158	3.3%
Wayne County	90856	84701	93.23%	2631	2.9%	144	0.2%	606	0.67%	78	0.1%	3878	4.3%
Wyoming County	40565	37162	91.61%	1837	4.5%	228	0.6%	155	0.38%	0	0.0%	1320	3.3%
Yates County	25009	24061	96.21%	226	0.9%	53	0.2%	189	0.76%	7	0.0%	549	2.2%

Source: American Community Survey 2018 5-Year Estimates

Persons with Low-Income Status

Persons with low-incomes are defined as having an income at or below the federal poverty level. The federal government measures poverty according to a set of money income thresholds that vary by different factors.

According to the 2018 American Community Survey, 157,030 (13.5%) of the people in the nine-county Genesee-Finger Lakes Region are living at or below the poverty rate. As this chart shows, the percentages of people that qualify for low-income status are consistent across all nine counties. This information is important to consider when formulating and implementing community engagement plans across the region.

2018 Profile of Regional Low Income Population			
	Population for whom poverty status is determined	Below poverty level	% of Total Population
Region	1161839	157030	13.5%
Genesee County	57240	6501	11.4%
Livingston County	57624	7850	13.6%
Monroe County	720016	106115	14.7%
Ontario County	106119	10203	9.6%
Orleans County	38422	5499	14.3%
Seneca County	31604	3924	12.4%
Wayne County	89589	10127	11.3%
Wyoming County	37412	4092	10.9%
Yates County	23813	2719	11.4%

Source: American Community Survey 2010-2018 5-Year Estimates

Persons with Disabilities

Persons with Disabilities is defined as a person having a disability in one of the following categories: Hearing, Visual, Cognitive, Ambulatory, Self-Care, and Independent Living Disability.

According to the 2018 American Community Survey, there are 163,730 (13.8% of the total population) people with a disability. This information is important to consider when formulating and implementing community engagement plans across the region.

Regional Profile of Persons with Disabilities			
	Total civilian noninstitutionalized population	Total persons with any disability(ies)	% of Total Population
Region	1187289	163730	13.8%
Genesee County	57637	8664	15.0%
Livingston County	61252	7985	13.0%
Monroe County	737093	100026	13.6%
Ontario County	108574	13529	12.5%
Orleans County	38540	6458	16.8%
Seneca County	31836	5422	17.0%
Wayne County	89965	13331	14.8%
Wyoming County	37721	5232	13.9%
Yates County	24671	3083	12.5%

Source: 2018 American Community Survey 5 Year Estimates

Limited English Proficiency

A person with Limited English Proficiency is defined as somebody who has a limited ability to speak, read, write, or understand the English language.

According to the 2018 American Community Survey, 10.7% of the total population in the Genesee-Finger Lakes region speaks a language other than English and 4% of the population speaks English less than very well. This information is important to consider when formulating and implementing community engagement plans across the region.

2018 Regional Language Profile with Limited English Proficiency					
	Total Population 5 years and over	Speak a language other than English	% Speak a language other than English	Speak English less than very well	% of Total Population
Region	1142496	122485	10.7%	46077	4.0%
Genesee County	55132	1964	3.6%	560	1.0%
Livingston County	61103	3935	6.4%	1308	2.1%
Monroe County	702653	95859	13.6%	37422	5.3%
Ontario County	103965	6927	6.7%	2332	2.2%
Orleans County	39062	2123	5.4%	887	2.3%
Seneca County	32715	2321	7.1%	664	2.0%
Wayne County	85874	4197	4.9%	1251	1.5%
Wyoming County	38494	1611	4.2%	435	1.1%
Yates County	23498	3548	15.1%	1218	5.2%

Source: American Community Survey 2018 5-Year Estimates

Appendix A - Genesee Transportation Council Title VI Assurances

Appendix B – Title VI Complaint Form

Appendix C – Genesee Transportation Council 2020 Title VI Annual Report

GENESEE TRANSPORTATION COUNCIL

MEMORANDUM

TO: Public
FROM: James Stack, Executive Director
DATE: December 31, 2020
SUBJECT: Genesee Transportation Council Title VI Assurances

The Genesee Transportation Council (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the Federal Highway Administration and Federal Transit Administration, is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled *Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"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 otherwise subjected to discrimination under any program or activity, "for which the Recipient receives Federal financial assistance from DOT, including the Federal Highway Administration and Federal Transit Administration."

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted programs, including the

Transportation Improvement Program and Unified Planning Work Program:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests for Proposals for work, or material subject to the Acts and the Regulations made in connection with the Metropolitan Planning program and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The Genesee Transportation Council, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 US. C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
4. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
5. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
6. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
7. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

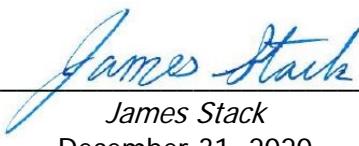
- a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
8. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
 9. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the Genesee Transportation Council also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the Federal Highway Administration and Federal Transit Administration access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the Federal Highway Administration and Federal Transit Administration. You must keep records, reports, and submit the material for review upon request to Federal Highway Administration and Federal Transit Administration, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The Genesee Transportation Council gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Genesee Transportation Council programs, including the Transportation Improvement Program and Unified Planning Work Program. This ASSURANCE is binding on the State of New York, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants of Genesee Transportation Council programs. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Genesee Transportation Council

by _____



James Stack
December 31, 2020

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration, and Federal Transit Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration or Federal Transit Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient, the Federal Highway Administration, or the Federal Transit Administration, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it, the Federal Highway Administration, or the Federal Transit Administration may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement

as the Recipient, the Federal Highway Administration, or the Federal Transit Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B
Clauses for Deeds Transferring United States Property

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the Genesee Transportation Council will accept title to the lands and maintain the project constructed thereon in accordance with appropriate legislative authority, the Regulations for the Administration of Federally assisted programs, and the policies and procedures prescribed by the Federal Highway Administration and Federal Transit Administration of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. §2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Genesee Transportation Council all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

Habendum Clause

TO HAVE AND TO HOLD said lands and interests therein unto the Genesee Transportation Council and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the Genesee Transportation Council, its successors and assigns.

The Genesee Transportation Council, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the Genesee Transportation Council will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

APPENDIX C

Clausles for Transfer of Real Property Acquired or Improved under the Activity, Facility, or Program

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Genesee Transportation Council pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, the Genesee Transportation Council will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the Genesee Transportation Council will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the Genesee Transportation Council and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX D

Clauses for Construction/Use/Access to Real Property Acquired under the Activity, Facility, or Program

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by the Genesee Transportation Council pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Nondiscrimination covenants, Genesee Transportation Council will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, the Genesee Transportation Council will there upon revert to and vest in and become the absolute property of the Genesee Transportation Council and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 4 71, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.P.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U .S.C. 1681 *et seq.*).

TITLE VI COMPLAINT FORM

If assistance is needed in another language, please call 585.288.1700.
Si necesita información en otro idioma, por favor llame al 585-288-1700.

Section 1

Name: _____

Address: _____

Telephone (Home): _____ Telephone (Work): _____

Electronic Mail Address: _____

Accessible Format Requirements? Large Print Audio Tape
 TDD Other _____

Section 2

Are you filing this complaint on your own behalf? Yes No

If you answer YES, go to Section 3.

If you answer NO, complete Section 2.

Supply the name of the third party and your relationship to the third party.

Name: _____ Relationship: _____

Why you are filing a complaint for a third party? _____

Did you obtain the permission of the aggrieved party to file on his/her behalf? Yes No

TITLE VI COMPLAINT FORM

Section 3

I believe the discrimination I experienced was based on (check all that apply): Race Color National Origin

at

Date of Alleged Discrimination (Month, Day, Year)

Time of Alleged Discrimination (00:00 AM/PM)

Transit Service (choose one):	RTS <input type="checkbox"/>	RTS Access <input type="checkbox"/>	RTS Geneseo <input type="checkbox"/>	RTS Livingston <input type="checkbox"/>	RTS Ontario <input type="checkbox"/>	RTS Orleans <input type="checkbox"/>	RTS Wayne <input type="checkbox"/>	RTS Wyoming <input type="checkbox"/>
----------------------------------	---------------------------------	-------------------------------------------	--------------------------------------------	-----------------------------------------------	--------------------------------------------	--------------------------------------------	------------------------------------------	--------------------------------------------

Bus #: _____ Route Name/Number: _____

Direction of Travel: _____ Location of Incident: _____

Explain what happened, why you believe you were discriminated against, and describe all persons who were involved. If you need more space, please attach a separate sheet.

Provide the name and contact information of the person(s) who discriminated against you (if known) and the names and contact information of any witnesses. If you need more space, please attach a separate sheet.

TITLE VI COMPLAINT FORM

Section 4

Have you previously filed a Title VI complaint with this agency? Yes No

Section 5

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

If you answer YES, check all that apply:

Federal Court State Agency State Court Local Agency

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

Name	Title	Agency
------	-------	--------

Address: _____

Telephone: _____

Section 6

Name of agency complaint is against: _____

Contact person: _____

Title: _____

Telephone: _____

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and Date Required Below

Signature: _____ Date: _____

File the Title VI Complaint within 180 Days of the Incident

USPS Mail	Electronically Through the Website	In Person During Business Hours
RGRTA Legal Affairs 1372 East Main Street Rochester NY 14609	<ol style="list-style-type: none">Scan the written, signed complaint.Save the file in PDF format.Go to http://www.myrts.com/Contact-Us.Complete the online form.Click "Submit with Attachment"Upload the PDF file of the complaint.Click "Save/Close."	Deliver your written, signed complaint to: Lobby Front Desk 1372 East Main Street, Rochester NY 14609 OR Customer Information Desk RTS Transit Center 60 St. Paul Street, Rochester NY 14604

Title VI Report for October 1, 2019 through September 30, 2020

Please include any goals for 2021 within the list of accomplishments/activities.

Genesee Transportation Council (GTC)

- **Governor Cuomo's Rochester-Monroe County Anti-Poverty Initiative (RMAPI)**
– GTC staff continues to participate on the Transportation Policy Subgroup, one of the workgroups tasked with identifying strategies to allow every child and family to have the opportunity to achieve the American Dream. The Transportation Policy Subgroup has identified several key policies on which to focus efforts to overcome barriers faced by individuals in low-income and poverty situations and is working with elected officials on enacting necessary changes.
- **GTC Website** – GTC continues to add content to its website, which meets Section 504 (Rehabilitation Act of 1973) accessibility standards. The site is also mobile-friendly which helps reach many lower-income individuals who do not have access to a personal computer but do use a smartphone to access the internet. GTC continues to make opportunities for public input known through the website and posts products from completed plans and studies.
- **Transportation Management Association Feasibility Study** – GTC staff is using UPWP funding to study the feasibility of establishing a Transportation Management Association for the greater Rochester, NY area. The analysis will build on recent discussions of the Rochester-Monroe Anti-Poverty Initiative's (RMAPI) Transportation Subgroup regarding a lack of mobility options for residents to access employment opportunities where and when current and proposed public transportation options prove impractical.

GTC issued an RFP and began evaluating the three Proposals received. In collaboration with stakeholders (RGRTA, Greater Rochester Chamber of Commerce, United Way, Rochester Works), it was agreed that it would be appropriate to wait for the restructuring of bus routes in Monroe County (Reimagine RTS) slated to go live in June 2020 as it would very likely have an impact on the underlying conditions to be considered. Unfortunately, COVID-19 impacts caused RGRTA to delay the implementation of the route overhaul. The RFP was formally cancelled but the GTC Planning Committee agreed that the funding for this project should remain in the UPWP so that the project can be restarted as soon as is appropriate.

- **Social Media** – In the past year, GTC has increased its presence and activity on Twitter to regularly share information of interest, cross-promote outreach opportunities for member agencies, promote safety campaigns, and significant travel advisories as well as to encourage discussion on relevant topics of transportation planning. We are engaging with traditionally underrepresented organizations and publications. Also, in the past year we have been tracking analytics to measure effectiveness. In addition, we have launched an agency Facebook page with the intention to geo-target information to populations covered under Title VI.

Facebook was used to help promote the initial public survey for the Long Range

Transportation Plan that closed on September 4. Due to national public backlash to Social Media targeting in the summer of 2020, our ability to promote our post to certain demographics was much more limited than when we initially developed our outreach strategy. We did reach out to our community partners that work closely with EJ groups to help cross-promote the survey.

- **GTC Committee Meetings** – All GTC meetings are open to the public. Time for public comments is reserved at the beginning of all meetings. The GTC Planning Committee meetings include a second opportunity at the end of the meeting for the public comment on the deliberation that took place during the meeting. Any comments are shared with the GTC Board before they take action on Planning Committee recommendations. Meeting dates and times are posted in advance on the GTC's website and distributed to local news publications. Legal notices are published in advance of quarterly Board meetings.

Physical distancing requirements in light of the COVID-19 emergency meant that the GTC Board and Planning Committee has needed to meet remotely. In an effort to ensure the public could access the meetings, and in compliance with the flexibility of Governor Cuomo's Executive Order 220.1, the meetings are live streamed through GTC's PublicInput.com page. Board/Committee members, staff, and guests with items on the agenda are considered Participants and access the meeting via Webex. Everyone else is considered an Observer and access the meeting via PublicInput.com. There is a "bridge" between these two platforms that allow Observers to interact with Participants at appropriate times. In recognition that there are people in our community that do not have access to technology to observe the meeting online, each meeting includes the ability to listen to the call via a toll-free phone number. Additionally, PublicInput.com has built-in language translation of text and the video feed on YouTube allows viewers to toggle closed captioning. Recordings of the meeting are archived for anyone to view at a later time.

Areas of Specific Interest:

- **Public Outreach and Participation**
 - GTC has a dedicated staff position to oversee community engagement. We have continued to build our community engagement practice during the reporting period.
 - Various address & contact lists have been consolidate within Constant Contact. This tool allows us to assign individuals to various group that facilitate sharing information via "campaigns".
 - GTC has made a concerted effort to become more active on Twitter. The tool is used to share information on public input opportunities, upcoming construction activity, community events, traffic impacts, etc.
 - GTC staff explored public participation plans of other MPOs and looking at best practices in preparation for updating the GTC Public Participation Plan. A plan is being drafted so that it can be released for public comment this fall.

- GTC has entered into a multi-year agreement, beginning April 1, to use the PublicInput.com platform to enhance our public engagement.

PublicInput.com is web-based software used to manage the complete public engagement process. The platform allows agencies to develop engagement activities, promote opportunities to participate, aggregate offline feedback, and analyze data from a single dashboard. It supports engagement activities of all scope and scale, and builds on these by connecting the dots between projects and over time through an integrated Customer Relationship Management (CRM) database. Examples of the distinct capabilities that PublicInput has include:

- Live polling at public meetings;
- Instant website publishing;
- Dynamic surveys and discussion forums;
- Integration with social and traditional media;
- Automatically aggregate feedback from social media, surveys, websites and offline engagement into one dataset social media outreach;
- SMS text message-based surveys;
- Email communications hub;
- Unique emails and text message compatibility with each initiative;
- Real-time dynamic reports including census comparison;
- Last-mile language translation for all websites and surveys;
- Geo-targeted outreach; and
- CRM database that grows with every interaction throughout the agency.

- **Americans with Disabilities Act (ADA)**

- All public meeting locations are ADA accessible. During COVID-19, meetings are being held remotely with the ability to participate via various methods without the need to travel from home.
- Upon request, GTC engages the services of an ASL Interpreter to allow participation of a deaf and hearing-impaired people. It is expected that, if needed, an ASL Interpreter will be able to participate in a GTC meeting via webcam and that we will be able to “pin” them to the video feed to keep the focus on them rather than any active speakers.
- The GTC website is Section 504 compliant and we endeavor to offer materials in plain text to facilitate the use of screen readers

- **Limited English Proficiency (LEP)**
 - Meeting announcement offer to arrange for special accommodations (such as translation, interpretation, assistive listening devices) for individuals to participate in our programs, public meetings, and to review and comment on documents. No requests were made this reporting period; and
 - As noted above, our PublicInput.com platform includes language translation of various online “written” materials. People are able to view and comment in their native language with translation to English for integration into our public engagement archives.
- **Environmental Justice (EJ)**
 - GTC staff regularly review, research and update the stakeholder contact information within Constant Contact while noting human service organizations, neighborhood groups, etc. that work with, or serve, traditionally underrepresented groups within some aspect of transportation. We are able to share EJ contact information across our public engagement platforms to ensure full integration.
- **Data Collection and Analysis**
 - GTC supported efforts by the Genesee/Finger Lakes Regional Planning Council to conduct the Local Update of Census Addresses (LUCA) program in preparation for the 2020 Census of Population and Housing. This effort resulted in the addition of about 110,000 addresses to the Census Bureau’s Master Address File, or about one-third of the statewide total. This effort help ensure the most complete distribution of the Census questionnaire that is possible. The Census results are a major determinant of funding for programs that support Title VI and EJ populations.
- **Document Review**
 - **UPWP**

As part of the development of the annual UPWP document, a full draft was made available for public review and comment prior to being finalized. The document was made available in public libraries, County planning offices, at the GTC and NYSDOT-Region 4 offices, and through the GTC website.
- **Training**
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- **Complaints/self-monitoring**
 - We have not received any complaints under Title VI

- **Goals for next year (2021)**

- Continue development of our next LRTP, including specific community outreach activities, with a June 2021 adoption;
- Adopt a new Public Engagement Plan;
- Expand the use of our PublicInput.com platform to manage public outreach;
- Expand Social Media activity, including using a Facebook page to serve as a platform for targeted outreach; and
- Continue to monitor and maintain stakeholder lists, and seek opportunities to engage with populations of interest.