

Henderson Area Rapid Transit



Title VI Plan

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Limited English Proficiency Plan

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Public Participation Plan

Adopted January 24, 2023

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HENDERSON AREA RAPID TRANSIT (HART) TITLE VI PLAN

INTRODUCTION

Henderson Area Rapid Transit (HART), the transit provider for the City of Henderson, has developed this Title VI Implementation Plan pursuant to Title 49, Code of Federal Regulations (CFR), Department of Transportation (DOT), Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964. The purpose of 49 CFR Part 21 is:

“...to effectuate the provisions of Title VI of the Civil Rights Act of 1964 to the end 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 receiving Federal financial assistance from the Department of Transportation.”

By adoption of this Title VI Implementation Plan, HART ensures that all programs, policies and activities comply with Title VI regulations.

Any person or persons who believe they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with HART and the City of Henderson. The entire Title VI complaint procedure can be found within this document. Any such complaint must be in writing and filed with the MPO’s Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence.

The Title VI Public Notice, complaint procedures, and form within this document, and made available at the HART office, are displayed in both English and Spanish.

TITLE VI POLICY STATEMENT

It is the policy of Henderson Area Rapid Transit (HART) and the City of Evansville to ensure that no person shall, on the basis of race, color, sex, age, national origin, or disability, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination under any service, program or activity conducted by HART in accordance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and any other related non-discrimination Civil Rights laws and authorities.



Public Notice: Your Rights Under Title VI

The City of Henderson/Henderson Area Rapid Transit (HART) operates its programs without regard to race, color, or national origin in accordance with **Title VI of the Civil Rights Act of 1964**. Any person who believes that his/her Title VI protection may have been violated may file a complaint with the City of Henderson or the Federal Transit Administration.

All complaints must be filed in writing with the City of Henderson within 180 days of the incident. For more information on the Title VI program and the procedures to file a complaint, please contact:

Megan McElfresh
HART Title VI Coordinator
P.O. Box 673
Henderson, KY 42419-0673
(270)831-1200

The Title VI Complaint Procedures and Form can be found on the HART website at www.hendersonky.gov/199/Mass-Transit.

A complaint may also be filed directly with the Federal Transit Administration:

Federal Transit Administration
Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor – TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

Aviso Pal Público: Conozca Sus Derechos Bajo Titulo VI

La Ciudad de Henderson/Henderson Area Transit (HART) operara sus programas sin tener en cuenta raza, color, y origen nacional de acuerdo con **Titulo VI de Derechos Civiles Acta de 1964**. Cualquier persona que crea que su protección de Titulo VI haya sido violada puede presentar una queja con la Ciudad de Henderson o con La Administración Federal Transita.

Todas quejas tiene que ser presentadas por escritas con La Ciudad de Henderson dentro de 180 días del incidente. Para más información sobre el programa de Titulo VI y procedimientos para quejarse por favor contacte:

Megan McElfresh
HART Titulo VI Coordinadora
P.O. Box 673
Henderson, KY 42419-0673
(270)831-1200

Las formas de quejas y procedimientos de Titulo VI pueden ser encontradas en el sitio web de HART en:
www.hendersonky.gov/199/Mass-Transit.

Quejas también pueden ser presentadas directamente con La Administración Federal Transita:

Federal Transit Administration
Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor – TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

TITLE VI COMPLAINT PROCEDURES

This section outlines the Title VI complaint procedures related to providing programs, services, and benefits. However, it does not deny the complainant the right to file formal complaints with The City of Henderson Human Relations Commissions, Equal Employment Opportunity Commission, and Federal Transit Administration, or seek private counsel for complaints alleging discrimination, intimidation or retaliation of any kind that is prohibited by law.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs receiving federal financial assistance.

GENERAL

Any person who believes that he or she, individually, or as a member of any specific class of persons, has been subjected to discrimination on the basis of race, color or national origin as noted below may file a written complaint with The City of Henderson Area Rapid Transit, 222 First Street, Henderson, KY 42420. Complainants have the right to complain directly to the appropriate federal agency. Every effort will be made to obtain early resolution of complaints. The option of informal meeting(s) between the affected parties and the Title VI Coordinator may be utilized for resolutions. The Title VI Coordinator and legal counsel will notify the HART Superintendent of all Title VI related complaints as well as all resolutions.

PROCEDURE

1. The complaint must meet the following requirements:
 - a. Complaint shall be in writing and signed by the complainant(s). In cases where Complainant is unable or incapable of providing a written statement, a verbal complaint may be made. The Title VI Coordinator will interview the Complainant and assist the person in converting verbal complaints to writing. All complaints must, however, be signed by the Complainant or his/her representative.
 - b. Include the date of the alleged act of discrimination date when the Complainants become aware of the alleged act of discrimination; or the date on which that conduct was discontinued or the latest instance of conduct.
 - c. Present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the complaint.
 - d. Federal and state law requires complaints be filed within 180 calendar days of the alleged incident.
2. Upon receipt of the complaint, the Title VI Coordinator and legal counsel will determine its jurisdiction, acceptability, need for additional information, as well as assign the complaint to an EEO specialist to investigate the merit of the complaint.
3. The Complainant will be provided with a written acknowledgement that HART has either accepted or rejected the complaint.
4. A complaint must meet the following criteria for acceptance:
 - a. The Complaint must be filed within 180 days of the alleged occurrence.
 - b. The allegation must involve a covered basis such as race, color or national origin.
 - c. The allegation must involve a HART service of a Federal-aid recipient, sub-recipient or contractor.

5. A complaint may be dismissed for the following reasons:
 - a. The Complainant requests the withdrawal of the complaint.
 - b. The Complainant fails to respond to repeated requests for additional information needed to process the complaint.
 - c. The Complainant cannot be located after reasonable attempts.
6. Once the Title VI Coordinator and legal counsel decide to accept the complaint for investigation, the Complainant will be notified in writing of such determination. The complaint will receive a case number and will then be logged in a database identifying: Complainant's name, basis, alleged harm, race, color and national origin of the Complainant.
7. In cases where the Title VI Coordinator and legal counsel assumes the investigation of the complaint, within 90 calendar days of the acceptance of the complaint, the Title VI Coordinator will prepare an investigative report for review by the HART Superintendent. The report shall include a narrative description of the incident, identification of persons interviewed, findings and recommendations for disposition.
8. The investigative report and its finding will be reviewed by the Title VI Coordinator, HART Superintendent and The City of Henderson's legal counsel. The report will be modified as needed.
9. The HART Superintendent, Title VI Coordinator and legal counsel will make a determination on the disposition of the complaint. Dispositions will be stated as follows:
 - a. In the event HART is in non-compliance with Title VI regulations remedial actions will be listed.
10. Notice of the HART Superintendent and Title VI Coordinator's determination will be mailed to the Complainant. Notice shall include information regarding appeal rights of Complainant and instructions for initiating such an appeal. Notice of appeals are as follows:
 - a. HART will reconsider this determination, if new facts, come to light.
 - b. If Complainant is dissatisfied with the determination and/or resolution set forth by HART, the same complaint may be submitted to the FTA for investigation. Complainant will be advised to contact the Federal Transit Administration, Office of Civil Rights, Attention: Complaint Team, East Building, 5th Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590, telephone: 888-446-4511.
11. A copy of the complaint and HART's investigation report/letter of finding and Final Remedial Action Plan, if appropriate will be issued to FTA within 120 days of the receipt of the complaint.
12. A summary of the complaint and its resolution will be included as part of the Title VI updates to the FTA.

RECORDKEEPING REQUIREMENT

The HART Superintendent, Title VI Coordinator and legal counsel will ensure that all records relating to HART's Title VI Complaint Process are maintained with department records.

Records will be available for compliance review audits.

TÍTULO VI PROCEDIMIENTOS DE RECLAMACIÓN

Esta sección describe los procedimientos de queja del Título VI relacionados con la provisión de programas, servicios y beneficios. Sin embargo, no le niega al demandante el derecho de presentar quejas formales ante las Comisiones de Relaciones Humanas de la Ciudad de Henderson, la Comisión de Igualdad de Oportunidades de Empleo y la Administración Federal de Tránsito, ni busca un abogado privado para las quejas por discriminación, intimidación o represalia de cualquier tipo que sea Prohibido por la ley.

El Título VI de la Ley de Derechos Civiles de 1964 prohíbe la discriminación por motivos de raza, color u origen nacional en los programas que reciben asistencia financiera federal.

GENERAL

Cualquier persona que crea que él o ella, individualmente o como miembro de una clase específica de personas, ha sido objeto de discriminación por motivos de raza, color u origen nacional, como se indica a continuación, puede presentar una queja por escrito ante la Ciudad de Henderson Área de tránsito rápido, 222 First Street, Henderson, KY 42420. Los denunciantes tienen derecho a presentar una queja directamente ante la agencia federal correspondiente. Se hará todo lo posible para obtener una resolución temprana de las quejas. La opción de reuniones informales entre las partes afectadas y el Coordinador del Título VI se puede utilizar para las resoluciones. El Coordinador del Título VI y el asesor legal notificarán al Superintendente HART de todas las quejas relacionadas con el Título VI, así como todas las resoluciones.

PROCEDIMIENTO

1. La queja debe cumplir los siguientes requisitos:
 - a. La queja deberá ser por escrito y firmada por el demandante (s). En los casos en que el demandante no puede o no puede proporcionar una declaración por escrito, se puede presentar una queja verbal. El Coordinador del Título VI entrevistará al Demandante y ayudará a la persona a convertir las quejas verbales en escritas. Sin embargo, todas las quejas deben ser firmadas por el demandante o su representante.
 - b. Incluya la fecha del supuesto acto de discriminación, fecha en que los reclamantes se dan cuenta del presunto acto de discriminación; o la fecha en que se suspendió esa conducta o la última instancia de conducta.
 - c. Presente una descripción detallada de los problemas, incluidos los nombres y los títulos de trabajo de las personas percibidas como partes en la queja.
 - d. Las leyes federales y estatales requieren que las quejas se presenten dentro de los 180 días calendario posteriores al supuesto incidente.
2. Al recibir la queja, el Coordinador del Título VI y el asesor legal determinarán su jurisdicción, aceptabilidad, necesidad de información adicional, y asignarán la queja a un especialista de EEO para investigar el mérito de la queja.
3. El reclamante recibirá un reconocimiento por escrito de que HART ha aceptado o rechazado la queja.
4. Una queja debe cumplir con los siguientes criterios de aceptación:
 - a. La queja debe presentarse dentro de los 180 días posteriores a la supuesta ocurrencia.
 - b. El alegato debe incluir una base cubierta como raza, color u origen nacional.

- c. El alegato debe involucrar un servicio HART de un receptor, sub-receptor o contratista de ayuda federal.
- 5. Una queja puede ser desestimada por las siguientes razones:
 - a. El demandante solicita la retirada de la denuncia.
 - b. El demandante no responde a las reiteradas solicitudes de información adicional necesaria para procesar la queja.
 - c. El demandante no puede ser localizado después de intentos razonables.
- 6. Una vez que el Coordinador del Título VI y el asesor legal decidan aceptar la queja para la investigación, el Demandante será notificado por escrito de dicha determinación. La queja recibirá un número de caso y luego se registrará en una base de datos que identifica: nombre del reclamante, base, presunto daño, raza, color y origen nacional del demandante.
- 7. En los casos en que el Coordinador del Título VI y el asesor legal asuman la investigación de la queja, dentro de los 90 días calendario posteriores a la aceptación de la queja, el Coordinador del Título VI preparará un informe de investigación para su revisión por el Superintendente de HART. El informe incluirá una descripción narrativa del incidente, identificación de las personas entrevistadas, hallazgos y recomendaciones para la disposición.
- 8. El informe de investigación y sus hallazgos serán revisados por el Coordinador del Título VI, el Superintendente de HART y el asesor legal de la Ciudad de Henderson. El informe se modificará según sea necesario.
- 9. El Superintendente de HART, el Coordinador del Título VI y el asesor legal tomarán una decisión sobre la disposición de la queja. Las disposiciones se indicarán de la siguiente manera:
 - a. En el caso de que HART no cumpla con las regulaciones del Título VI, se enumerarán las acciones correctivas.
- 10. La notificación de la determinación del Superintendente HART y del Coordinador del Título VI se enviará por correo al Reclamante. El aviso incluirá información sobre los derechos de apelación del Reclamante e instrucciones para iniciar dicha apelación. El aviso de apelación es el siguiente:
 - a. HART reconsiderará esta determinación, si surgen nuevos hechos.
 - b. Si el demandante no está satisfecho con la determinación y / o resolución establecida por HART, la misma queja puede presentarse al FTA para su investigación. Se recomendará al demandante que se comuniquen con la Federal Transit Administration, Office of Civil Rights, Attention: Complaint Team, East Building, 5th Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590, teléfono: 888-446-4511.
- 11. Una copia de la queja y el informe de investigación de HART / carta de hallazgo y el Plan de acción correctiva final, si corresponde, se emitirá al FTA dentro de los 120 días posteriores a la recepción de la queja.
- 12. Se incluirá un resumen de la queja y su resolución como parte de las actualizaciones del Título VI la FTA.

REQUISITO DE MANTENIMIENTO DE GRABACIÓN

El Superintendente de HART, el Coordinador de Título VI y el asesor legal se asegurarán de que todos los registros relacionados con el Proceso de Quejas de Título VI de HART se mantengan con los registros del departamento.



TITLE VI COMPLAINT FORM

The Henderson Area Rapid Transit (HART)

HART is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color or national origin, as provided by Title VI of the Civil Rights Act of 1964, as amended. Title VI complaints must be filed within 180 days from the date of the alleged discrimination.

The following information is necessary to assist us in processing your complaint. If you require any assistance in completing this form, please contact the Title VI Coordinator by calling (270) 831-1200 ext. 2204. The completed form must be returned to City of Henderson Human Resources, Title VI Coordinator, 222 First Street, Henderson, KY 42420.

Your Name:	Phone:
Street Address:	Alt Phone:
	City, State & Zip Code:
Person(s) discriminated against (if someone other than complainant):	
Names(s):	
Street Address, City, State & Zip Code:	

Which of the following best describes the reason for the alleged discrimination took place? (Check One)

- ☐ Race
☐ Color
☐ National Origin (Limited English Proficiency)

Date of Alleged Incident: _____

Please describe the alleged discrimination incident. Provide the names and title of all HART employees involved if available. Explain what happened and whom you believe was responsible. Please use the back of this form if additional space is required.

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

If so, list agency/agencies and contact information below:

Agency:	Contact Name:
Street Address, City State & Zip:	Phone:
Agency:	Contact Name:
Street Address, City, State & Zip:	Phone:

Complainant's Signature _____ Date _____

Print or Type Name of Complainant _____

Date Received:	Received By:
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TÍTULO VI FORMULARIO DE RECLAMACIÓN

The Henderson Area Rapid Transit (HART)

HART se compromete a garantizar que ninguna persona sea excluida de participar o se le nieguen los beneficios de sus servicios por motivos de raza, color u origen nacional, según lo dispuesto en el Título VI de la Ley de Derechos Civiles de 1964, según enmendada. Las quejas del Título VI deben presentarse

dentro de los 180 días a partir de la fecha de la supuesta discriminación.

La siguiente información es necesaria para ayudarnos a procesar su queja. Si necesita ayuda para completar este formulario, comuníquese con el Coordinador del Título VI llamando al (270) 831-1200 ext. 2204. El formulario completado debe ser devuelto a Recursos Humanos de la Ciudad de Henderson, Coordinador del Título VI, 222 First Street, Henderson, KY 42420.

Tu nombre:	Teléfono:
Dirección:	Teléfono alternativo:
	Ciudad (*): Estado (*): Código postal:
Persona (s) discriminada (si alguien que no sea el demandante):	
Nombre (s):	
Ciudad (*): Estado (*): Código postal:	

¿Cuál de las siguientes opciones describe mejor el motivo de la supuesta discriminación? (Marque uno)

- ☐ Carrera
- ☐ Color
- ☐ Origen nacional (dominio limitado del inglés)

Fecha del supuesto incidente: _____

Describa el supuesto incidente de discriminación. Proporcione los nombres y títulos de todos los empleados de HART involucrados, si están disponibles. Explica qué sucedió y de quién crees que fue responsable. Envíenos el reverso de este formulario si necesita espacio adicional.

TÍTULO VI FORMULARIO DE RECLAMACIÓN

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

¿Ha presentado una queja ante otras agencias federales, estatales o locales? ☐ Yes ☐ No
Si es así, enumere la agencia / agencias y la información de contacto a continuación:

Agencia:	Nombre de contacto:
Ciudad (*): Estado (*): Código postal:	Teléfono:
Agencia:	Nombre de contacto:
Ciudad (*): Estado (*): Código postal:	Teléfono:

Afirmo que he leído el cargo anterior y que es fiel a mi leal saber y entender.

Firma del demandante

Fecha

Escriba o escriba el nombre del demandante

Date Received:	Received By:
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RECORD OF TITLE VI COMPLAINTS, INVESTIGATIONS AND LAWSUITS

There are no current lawsuits or complaints alleging discrimination on the basis of race, color, or national origin filed against Henderson Area Rapid Transit (HART).

There have not been any lawsuits or complaints alleging discrimination on the basis of race, color, or national origin filed against the Henderson Area Rapid Transit (HART) within the past five years.

Henderson Area Rapid Transit (HART) Title VI Complaints, Investigations and Lawsuits Log

	Date (Month, Day, Year)	Summary (include basis: race, color, national origin)	Status	Action(s) Taken
Complaints				
Investigations				
Lawsuits				

STAFF TRAINING

It is the goal of HART to have one staff member each year attend a Title VI webinar or in person training hosted by the Kentucky Transportation Cabinet (KYTC), Federal Transit Administration (FTA), Evansville MPO, or other online resources.

HART staff attend the Passenger Assistance Safety and Sensitivity (PASS) training and receive certification within 6 months of hire and recertify annually. PASS training is hosted by the Community Transportation Association of America (CTAA). HART's Superintendent and/or Title VI/ADA Coordinator will follow up with any additional/specific information for staff regarding Title VI regulations and implementation. The Title VI/LEP Plan is also made available for staff to review at the HART administration office.

SUB-RECIPIENT REVIEW

The only sub-recipient for HART is the Evansville MPO. HART provides Section 5307 funds to the MPO for Planning Assistance. HART and the MPO work closely when completing and updating Title VI Plans and Title VI Procedures.

NON-ELECTED COMMITTEES AND COUNCILS

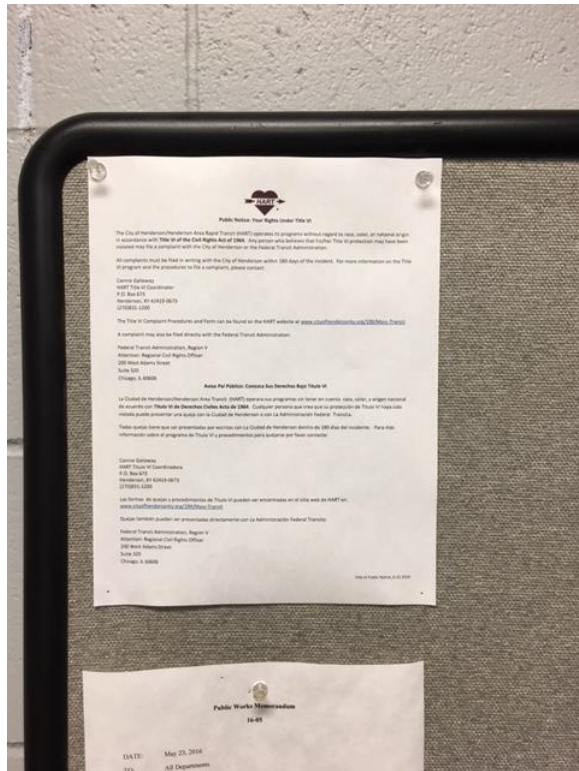
HART does not have a non-elected committee or council.

EQUITY ANALYSIS

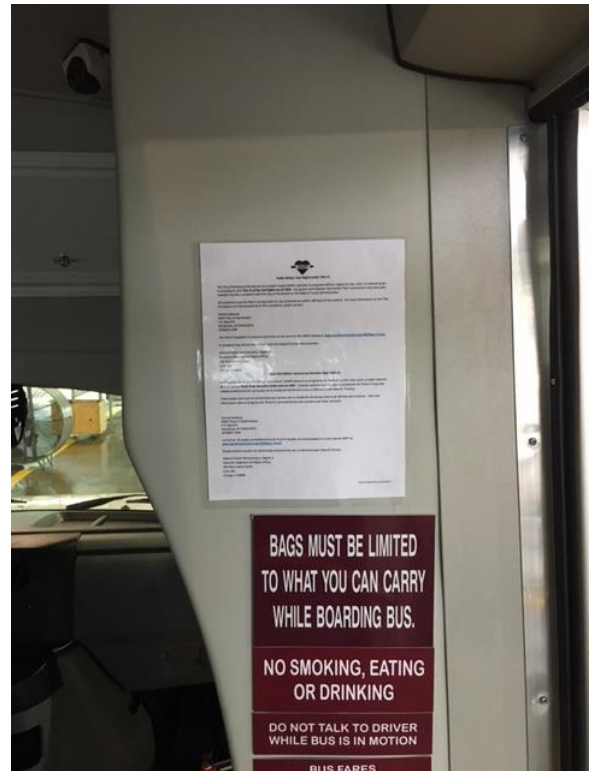
HART has not constructed a facility in the last three years.

DISSEMINATION OF TITLE VI INFORMATION

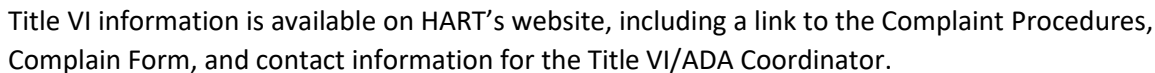
HART's Title VI information is displayed in a variety of locations, including the HART administration office, on buses, and on the City's website.



HART's Title VI Notice is displayed in both English and Spanish in the HART Office on a bulletin board at the Front Desk.



HART's Title VI Notice is also displayed in both English and Spanish on each of HART's fixed route and paratransit buses.



HART's Title VI/LEP Plan is available for viewing at the following locations:

Henderson Administration Building

222 First Street
Henderson, Kentucky

Henderson Area Rapid Transit

401 Elm Street
Henderson, Kentucky

In addition to the above locations, the Title VI Program can be viewed at the City of Henderson, Kentucky website at www.hendersonky.gov. Click on Mass Transit under Departments.

HART SYSTEM WIDE SERVICE STANDARDS

HART has adopted quantitative system-wide service standards necessary to guard against discriminatory service design or operations decisions.

- Vehicle load is the ratio of passengers per vehicle or the ratio of passengers to the number of seats on a vehicle during a vehicle's maximum load point. Vehicle load is generally measured at peak and off-peak times.
 - The vehicle load or load standard should be a maximum average load factor of 1.2 during the weekday peak period, and 1.0 for all other times
- Vehicle headway is the time interval between two vehicles traveling in the same direction on the same route. Vehicle headway is generally expressed for peak and off-peak service as an increment of time
 - Frequency of service or vehicle headway should be 60 minutes
- On-time performance is a measure of runs completed as scheduled. This criterion first must define what is considered to be "on time"
 - Buses are considered late if they depart a point more than 5 minutes late
 - HART's on time performance goal is 90%
- Service availability is a general measure of the distribution of routes within an agency's service area.
 - HART will attempt to serve to the extent possible, all major employers, hospitals, schools and public housing development within Henderson
 - The spacing of bus stops will vary by location, but generally, they should be located every 0.2 miles
 - Service levels such as the hours of operation and frequency of service will be based on demand
 - Routes should be designed to be consistent with consumer needs and desires but also meet acceptable travel times
 - Layover time will be kept to a minimum

HART SYSTEM WIDE SERVICE POLICIES

HART has adopted system-wide service policies for its services necessary to guard against service design and operation policies that have disparate impacts and to achieve equity for all its transit customers.

- Transit amenities refer to items of comfort and convenience available to the general riding public. Examples of amenities are, benches, shelters, maps, ITS, etc. Policies or standards in these areas address how these amenities are distributed within a transit system.
 - There are 8 bus shelter locations
 - Bus stops with more than 25 passengers boarding on a daily basis should have a bus shelter or bench.
 - Route maps will be handed out upon request
 - Identification signs will display the route the bus is traveling
- Vehicle assignment refers to the process by which transit vehicles are placed into service in depots and routes throughout the recipient's system
 - Buses are randomly assigned to routes. Buses are similar and provide similar accommodations and amenities
- Transit security refers to measures taken to protect a recipient's employees and the public against any intentional act or threat of violence or personal harm, either from a criminal or terrorist act
 - HART has installed security fence around the HART garage and administrative offices
 - All buses have security cameras

LIMITED ENGLISH PROFICIENCY (LEP) PLAN AND FOUR FACTOR ANALYSES

INTRODUCTION

As a department of the City of Henderson, Kentucky, Henderson Area Rapid Transit (HART) provides affordable, convenient, reliable and safe public transportation to all citizens of Henderson. HART operates 5 fixed routes and 1 college shuttle. In addition, HART operates a paratransit service for the elderly and persons with disabilities through the Demand Response Program.

HART provides public transportation to all people who wish to utilize its services regardless of race, color or national origin.

Demonstrating that HART is committed to making reasonable efforts to provide Limited English Proficient (LEP) individuals meaningful access to all of HART's services, HART has conducted this Four Factor Analysis and created a Limited English Proficiency (LEP) Plan.

HART agrees to facilitate compliance with the policies of Executive Order No. 13166, "Improving Access to Services for Persons with Limited English Proficiency," 42 U.S.C. 2000d-1 note, and follow applicable provisions of U.S. DOT Notice, "DOT Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficiency (LEP) Persons," 70 Fed. Reg. 74087, December 14, 2005 and FTA Circular 4702.1B dated October 1, 2012 except to the extent that FTA determines otherwise in writing.

DEFINITION OF LIMITED ENGLISH PROFICIENCY

FTA Circular 4702.1B (dated October 1, 2012) defines LEP as, "Persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all."

MEANINGFUL ACCESS TO HART'S SERVICES

HART will take reasonable steps to provide LEP individuals with meaningful access to any and all benefits, services, and information that HART's public transportation services offer.

FOUR FACTOR ANALYSES AND LEP PLAN

This document contains a "Limited English Proficiency (LEP) Four Factor Analyses" and a "Limited English Proficiency (LEP) Implementation Plan". The information presented is utilized to determine the reasonable actions needed to provide meaningful access to those individuals that are LEP and live in the City of Henderson.

HART's LEP Four Factor Analysis follows:

Factor One - The number or proportion of Limited English Proficient persons eligible to be served or likely to be encountered

According to the 2013-2017 American Community Survey, there are approximately 27,030 people over the age of 5 living within the City of Henderson. Of those, approximately 332 people, or 1.2%, speak English “less than very well”. These would be considered Limited English Proficient (LEP) individuals.

Of these 332 LEP individuals, the largest language group was Spanish speakers at 283 people (85.2% of the LEP population), followed by Indo-European languages at 29 people (8.7%), and Asian and Pacific Island languages at 20 people (6.0%). Overall, including those that speak English very well and less than very well, 648 individuals in the City of Henderson speak Spanish.

In Henderson County, the number of people over the age 5 of who speak English “less than very well” is 447 or 1.0% of the population. Of these 447 LEP individuals in the County, the largest language group was Spanish speakers at 398 people (89% of the LEP population), followed by Indo-European languages at 29 people (6.5%), and Asian and Pacific Island languages at 20 people (4.5%). Overall, including those that speak English very well and less than very well, 885 individuals in Henderson County speak Spanish.

Factor Two - The frequency with which LEP persons using a particular language come into contact with HART

HART staff, who both live and work in Henderson have intimate knowledge of the people that utilize their services. Discussions with drivers and administrative staff found that there have been no instances of LEP individuals asking about HART services and no LEP individuals requesting assistance whether in general or specifically about the logistics or services of any bus route or transit service.

Factor Three - The nature and importance of HART’s services

According to the 2013-2017 American Community Survey, approximately 1,489 or 12.2% of all households in the City of Henderson have no personal vehicle. Community organizations that work with the LEP community state that, for those LEP individuals who do not have access to private transportation, HART’s fixed route and paratransit services are very important services to access jobs, healthcare and education.

Denial or delay of transportation services has implications to the health and well-being of the LEP community, as it affects employment status, educational opportunities, health care and many other vital tasks. The transportation services provided by HART are vital to the residents of Henderson of which LEP individuals are a part. In recognition of these facts, HART has determined that its fixed route and paratransit services are important to the overall well-being and quality of life of the LEP community.

Factor Four - HART’s resources and the cost of providing meaningful access to LEP persons.

Henderson’s financial resources are limited; however, it does recognize that providing public transportation access and benefits to all is essential and there is a cost involved on doing so. In light of that, HART has assessed its resources available to it, against the needs of the LEP community in the City of Henderson. Assessment factors include the costs of a professional interpreter, translation services, determining which documents should be translated, and how many copies would be needed. An

interpreter would charge approximately \$30 to \$50 an hour. Using an estimate of 10 hours of interpretive services annually would yield an annual cost of approximately \$300 to \$500. HART understands the importance of translating documents to Spanish and is doing what it can to translate vital documents. HART's Fixed Route Ride Guide, the Paratransit Ride Guide, the Title VI Complaint Procedures and Form, the ADA Complaint Procedures and Form, and the Reasonable Accommodations Request form are all currently available in Spanish. HART will determine other documents that need to be translated based on requests or changes in regulations.

IMPLEMENTING HART'S LIMITED ENGLISH PROFICIENCY PLAN

Identifying LEP individuals who need language assistance

Since the last Title VI Report in 2020, there continues to be neither records nor recollections by HART administrative staff or drivers of any instances when language assistance was needed or requested. However, HART is committed to being prepared for future encounters.

All HART staff have been told that there may be a segment of potential HART riders who are Limited English Proficient and Staff should be sensitive to and aware of this.

HART administrative staff and drivers are required to report any time it appears that an LEP individual inquires about HART services or uses HART services. A file with pertinent information of these LEP events such as individual's name, address, route, language, etc. will be kept in the HART office.

HART staff greets all participants at public events in order to gauge English proficiency. It is hoped that these simple greeting will lead to further contacts with these individuals.

HART will continue to reach out to organizations, including a Catholic Church that has Spanish language services and the Henderson County School System, all of which have contact with LEP individuals.

Language Assistance Measures

If a potential rider of HART, who does not speak or read English very well, were to request help in accessing HART's system, HART staff have or can quickly have language assistance measures in place to assist the individual. **Language Assistance Measures include:**

- The City of Henderson employs a bilingual (English/Spanish) employee at Henderson's Police Department. If a LEP individual calls HART with a transit service-related inquiry, that person will be transferred to the Police Department employee who will be able to interpret and provide the caller with immediate information.
- Language Identification Flashcards are available at the HART administrative office and on HART vehicles.
- The City of Henderson's Website www.hendersonky.gov has a Spanish translator component.
- The HART Title VI Policy and LEP Plan are posted at the HART administrative office and on HART vehicles and the HART website.
- Copies of the current Ride Guide and Paratransit Guide are available in English and Spanish and made available at HART's administrative office.

Elements of HART Staff Training

HART staff attend the Passenger Assistance Safety and Sensitivity (PASS) training and receive certification within 6 months of hire and recertify annually. PASS training is hosted by the Community Transportation Association of America (CTAA). HART's Superintendent and/or Title VI/ADA Coordinator will follow up with any additional/specific information that staff should be aware of, including:

- A summary of staff responsibilities regarding the LEP Plan and LEP individuals.
- The proper use of the Language Identification Flashcards.
- Proper methods in which to handle an LEP complaint.

Outreach and providing notice to LEP Persons

HART attempts to reach, educate and provide notice to LEP persons regarding its services. This effort requires a vigorous and proactive plan since the LEP community is relatively small in Henderson. The more far-reaching strategy involves a more concentrated effort by HART staff and an improved public outreach emphasis to effectively reach this LEP group. HART is committed to improving our outreach plan and has set out these specific steps to achieve improvements. HART follows these steps which may lead to improved outreach strategy and improved public outreach outcomes:

HART has identified two organizations within the community that have contact with LEP individuals. These include Holy Name of Jesus Catholic Church and Henderson County School System. HART contacts these organizations to disseminate information in Spanish when necessary. Their contact information is below.

Holy Name of Jesus Christ Catholic Church

Mr. Abraham Brown, Director of Hispanic Ministries

Phone: 270-826-2096

Email: abrown@holynameparish.net

Ms. Kay Villines, Office Manager

Phone: 270-826-2096

Email: kvillines@holynameparish.net

Henderson County School System

Ms. Meagan Joyner, LEP Outreach & Teacher

Phone: 270-831-8800 ext. 24111

Email: Meagan.joyner@henderson.kyschools.us

The City of Henderson holds an annual "Try Transit Day" where residents can ride the HART system for free, get refreshments at the HART garage, and meet HART staff and drivers. It encourages citizens to try public transportation. A survey is distributed during the event in both English and Spanish to gain perspectives from both normal riders and infrequent or first time riders. HART also provides surveys to the three organizations listed above. Questions include:

- What HART services are critical?
- How often is bus service utilized?
- What information would be beneficial in the native language?
- What can HART improve upon when conducting public outreach?

There is an annual celebration of Dia de los Muertos (Day of the Dead) at Henderson's Central Park in which HART participates. A survey and information are distributed to celebration attendees to raise awareness of HART's services and encourage citizens to try public transportation. The survey is distributed to gain perspectives from normal riders, infrequent riders and potential riders. The Dia de los Muertos celebration is usually well attended by the community.

With the help of our community partners in the LEP community, the surveys will serve as a tool with which to gauge HART's current transportation services. HART will use the results of the surveys and the discussions with LEP representatives to, when feasible, improve its transportation related services to the LEP community.

MONITORING AND UPDATING THE LEP PLAN

The LEP Plan and the Four Factor Analysis will be reviewed and if needed, updated annually. However, at a minimum it will be updated every three years as required. **The review and update will include analyzing the following:**

- The number of LEP contacts occurring annually.
- How LEP needs are addressed.
- The overall effectiveness of the LEP Plan and modifications needed to improve it.
- Determining if there are significant changes to the LEP population.

CONCLUSION

HART has conducted the Four Factor Analysis and has implemented an LEP Plan to address the identified needs of the LEP population. Despite the comparatively small number of LEP individuals in the City of Henderson, HART continues to make reasonable efforts to provide meaningful access to its transportation services. We believe that a good balance has been struck between providing meaningful access to services while not imposing unreasonable burdens on the system.

HENDERSON AREA RAPID TRANSIT (HART) PUBLIC PARTICIPATION PLAN

Henderson Area Rapid Transit's (HART) Public Participation Plan establishes continuing procedures that allow for, encourage and monitor meaningful public participation for residents in the HART service area including but not limited to, low-income, minority and Limited English Proficiency (LEP) individuals. HART will continue to provide opportunities and access for historically under-served populations (low income, minority and LEP) to meaningfully participate in Henderson's public transportation system. This Public Participation Plan is available to the public at the HART Administrative Office located at 401 N. Elm Street and on the Mass Transit page of the City of Henderson website.

Henderson Area Rapid transit serves the City of Henderson, Kentucky by providing affordable and reliable fixed-route and demand response transportation services to the citizens of Henderson. HART had an annual ridership in 2018 of 121,993.

GOAL

The goal of HART's Public Participation Plan is to provide access and opportunities for continuous, meaningful and real participation in public transportation for all citizens in the HART service area.

OBJECTIVES

A participation plan has two major functions. First, it must inform and educate the public. Second, it must provide mechanisms and opportunities for real and meaningful public interaction with the public agency.

The objectives of the HART Public Participation Plan are:

- To proactively engage the public in the public transportation decision-making process
- To hold meetings in convenient and accessible locations for all population segments
- To allow for an improved flow of information and input from the public
- To provide traditional and alternative notifications of meetings that are inclusive of all population segments in the HART service area
- To use any techniques (charts, maps, photos) that may help to convey pertinent information to the general public
- To address and mitigate any cultural barriers that may impede successful public participation

MINORITY AND HISPANIC POPULATION

According to the 2013-2017 American Community Survey, the total population of the City of Henderson, Kentucky is 28,859. Of that population, 24,143 (83.7%) are White, 3,027 (10.5%) are Black or African American, 70 (0.2%) are American Indian or Alaska Native, 153 (0.5%) are Asian, 409 (1.4%) are some other race, and 1,057 (3.7%) are two or more races. The total minority population is 4,716 people which is 16.3% of the total population.

According to the 2013-2017 American Community Survey, the city has a Hispanic/Latino population of 804 people or 2.8%. As defined by the U.S. Census, Hispanic or Latino refers to a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

In general, the census tracts that have a higher than average percentage of minority and Hispanic populations are the tracts that HART serves. There are six Census Tracts in Henderson County that have a higher percentage of minorities than the county as a whole (11.6%). There are six Census Tracts in the county that have a higher percentage of Hispanic population than the county as a whole (2.4%). See Table 1 for a breakdown of population by race. Shaded cells show the Census Tracts with a minority percentage higher than the county. Table 2 shows the Hispanic/Latino population by Census Tract. Shaded cells show the Census Tracts with a Hispanic percentage higher than county. Figures 1 and 2 show the location of Census Tracts.

Table 1. Population by Race for the Henderson County Census Tracts

Census Tract	Total Population	White	Black or African American	American Indian or Alaska Native	Asian	Other	Two or more Races	Total Minority	% Minority
201	1,531	1,192	290	-	-	-	49	339	22.1%
202	1,722	1,328	242	10	-	7	135	394	22.9%
203	1,957	1,408	445	32	17	6	49	549	28.1%
204	2,554	1,879	616	-	-	15	44	675	26.4%
205	2,597	2,264	178	8	25	-	122	333	12.8%
206.01	6,399	5,891	176	-	65	132	135	508	7.9%
206.02	4,983	4,168	438	20	-	41	316	815	16.4%
207.01	5,295	4,828	184	-	46	208	29	467	8.8%
207.02	6,932	6,635	146	-	11	-	140	297	4.3%
208	4,928	4,573	234	-	13	9	99	355	7.2%
209	7,354	6,741	390	-	3	33	187	613	8.3%
City of Henderson	28,859	24,143	3,027	70	153	409	1,057	4,716	16.3%
Henderson County	46,252	40,907	3,339	70	180	451	1,305	5,345	11.6%

Note: There is no Native Hawaiian or Pacific Islander population in the county, so they are not included in the table.

Table 2. Hispanic/Latino Population for the Henderson County Census Tracts

Census Tract	Total Population	Not Hispanic/Latino	Hispanic/Latino	% Hispanic/Latino
201	1,531	1,531	-	0.0%
202	1,722	1,584	138	8.0%
203	1,957	1,824	133	6.8%
204	2,554	2,458	96	3.8%
205	2,597	2,556	41	1.6%
206.01	6,399	6,150	249	3.9%
206.02	4,983	4,925	58	1.2%
207.01	5,295	5,157	138	2.6%
207.02	6,932	6,932	-	0.0%
208	4,928	4,780	148	3.0%
209	7,354	7,263	91	1.2%
City of Henderson	28,859	28,055	804	2.8%
Henderson County	46,252	45,160	1,092	2.4%

ENVIRONMENTAL JUSTICE

It is the mission of HART to consider Environmental Justice (EJ) populations by identifying and addressing, when needed, disproportionately high and adverse effects of its programs, policies and activities on minority populations and/or low-income populations. The following are HARTS' Environmental Justice goals:

- 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.

LIMITED ENGLISH PROFICIENCY

According to the 2013-2017 American Community Survey, there are approximately 27,030 people over the age of 5 living within the City of Henderson. Of those, approximately 332 people, or 1.2%, speak English “less than very well”. These would be considered Limited English Proficient (LEP) individuals.

Of these 332 LEP individuals, the largest language group was Spanish speakers at 283 people (85.2% of the LEP population), followed by Indo-European languages at 29 people (8.7%), and Asian and Pacific Island languages at 20 people (6.0%). Overall, including those that speak English very well and less than very well, 648 individuals in the City of Henderson speak Spanish.

In Henderson County, the number of people over the age 5 of who speak English “less than very well” is 447 or 1.0% of the population. Of these 447 LEP individuals in the County, the largest language group was Spanish speakers at 398 people (89% of the LEP population), followed by Indo-European languages at 29 people (6.5%), and Asian and Pacific Island languages at 20 people (4.5%). Overall, including those that speak English very well and less than very well, 885 individuals in Henderson County speak Spanish.

See Table 3 for a breakdown of population by ability to speak English. Shaded cells show the Census Tracts with a higher percentage of individuals that speak English less than very well than the county. Figures 1 and 2 show the location of Census Tracts.

Additional information on outreach methods and language assistance to persons with Limited English Proficiency (LEP) is contained in the HART Limited English Proficient (LEP) Plan, within the Title VI Plan.

Table 3. Population by Ability to Speak English for the Henderson County Census Tracts

Census Tract	Population 5+	Speak English Only or Very Well	Speak English Less Than Very Well	% Speak English Less Than Very Well	Speak English Less Than Very Well		
					Spanish	Indo-European	Asian/Pacific Islander
201	1,476	1,476	0	0.0%	0	0	0
202	1,667	1,636	31	1.9%	31	0	0
203	1,785	1,714	71	4.0%	68	0	3
204	2,307	2,262	45	2.0%	45	0	0
205	2,345	2,345	0	0.0%	0	0	0
206.01	6,091	5,983	108	1.8%	91	0	17
206.02	4,754	4,704	50	1.1%	21	29	0
207.01	4,888	4,861	27	0.6%	27	0	0
207.02	6,631	6,631	0	0.0%	0	0	0
208	4,570	4,455	115	2.5%	115	0	0
209	6,865	6,865	0	0.0%	0	0	0
City of Henderson	27,030	26,698	332	1.2%	283	29	20
Henderson County	43,379	42,932	447	1.0%	398	29	20

POVERTY

According to the 2013-2017 American Community Survey, there are an estimated 8,719 individuals (19.3%) in the City of Henderson who live below the poverty level. The Census Tracts with the highest percentage of individuals below poverty are the tracts that HART serves. See Table 4 for the poverty status of individuals by Census Tract. Shaded cells show the Census Tracts that have a higher poverty rate than the county. Figures 1 and 2 show the location of Census Tracts.

Table 4. Poverty Status by Census Tract for Henderson County

Census Tract	Population for whom Poverty Status is Determined	Below Poverty	% Below Poverty
201	1,504	473	31.4%
202	1,722	655	38.0%
203	1,957	686	35.1%
204	2,554	852	33.4%
205	2,597	809	31.2%
206.01	6,093	673	11.0%
206.02	4,326	1,063	24.6%
207.01	5,295	970	18.3%
207.02	6,932	662	9.5%
208	4,928	833	16.9%
209	7,348	1,043	14.2%
City of Henderson	27,869	6,527	23.42%
Henderson County	45,256	8,719	19.3%

Figure 1. Henderson County Census Tracts

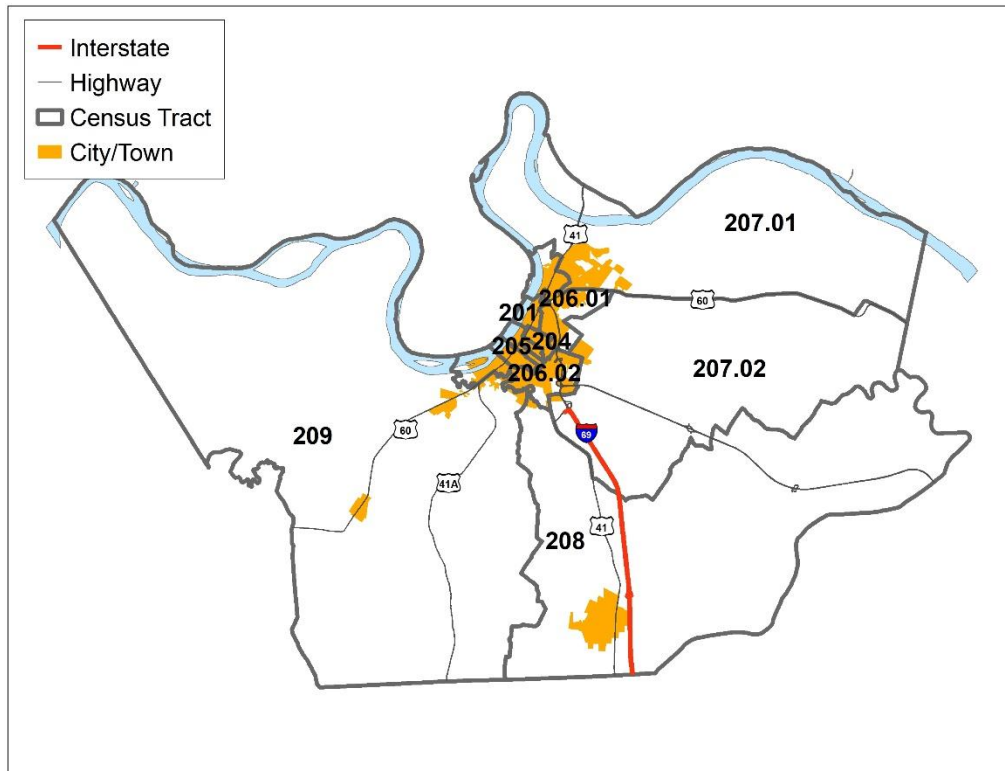
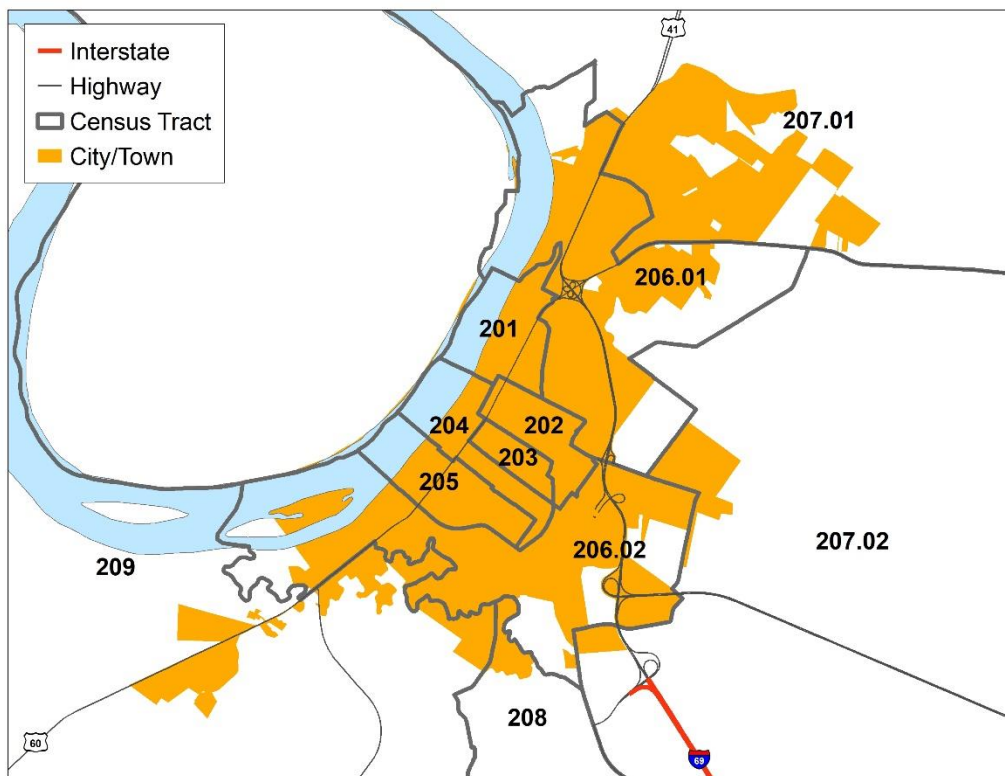


Figure 2. City of Henderson Census Tracts



SUMMARY OF OUTREACH EFFORTS

Henderson Area Rapid Transit takes its responsibility seriously to make every effort to provide public outreach to the citizens of Henderson, Kentucky. The City holds an annual "Try Transit Day" where residents can ride the HART system for free, get refreshments at the HART garage, and meet HART staff and drivers. It encourages citizens to try public transportation. A survey is distributed to some attendees to gain perspectives from both normal riders and infrequent or first time riders. Try Transit Day is usually well attended by existing and potential riders.

There is an annual celebration of Dia de los Muertos (Day of the Dead) at Henderson's Central Park in which HART participates. A survey and information are distributed to celebration attendees to raise awareness of HART's services and encourage citizens to try public transportation. The survey is distributed to gain perspectives from normal riders, infrequent riders and potential riders. The Dia de los Muertos celebration is usually well attended by the community.

HART makes available and distributes to the public and local organizations a HART Ride Guide. This guide contains all the information one would need to be able to ride the bus. The Ride Guide shows all routes on a large colorful map, the times, destinations and costs. It features this information in an attractive, double-sided, and easy to use brochure. Similarly, the HART Paratransit Guide contains information about requesting on-demand trips. There are many requests for these guides by phone and face to face.

HART staff attended meetings and met with community organizations to inform them of the services HART offers. Also, HART receives requests for public transportation information from the public by phone or walk-ins at the administrative office.

PROACTIVE STRATEGY

The following factors will guide HART in creating an appropriate public participation strategy and determining which methods should be employed in relation to transportation decisions such as major service changes, fare changes and construction projects. They are:

- The project's level of impact to residents and riders
- The physical area or scale of a project
- The cost to riders and taxpayers

CONVENTIONAL ACCESS AND OUTREACH METHODS

Some of the conventional techniques that are utilized to engage the general population are:

- Posting flyers in the community and on public transportation vehicles
- Postings on the City of Henderson website
- Holding public meetings
- Publishing notices of meetings in the local newspaper and other print media if available
- Offering reasonable public comment opportunities
- Following the HART LEP Plan

ENHANCED ACCESS AND OUTREACH METHODS

If projects are considered to be a “Major Impact”, additional and enhanced access and outreach methods will be employed. Additional and enhanced efforts in outreach may be implemented to provide increased notification and access for “Major Impact” projects and to targeted segments of the population who may be more difficult to reach. HART will conduct reasonable efforts to focus its public participation outreach to minorities, low income and LEP populations and for significant projects that may impact them.

These additional efforts at increasing public participation may include:

- Geographically and group-based focused outreach to targeted populations
- Dissemination of significant public transportation information through direct mailings
- Small focus groups sessions to gauge attitudes of public transportation services
- Outreach to community organizations, advocacy groups, schools and neighborhood associations
- Meeting notifications to local media, including minority publications if available
- Surveys/questionnaires disseminated city-wide to determine public transportation attitudes
- Featured articles in written media, stories on the radio, and news items in the newspaper and on the internet
- Posting of informational fliers in all HART vehicles
- Coordination with human services organizations
- Transit Open Houses to encourage public awareness and interaction

HENDERSON AREA RAPID TRANSIT FARE INCREASE AND MAJOR SERVICE REDUCTION PUBLIC COMMENT PROCESS

In the event of a fare increase or major service reduction, HART will provide the opportunity for public comment. A public notice summarizing the fare increase or major service reduction will be placed in the local newspaper and posted on all buses and at the downtown terminal. Anyone who wishes to make a public comment regarding the change(s) may do so in writing to the HART garage (P.O. Box 716, Henderson, KY 42419-0716) or in person at a public hearing. The public notices will provide details about the comment period and public hearing location and time. The public comment period will be for a minimum of 30 days.

Any public comments received during the comment period will be reviewed by HART staff. These comments, along with the Service and Fare Equity Analysis will help determine the overall impact to existing and potential riders. After the review of public comment, HART will determine if mitigation or an alternative is necessary or if the proposed change will be withdrawn. The final determination will be posted on HART’s website for a minimum of 30 days.