

Resolution No. 09-22 RESOLUTION: To approve the adoption of the Document Entitled "City of Rockville, Title VI of the Civil Rights Act of 1964, Implementation Plan

Whereas, the City has received a \$395,000.00 grant awarded by the Federal Transit Administration's (FTA) 2017 Enhanced Mobility Program Managed by Metropolitan Washington Council of Governments; and

Whereas, to receive the funds, the City is required to have a Title VI program in place to ensure nondiscrimination on the basis of race, color or national origin in any program or activity that receives Federal funds or other Federal financial assistance; and

Whereas, the Title VI Program requirements include, but are not limited to, the designation of a Title VI manager, a database of Title VI complaints, public outreach, and annual report and review; and

Whereas, the City of Rockville has an established Title VI Program to ensure nondiscrimination and developed a Title VI Program Implementation Plan (the "Plan"), City of Rockville, Title VI of the Civil Rights Act of 1964, 2018-2021 Implementation Plan, based on a template provided by Metropolitan Washington Council of Governments that meets all the requirements;

Whereas, the Mayor and Council approved the Title VI program and the Plan per Resolution No. 3-18; and

Whereas, all sub-recipients of FTA funds are required to resubmit adoption of the program every three years for the duration of the project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE, that the Mayor and Council hereby adopts the attached document entitled "City of Rockville, Title VI of the Civil Rights Act of 1964, Implementation Plan, June 6, 2022."

* * * * *

I hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Mayor and Council at its meeting of June 6, 2022.


Sara Taylor-Ferrell, City Clerk/Director
Of Council Operations

Title VI of the Civil Rights Act of 1964
2022-2025 Implementation Plan

CITY OF ROCKVILLE



Adopted date

June 6, 2022

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I. INTRODUCTION

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides 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 subjected to discrimination under any program or activity receiving Federal financial assistance." (42 U.S.C. Section 2000d).

The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of Federal-aid recipients, sub-recipients, and contractors whether those programs and activities are federally funded or not.

Recently, the Federal Transit Administration ("FTA") placed renewed emphasis on Title VI issues, including providing meaningful access to persons with Limited English Proficiency ("LEP").

Recipients of public transportation funding from FTA and the Metropolitan Washington Council of Governments ("COG") are required to develop policies, programs, and practices that ensure federal transit dollars are used in a manner that is nondiscriminatory as required under Title VI.

This document details how the City of Rockville incorporates nondiscrimination policies and practices in providing services to the public.

II. OVERVIEW OF SERVICES

The City of Rockville is the county seat of Montgomery County, Maryland, located along the I-270 corridor approximately 12 miles northwest of Washington, DC. Rockville's 2017 population is approximately 68,000, with employment of approximately 77,000. The City of Rockville does not maintain its own public transit system; however, Montgomery County provides the Ride On bus service, and the Washington Metropolitan Area Transit Authority (WMATA) operates MetroBus and MetroRail in the City. The City offers shuttle services for seniors through the Senior Center.

The City of Rockville is responsible for maintenance and improvement of approximately 440 bus stops, 80 passenger shelters and amenities, including litter receptacles and benches at bus stops serviced by Ride On and MetroBus. Additionally, the City of Rockville, through its Traffic and Transportation Division, plans and designs roadways, bridges, sidewalks, bike paths, traffic signals and street lights that provide direct access or support the existing transit system.

The City of Rockville hopes to utilize the FTA Enhanced Mobility Grant for providing various accessibility and amenity improvements in order to increase the comfort and customer experience of low-mobility transit riders, especially at bus stops concentrated around senior living facilities throughout the City. These improvements would significantly add to current efforts undertaken through the City's capital improvement programs.

III. POLICY STATEMENT AND AUTHORITIES

Title VI Policy Statement

The City of Rockville is committed to ensuring that no person shall, on the grounds of race, color, national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, whether those programs and activities are federally funded or not.

City of Rockville's Title VI Manager is responsible for initiating and monitoring Title VI activities, preparing required reports, and other responsibilities as required by Title 23 Code of Federal Regulations ("CFR") Part 200, and Title 49 CFR Part 21.

Robert DiSpirito, City Manager

Date

Authorities

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 (refer to 49 CFR Part 21). The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the 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.

Additional authorities and citations include: Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d); Federal Transit Laws, as amended (49 U.S.C. Chapter 53 et seq.); Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601, et seq.); Department of Justice regulation, 28 CFR part 42, Subpart F, "Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs" (December 1, 1976, unless otherwise noted); U.S. DOT regulation, 49 CFR part 21, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964" (June 18, 1970, unless otherwise noted); Joint FTA/Federal Highway Administration (FHWA) regulation, 23 CFR part 771, "Environmental Impact and Related Procedures" (August 28, 1987); Joint FTA/FHWA regulation, 23 CFR part 450 and 49 CFR part 613, "Planning Assistance and Standards," (October 28, 1993, unless otherwise noted);

U.S. DOT Order 5610.2, "U.S. DOT Order on Environmental Justice to Address Environmental Justice in Minority Populations and Low-Income Populations," (April 15, 1997); U.S. DOT Policy Guidance Concerning

Recipients' Responsibilities to Limited English Proficient Persons, (December 14, 2005), and Section 12 of FTA's Master Agreement, FTA MA 13 (October 1, 2006).

IV. NONDISCRIMINATION ASSURANCES TO COG

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with DOT's Title VI regulations. This requirement is fulfilled when COG submits its annual certifications and assurances to FTA. COG shall collect Title VI assurances from sub recipients prior to passing through FTA funds.

As part of the Certifications and Assurances submitted to COG at the time of grant application and award, the City of Rockville submits a Nondiscrimination Assurance which addresses compliance with Title VI as well as nondiscrimination in hiring ("EEO") and contracting ("DBE"), and nondiscrimination because of a disability ("ADA").

In signing and submitting the assurance, the City of Rockville confirms to COG our commitment to nondiscrimination and compliance with federal and state requirements.

V. PLAN APPROVAL DOCUMENT

I hereby acknowledge the receipt of the City of Rockville Title VI Implementation Plan 2022-2025 I have reviewed and approve the Plan. I am committed to ensuring that no person is excluded from participation in, or denied the benefits of the City of Rockville transportation services on the basis of race, color, or national origin, as protected by Title VI according to FTA Circular 4702.1B, Title VI requirements and guidelines for Federal Transit Administration sub-recipients.

Robert DiSpirito, City Manager

Date

NOTE: ****Insert here**** a copy of meeting minutes, resolution, or other appropriate documentation showing that the board of directors or appropriate governing entity of official(s) responsible for policy decisions has reviewed and approved the Title VI Program.

Resolution No. 4-18 RESOLUTION:

To authorize the Mayor and Council to undertake all actions necessary to meet the requirements for a recipient of a grant of Federal and State funding through the Enhanced Mobility of Seniors and Individuals with Disabilities Program (Section 5310)

WHEREAS, the Metropolitan Washington Council of governments (MWCOC) as the administrative agent for the National Capital Region Transportation Planning Board (TPB), is the designated recipient for the Federal Transit Administration's (FTA) Enhanced Mobility of Seniors and Individuals with Disabilities Program (Section 5310) for the Washington DC-VA-MD Urbanized Area; and

WHEREAS, MWCOC will apply for a grant from the US Department of Transportation, Federal Transit Administration to provide assistance for public transportation projects; and

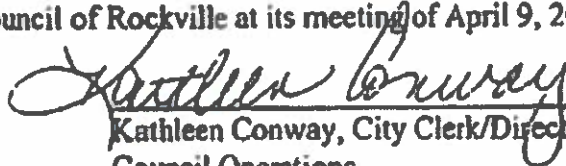
WHEREAS, the purpose of Section 5310 program is to improve mobility for seniors and individuals with disabilities throughout the country, by removing barriers to transportation services and expanding the transportation mobility options available. Toward this goal, FTA provides financial assistance for transportation services planned, designed, and carried out to meet the special transportation needs of seniors and individuals with disabilities in all areas; and

WHEREAS, the Mayor and Council of Rockville, Maryland hereby assures and certifies that it will comply with the Federal and State statutes, regulations, executive orders, and all small administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U.S.C.

NOW, THEREFORE, be it resolved that the Mayor and Council of Rockville, Maryland is hereby authorized to submit a grant for Federal and State funding through the Enhanced Mobility of Seniors and Individuals with Disabilities Program (Section 5310), provide the required local match, make the necessary assurance and certifications and be empowered to enter into an agreement with MWCOC to implement public transportation projects.

• • •

I hereby certify that the above is a true and correct copy of a Resolution adopted by the Mayor and Council of Rockville at its meeting of April 9, 2018.


Kathleen Conway, City Clerk/Director of
Council Operations

VI. ORGANIZATION AND TITLE VI PROGRAM RESPONSIBILITIES

Under the authority of the City of Rockville, Tyree Davis IV, the Advisor to the City Manager for Diversity, Equity, and Inclusion will serve as the Title VI Manager and be responsible for ensuring implementation of the City's Title VI program. The specific areas of responsibility are described below.

Overall Organization for Title VI

The Title VI Manager and staff are responsible for coordinating the overall administration of the Title VI program, plan, and assurances, including complaint handling, data collection and reporting, annual review and updates, and internal education.

The Title VI Manager is charged with the responsibility for implementing, monitoring, and ensuring compliance with Title VI regulations. Title VI responsibilities are as follows:

1. Process the disposition of Title VI complaints received.
2. Conduct annual Title VI reviews to determine the effectiveness of program activities at all levels.
3. Conduct training programs on Title VI and other related statutes for City employees.
4. Prepare a yearly report of Title VI accomplishments and goals, as required.
5. Develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English.
6. Identify and eliminate discrimination.
7. Establish procedures for promptly resolving deficiency status and writing the remedial action necessary, all within a period not to exceed 90 days.

General Title VI responsibilities of the agency

The Title VI Manager is responsible for ensuring the aforementioned elements of the plan are appropriately implemented and maintained, and for coordinating with those responsible for public outreach and involvement and service planning and delivery.

1. Data collection

To ensure that Title VI reporting requirements are met, the City of Rockville will maintain:

- A database or log of Title VI complaints received that tracks the investigation of and response to each complaint.

- A log of the public outreach and involvement activities undertaken to ensure that minority and low-income people had a meaningful access to these activities.

2. Annual Report and Updates

As a subrecipient of FTA funds, the City of Rockville is required to submit a log, as part of its Quarterly Report to COG that documents any Title VI complaints received during the preceding quarter and for each year. The City of Rockville will also maintain and provide to COG, on an annual basis, the log of public outreach and involvement activities undertaken to ensure that minority and low-income individuals have meaningful access to these activities.

Furthermore, the City of Rockville will submit to COG updates to any of the following items subsequent to its previous submission, or a statement to the effect that these items have not been changed since the previous submission:

- A copy of any compliance review report for reviews conducted in the last three (3) years, along with the purpose or reason for the review, the name of the organization that performed the review, a summary of findings and recommendations, and a report on the status or disposition of the findings and recommendations;
- Limited English Proficiency ("LEP") plan;
- Procedures for tracking and investigating Title VI complaints;
- A list of Title VI investigations, complaints or lawsuits filed with the City since the last submission; and
- A copy of the City's notice to the public that it complies with Title VI and instructions on how to file a discrimination complaint.

3. Annual review of Title VI program

Each year the Title VI Manager will review the City's Title VI program to ensure implementation of the Title VI plan. In addition, they will review the City's operational guidelines and publications, including those for contractors, to verify that Title VI language and provisions are incorporated, as appropriate.

4. Dissemination of information related to the Title VI program

Information on the City of Rockville's Title VI program will be disseminated to City employees, contractors, and beneficiaries, as well as to the public, as described in the "public outreach and involvement" section of this document and according to federal and state laws/regulations. The Title VI program will be available in other languages when needed according to the LEP plan.

5. Resolution of complaints

Any individual may exercise his or her right to file a complaint if that person believes that he, she or any other program beneficiaries have been subjected to unequal treatment or discrimination in the receipt of benefits/services or prohibited by non-discrimination requirements. The City of Rockville will report the complaint to COG within three (3) business days (per COG requirements), and make a concerted effort to resolve complaints locally using the City's Title VI Complaint Procedures. All Title VI complaints and their

resolution will be logged as described under Section 1. Data collection and reported to COG in the Quarterly Report (in addition to immediately).

6. Written policies and procedures

The City of Rockville's Title VI policies and procedures are documented in this plan and its appendices and attachments. This plan will be updated periodically to incorporate changes and additional responsibilities that arise. During the course of the Annual Title VI Program Review (item 3 above), the Title VI Manager will determine whether or not an update is needed.

7. Internal education

City of Rockville employees will receive training on Title VI policies and procedures upon hiring and periodically as required. This training will include requirements of Title VI, Rockville's obligations under Title VI (LEP requirements included), required data that must be gathered and maintained. In addition, training will be provided when any Title VI-related policies or procedures change (city-wide training), or when appropriate in resolving a complaint.

Title VI training is the responsibility of the Human Rights and Community Mediation Administrator.

8. Title VI clauses in contracts

In all City of Rockville procurements funded under Rockville's status as a subrecipient of federal grant money, the applicable written contracts or Purchase Orders will include appropriate non-discrimination clauses.

VII. GENERAL REPORTING REQUIREMENTS

REQUIREMENT TO PROVIDE A TITLE VI PUBLIC NOTICE

Title 49 CFR Section 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI. At a minimum, the City of Rockville shall disseminate this information to the public by:

- posting a Title VI notice on the City's website
- including Title VI language on all relevant City of Rockville informational materials
- posting a Title VI notice in applicable public areas of the City's office(s)

The City of Rockville's specific public notice language is as follows

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

that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

The City of Rockville is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transportation services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1B. If you need further information or feel you are being denied participation in or being denied benefits of the transit services provided by the City of Rockville, or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, please contact:

Tyree Davis IV, the Advisor to the City Manager for Diversity, Equity, and Inclusion, City of Rockville, 111 Maryland Ave, Rockville, MD 20850, 240-314-8112, tdavis4@rockvillemd.gov

As part of Title VI requirements, sub-recipients are also required to maintain a list of locations where their Title VI Notices have been posted or displayed.

A copy of the City of Rockville's Title VI Public Notice List of Locations is attached as Appendix A.

TITLE VI COMPLAINT PROCEDURES

REQUIREMENT TO DEVELOP TITLE VI COMPLAINT PROCEDURES AND COMPLAINT FORM.

In order to comply with the reporting requirements established in 49 CFR Section 21.9(b), all recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public. Recipients must also develop a Title VI complaint form. The form and procedure for filing a complaint shall be available on the recipient's website and at their facilities.

Any individual may exercise his or her right to file a complaint with the City of Rockville, if that person believes that he or she have been subjected to unequal treatment or discrimination in the receipt of benefits or services. We will report the complaint to COG within three (3) business days (per COG requirements), and make a concerted effort to resolve complaints locally, using the City's Nondiscrimination Complaint Procedures. All Title VI complaints and their resolution will be logged and reported to COG in the Quarterly Report (in addition to immediately).

A person may also file a complaint directly with the Federal Transit Administration, Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th floor – TCR, 1200 New Jersey Avenue SE, Washington, DC 20590.

The City of Rockville is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transportation services on the basis of race, color or national origin, as protected by Title VI in the Federal Transit Administration (FTA) Circular 4702.1B. For additional information on the City of Rockville's nondiscrimination policies and procedures, or to file a complaint, please visit the website at <http://www.rockvillemd.gov> or contact Tyree Davis IV, the Advisor to the City Manager for Diversity, Equity,

and Inclusion, City of Rockville, 111 Maryland Ave, Rockville, MD 20850, 240-314-8112, tdavis4@rockvillemd.gov.

Instructions for filing Title VI complaints are posted on the City's website.

A copy of the City of Rockville's TITLE VI Complaint Form is attached as Appendix B.

TRANSPORTATION-RELATED TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS

Background

All recipients shall prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin:

- Active investigations conducted by FTA and entities other than FTA;
- Lawsuits; and
- Complaints naming the recipient.

This list shall include the date that the transportation-related Title VI investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to the investigation, lawsuit, or complaint. This list shall be included in the Title VI Program submitted to COG every three years (3) and new information regarding complaints, lawsuits, or investigations shall be provided to COG with the Quarterly Report.

A copy of the City of Rockville's Investigations, Lawsuits, and Complaints Document is attached as Appendix C.

PUBLIC OUTREACH AND INVOLVEMENT - Public Participation Plan

Introduction

As the City of Rockville does not provide fixed-route public transit, it is not required to have a formal Public Participation Plan ("PPP"). However, as mentioned in the LEP factor analysis Factor 2 (below) the City of Rockville attempts to utilize effective means of providing information and receiving public input on its services from low income, minority and limited English proficient ("LEP") populations, as required by Title VI of the Civil Rights Act of 1964 and its implementing regulations and to ensure that LEP persons have meaningful access to its programs and activities. The City's Community Engagement Division informs and engages citizens in order to ensure responsive City services and a high quality of life in neighborhoods. The Division supports neighborhood organizations, serves as a liaison and facilitates communication between City government and residents.

ACCESS FOR LIMITED ENGLISH PROFICIENT (LEP) PERSONS

Introduction and Legal Basis

LEP is a term that defines any individual not proficient in the use of the English language. The establishment and operation of an LEP program must meet the objectives set forth in Title VI of the Civil Rights Act and Executive Order 13116, Improving Access to Services for Persons with Limited English Proficiency (LEP). This Executive Order requires federal agencies receiving financial assistance to address the needs of non-English speaking persons. The Executive Order also establishes compliance standards to ensure that the programs and activities that are provided by a transportation provider in English are accessible to LEP communities. This includes providing meaningful access to individuals who are limited in their use of English. The following LEP language implementation plan, developed by the City of Rockville is based on FTA guidelines.

As required, the City of Rockville developed a written LEP Plan (below). Using 2010 and American Community Survey (ACS) Census data, the City of Rockville has evaluated data to determine the extent of need for translation services of its vital documents and materials.

LEP persons can be a significant market for public transit, and reaching out to these individuals can help increase their utilization of transit. Therefore, it also makes good business sense to translate vital information into languages that the larger LEP populations in the community can understand.

Assessment of Needs and Resources

The need and resources for LEP language assistance were determined through a four-factor analysis as recommended by FTA guidance.

Factor 1: **Assessment of the Number and Proportion of LEP Persons Likely to be Served or Encountered in the Eligible Service Population**

The City of Rockville has reviewed census data on the number of individuals in its service area that have limited English Proficiency, as well as the languages they speak.

U.S. Census Data – American Community Survey (2008-2012)

Data from the U.S. Census Bureau's American Community Survey (ACS) were obtained through www.census.gov for the City of Rockville's service area. The City's service area includes an estimated total of 9,326 persons with Limited English Proficiency (those persons who indicated that they spoke English less than very well in the 2008-2012 ACS Census).

Information from the 2008-2012 ACS also provides more detail on the specific languages that are spoken by those who report that they speak English less than very well. Languages spoken at home by those with LEP are presented below. These data indicate the extent to which translations into other language are needed to meet the needs of LEP persons.

• Spanish	3,079	5.13%
• Other Indo-European languages	2,104	3.51%
• Asian and Pacific Island languages	4,158	6.93%
• All Other languages	361	0.60%

Factor 2: Assessment of Frequency LEP Individuals Come into Contact with the Transit Services or System

The City of Rockville reviewed the relevant transportation services, benefits and information provided by the City and determined the extent to which LEP persons have encountered these functions through:

- Contact with bus stop maintenance staff
- Calls to Rockville City Government
- Visits to the City Hall and City facilities
- Access to the City's website;
- Attendance at community meetings or public hearings hosted by the City of Rockville; and

Anecdotal evidence from City staff indicates that the City has been very successful in communicating with LEP persons. While the City does not currently maintain records regarding frequency of such contacts, according to discussions with staff, all previous requests for interpreters or calls/communications from LEP persons have been successfully addressed through the available resources.

The City will continue to identify emerging populations as updated Census and American Community Survey data become available for our service area. In addition, when LEP persons contact the City, we will attempt to identify their language and keep records on contacts to accurately assess the frequency of contact.

To assist in language identification, we use a language identification flashcard based what was developed by the U.S. Census. (<http://www.lep.gov/ISpeakCards2004.pdf>)

Factor 3: Assessment of the Nature and Importance of the Transit Services to the LEP Population

The City of Rockville provides the following programs, activities and services:

- Shuttle services for seniors through the Senior Center.
- Maintenance and improvement of bus stops, passenger shelters and amenities
- Planning and design of roadways, bridges, sidewalks, bike paths, traffic signals and street lights that provide direct access or support the existing transit system.

Based on past experience serving and communicating with LEP persons, access to alternative modes of transportation, such as public transit, is critical for many who don't own a vehicle. This is especially true for

those working multiple jobs or jobs with odd/evening hours. In 2014, 1,343 households in the City (3.9%) had no vehicle, and 9,643 (27.9%) had only one. 6,431 workers (18.6%) commuted via public transportation.

Factor 4: Assessment of the Resources Available to the City and Costs

Costs

All of the City's current expenses associated with providing language assistance through printing services and translating documents are funded from the City's Public Information Office budget. No specific, separate budget is established for these costs.

Staff from the City's Public Information Office, Neighborhood Resources and Community Services provide language assistance on as needed basis. Interpreter services are also provided by qualified volunteers through Montgomery County's Language Bank.

We anticipate that these activities and associated costs may increase, if the number of LEP persons in the City of Rockville continues to grow.

Resources

Assistance with language services is available through city departments and organizations such as the Human Rights Commission, Community Services Division, Neighborhood Resources Division, as well as Montgomery County. Assistance specific to transit services may be provided by local and regional transit agencies (e.g. MetroBus, Ride-On).

City of Rockville staff also have access to language assistance services provided through the Language Line services. For interpreter services, the City has access to Montgomery County's Language Bank, a group of volunteers who are on-call to help translate or interpret for County and City government agencies and non-profit organizations serving residents with limited English proficiency. Translation services for City's brochures and printed materials are handled by a City contractor and focus mostly on the top foreign languages spoken in Rockville: Spanish, Chinese, Mandarin, Korean and French.

The City of Rockville has established relationships with the following community organizations that could potentially also provide assistance and feedback regarding language services:

- Chinese Culture and Community Service Center Inc (CCACC) – This organization provides an English Literacy Program – This program provides English instruction classes to recent immigrants in Rockville and Montgomery County at the Rockville Senior Center, Lincoln Park Community Center, and locations in the Montrose community.
- Community Ministries of Rockville Language Outreach Program – Established in 1993, this educational program provides instruction in basic English to Latino adults while their children receive homework tutoring and substance abuse prevention education. Services currently are provided at Maryvale, Meadow Hall and Twinbrook Elementary Schools, and two local churches.

- Korean Community Center of Greater Washington – Established in 1986, this agency provides outreach, health care education, case management, English classes, and pedestrian safety training to recent Korean immigrants in Rockville.
- The Adult ESOL Program at Montgomery College - provides basic English language and life skills instruction to county residents whose native language is not English
- Rockville Senior Center – the center has a Spanish-speaking Program Outreach Coordinator and also provides ESOL (English for Speakers of Other Languages) classes to older adults.

Additionally, the City's website as well as the website for the City's official news publication, Rockville Reports, are translatable into multiple languages. 103 different languages are available for the City's website and 19 languages for Rockville Reports. In the past, the City has also maintained an inventory of bilingual staff that could provide language assistance on an ad hoc or regular basis. If required, this resource could be utilized again and should be taken into consideration as part of the assessment of total resources available to the City.

LEP Implementation Plan

Through the four-factor analysis, the City of Rockville has determined that the following types of language assistance are most needed and feasible:

- Language Line Translation Services for telephone contacts.
- Translation and Interpretation services for LEP populations, especially those speaking Spanish, Chinese/Mandarin, Korean and French.
- Translation of brochures and other information into the top foreign languages spoken in the City

Staff Access to Language Assistance Services:

City staff who come into direct contact with LEP persons can access language services by offering the individual a language identification flashcard, having a supply of translated documents on hand, transferring a call to bilingual staff or the Language Line Translation Services.

Responding to LEP Callers:

Staff who answer calls from the public respond to LEP customers by attempting to identify the language and/or transferring the call to bilingual staff or the Language Line Translation Services.

Responding to Written Communications from LEP Persons:

Written communications from LEP persons are addressed either through bilingual employees, with the help of Montgomery County's Language Bank services or through the City's contracted translation services.

Responding to LEP Individuals in Person:

When an LEP person visits our administrative offices, City staff attempts to identify the language and utilize assistance from the appropriate bilingual staff or the Language Line Translation Services.

Staff Training

As noted previously, all City of Rockville staff is provided with a list of available language assistance services and additional information and referral resources, updated annually. All new hires will receive training on assisting LEP persons as part of their initial Title VI training. This includes:

- A summary of the City's language assistance plan;
- A summary of the number and proportion of LEP persons in the City's service area, the frequency of contact between the LEP population and the City's programs and activities, and the importance of the programs and activities to the population;
- A description of the type of language assistance that the City is currently providing and instructions on how City staff can access these products and services; and
- A description of the City's cultural sensitivity policies and practices.

Also, all staff who routinely encounter customers receive periodic refresher training on policies and procedures related to assisting LEP persons.

Providing Notice to LEP Persons:

LEP persons are notified of the availability of language assistance through the following approaches:

- following our Title VI policy statement included on our vital documents;
- on our website, with links to translations of vital documents in other languages;
- through ongoing outreach efforts to community organizations, schools, and religious organizations; and,
- through signs posted in our customer service and administrative offices;
- including the language translation line information on relevant materials;

Monitoring/updating the plan

This plan will be updated on a periodic basis (at least every three (3) years), based on feedback, updated demographic data, and resource availability.

As part of ongoing outreach to community organizations, the City of Rockville will encourage feedback on the effectiveness of language assistance provided and unmet needs. In addition, we will conduct periodic internal meetings with staff who assist LEP persons and review of updated Census data to determine the adequacy and quality of the language assistance provided, and to determine changes to LEP needs.

Based on the feedback received from community members and employees, the City of Rockville will make incremental changes to the type of written and oral language assistance provided as well as to their staff training and community outreach programs. The cost of proposed changes and the available resources will affect the enhancements that can be made, and therefore the City of Rockville will attempt to identify the most cost-effective approaches.

As the community grows and new LEP groups emerge, the City of Rockville will strive to address the needs for additional language assistance. The City of Rockville does not provide fixed route, public transit service as part of its ongoing operations.

A copy of Rockville's LAP is attached as APPENDIX D.

MINORITY REPRESENTATION ON PLANNING AND ADVISORY BODIES - The City of Rockville does not provide fixed route, public transit service as part of its ongoing operations and does not have any transit-related, non-elected planning boards, advisory councils or committees, the membership of which we select.

Appendix A

Title VI Notice to the Public: List of Locations

City of Rockville website – <https://www.rockvillemd.gov>

Title VI language included in all relevant City of Rockville printed materials

The Title VI notices are physically posted in Rockville City Hall, 111 Maryland Ave, Rockville, MD 20850 at the following locations:

Location 1: The main entrance of City Hall lobby.

Location 2: The employee cafeteria.



ANTI-DISCRIMINATION TITLE VI

The City of Rockville operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act of 1964. If you believe you have been subjected to unequal treatment because of race, color, or national origin, then you have the right to file a formal complaint.

Complaints may be filed within 180 days following the date of the alleged discriminatory action. For more information or to file a complaint, you must send it directly to the following:

City of Rockville Human Rights Coordinator
111 Maryland Ave
Rockville, MD 20850

Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor-TCR
1200 New Jersey Ave., SE
Washington, DC 20590

Appendix B

CITY OF ROCKVILLE TITLE VI COMPLAINT FORM

Section I:				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
Section II:				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party:				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No
Section III:				
I believe the discrimination I experienced was based on (check all that apply):				
☐ Race ☐ Color ☐ National Origin				
Date of Alleged Discrimination (Month, Day, Year): _____				
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.				
_____ _____				
Section IV				
Have you previously filed a Title VI complaint with this agency?			Yes	No

Section V	
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?	
☐ Yes	☐ No
If yes, check all that apply:	
☐ Federal Agency: _____	
☐ Federal Court _____	☐ State Agency _____
☐ State Court _____	☐ Local Agency _____
Please provide information about a contact person at the agency/court where the complaint was filed.	
Name: _____	
Title: _____	
Agency: _____	
Address: _____	
Telephone: _____	
Section VI	
Name of agency complaint is against: _____	
Contact person: _____	
Title: _____	
Telephone number: _____	

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

Signature and date required below

Signature

Date

Please submit this form in person at the address below, or mail this form to:

City of Rockville, Title VI Coordinator
111 Maryland Ave, Rockville, MD 20850

Appendix C

Investigations, Lawsuits and Complaints Document

Any individual may exercise his or her right to file a complaint with Title VI Manager, if that person believes that s/he or any other program beneficiaries have been subjected by the City of Rockville to unequal treatment or discrimination in the receipt of benefits/services or prohibited by non-discrimination requirements. The City of Rockville will report the complaint to COG/TPB within three business days (per COG/TPB requirements), and make a concerted effort to resolve complaints locally, using the City's Nondiscrimination Complaint Procedures, as described below. All discrimination complaints and their resolution will be reported annually (in addition to immediately) to COG/TPB.

Should any Title VI investigations be initiated by FTA or COG/TPB, or any Title VI lawsuits be filed against the City of Rockville the City will follow these Nondiscrimination Complaint Procedures:

Overview

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964 (including its Disadvantaged Business Enterprises (DBE) and Equal Employment Opportunity (EEO) components), Section 504 of the Rehabilitation Act of 1973, the Civil Rights Restoration Act of 1987, and the Americans with Disabilities Act of 1990, relating to any program or activity administered by the City of Rockville or its sub-recipients, consultants, and/or contractors. They do not apply to complaints related to employment conditions, actions, or decisions reflecting the City of Rockville's status as employer. Such complaints should be initiated under policies administered by the City of Rockville.

These procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies, or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant.

Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and the City of Rockville will be available to all complainants.

Procedures

1. Any individual or group of individuals who believes he/she or they have been subjected to discrimination may file a written complaint with the City of Rockville's Title VI Manager using the form available at <https://www.rockvillemd.gov>. A formal complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant. The complaint must meet the following requirements:
 - a. Complaint shall be in writing and signed by the complainant(s).

- b. Include the date of the alleged act of discrimination (date when the complainant(s) became aware of the alleged discrimination; or the date on which that conduct was discontinued or the latest instance of the conduct).
- c. Present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the complained-of incident.
- d. Allegations received by e-mail tdavis4@rockvillemd.gov will be acknowledged and processed, once the identity(ies) of the complainant(s) and the intent to proceed with the complaint have been established. For this, the complainant is required to mail a signed, original copy of the fax or e-mail transmittal for the City of Rockville to be able to process it.
- e. Complaints received by telephone 240-314-8112 will be entered into a log listing time, date, and complainant. Complainants will be informed to file a complaint in writing and will be directed to the website for forms and procedures.

2. In order to be accepted, a complaint must meet the following criteria:

- a. The complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant.
- b. The allegation(s) must involve a covered basis such as race, color, natural origin, gender/sexual orientation, age or disability.
- c. The allegation(s) must involve a program or activity of a Federal-aid recipient, sub-recipient, or contractor, or, in the case of ADA allegations, an entity open to the public.
- d. The complainant(s) must accept reasonable resolution based on the City of Rockville's administrative authority (reasonableness to be determined by the City of Rockville.)

3. 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.

4. Once the City of Rockville or a state or federal agency decides to accept the complaint for investigation, the complainant and the respondent will be notified in writing of such determination within five calendar days. The complaint will receive a case number and will then be logged in the records of the City of Rockville to identify its basis and alleged harm, and the race, color, national origin, and gender of the complainant.

5. In cases where the City of Rockville assumes the investigation of the complaint, the City of Rockville will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have 10 calendar days from the date of the City of Rockville's written notification of acceptance of the complaint to furnish his/her response to the allegations.

6. In cases where the City of Rockville assumes the investigation of the complaint, within 40 calendar days of the acceptance of the complaint, the City of Rockville will prepare an investigative report for review by its City Manager. The report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition.

7. The City of Rockville will notify the parties of its findings within 60 days of receipt of a completed complaint form.

CITY OF ROCKVILLE

COMBINED TITLE VI, ADA, EEO COMPLAINT STATUS REPORT

1. List of active investigations, lawsuits or complaints alleging discrimination with respect to service or other transit benefits.

	DATE	SUMMARY (Include basis, i.e. race, age, etc.)	STATUS	ACTION(S) TAKEN
INVESTIGATIONS				
1.				
2.				
3.				
LAWSUITS				
1.				
2.				
3.				
COMPLAINTS				
1.				
2.				
3.				

2. Description of all pending applications for financial assistance and all financial assistance currently provided by other Federal agencies to the grantee.

- Pending:
 - FTA/MWCOG Enhanced Mobility of Seniors and Individuals with Disabilities Program (Section 5310) Grant
- Current:
 - Rockville Intermodal Access: Baltimore Rd (FHWA)
 - 2012 TCSP Complete Streets Near Metro Stations (FHWA)
 - SHA Safe Routes to School Year G (Federal, managed by Maryland SHA)
 - Transportation Alternatives Program Grant (Federal, managed by Maryland SHA)

- Community Development Block Grant Year 42 (Federal: US Dept. of Housing and Urban Development)
- Motor Carrier Safety Assistance Program Grant FFY17 (Federal Grant, though Maryland State Highway Administration, Motor Carrier Division CFDA 20.218)
- Motor Carrier Safety Assistance Program Grant FFY18 (Federal Grant, though Maryland State Highway Administration, Motor Carrier Division CFDA 20.218)
- FFY15 Bulletproof Vest Partnership (Federal: BJA)
- FFY16 Bulletproof Vest Partnership (Federal: BJA)
- FFY17 Bulletproof Vest Partnership (Federal: BJA)

3. Summary of all **civil rights compliance reviews** conducted by other local, state or Federal agencies in the last three (3) years.

	YEAR	AGENCY CONDUCTING REVIEW	RESULT	ACTION(S) TAKEN
REVIEW TYPE				
1.				
2.				
3.				

OR STATEMENT:

There has been no civil rights compliance review conducted of the City of Rockville in the last three (3) years.

Robert DiSpirito, City Manager

Date

Appendix D

Language Assistance Plan

LANGUAGE ASSISTANCE PLAN FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)

Introduction and Legal Basis

LEP is a term that defines any individual not proficient in the use of the English language. The establishment and operation of an LEP program meets objectives set forth in Title VI of the Civil Rights Act and Executive Order 13116, Improving Access to Services for Persons with Limited English Proficiency (LEP). This Executive Order requires federal agencies receiving financial assistance to address the needs of non-English speaking persons. The Executive Order also establishes compliance standards to ensure that the programs and activities that are provided by a transportation provider in English are accessible to LEP communities. This includes providing meaningful access to individuals who are limited in their use of English.

LEP persons can be a significant market for public transit and other alternative commuting options, and reaching out to these individuals can help increase their utilization of these options. Therefore, it also makes good business sense to translate vital information into languages that the larger LEP populations in the community can understand.

The City of Rockville is committed to ensuring meaningful access to its programs and activities by LEP persons. The City of Rockville will provide staff and LEP persons with the required resources to access language assistance services. The City of Rockville will also make appropriate provisions for translation of vital information in other languages on a case by case basis.

Providing Notice to LEP Persons

LEP persons are notified of the availability of language assistance through the following approaches:

- Ensuring that our Title VI policy statement is included on our vital documents.
- on our website

This program will be updated on a periodic basis (at least every three years), based on feedback, updated demographic data, and resource availability.

Robert DiSpirito, City Manager

Date