City of Casper

Title VI Plan

Related to

Transportation Planning and Transportation Improvements

Endorsed and Approved June 21, 2022 by the

City of Casper Council

Submitted to:

Federal Transit Administration

Region 8

1961 Stout St, Ste 13-301

Denver, CO 80294-3007

June 30, 2022

RECIPIENT INFORMATION

RECIPIENT: City of Casper (City)

SUBMITTAL DATE: June 30, 2022

EXPIRATION YEAR: 2025

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Table of Contents

I. PROVISION OF TITLE VI ASSURANCES 4

II. TITLE VI TRANSIT COMPLIANCE HISTORY 4

III. INCORPORATION OF THE PROGRAM 5

IV. GENERAL GUIDELINES/REQUIREMENTS 8

APPENDIX A - TO TITLE VI ASSURANCE – Contract Clauses 13

APPENDIX B - TO TITLE VI ASSURANCE – Real Property 15

APPENDIX C - TO TITLE VI ASSURANCE – Clauses/Covenants 17

APPENDIX D - TITLE VI PUBLIC NOTICE OF RIGHTS / COMPLAINT PROCESS 19

Title VI Complaint Process 21

Title VI Discrimination Complaint Form 22

APPENDIX E - Limited English Proficiency (LEP) Plan 27

SUB-APPENDIX A 34

APPENDIX F - Passenger Guidelines 38

APPENDIX G - Other Title VI Program Documents 42

I. PROVISION OF TITLE VI ASSURANCES

The City hereby certifies that, as a condition of receiving Federal financial assistance under the Urban Mass Transportation Act of 1964, as amended, it will ensure that:

a. City shall submit on an annual basis, their Title VI Assurance, as part of their annual Certification and Assurance submission to the FTA.

b. No person, on the basis of race, color, or national origin, will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.

c. City will compile, maintain, and submit in a timely manner, Title VI information required by FTA Circular 4702.1B and in compliance with the Department of Transportation's Title VI Regulation, 49 CFR, Part 21.7.

d. City will make it known to the public that those persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.

II. TITLE VI TRANSIT COMPLIANCE HISTORY

	DATE	SUMMARY (basis, i.e. race, age, etc.)	STATUS	ACTION(S) TAKEN
INVESTIGATIONS				
1.				
COMPLAINTS				
1. Employee	January 2022	Race	Completed	Unsubstantiated

a. There are no outstanding lawsuits or complaints naming the City which allege discrimination on the basis of race, color or national origin with respect to service or other transit benefits.

b. There are no pending applications for Federal financial assistance, and there is no Federal financial assistance currently being provided to the City other than that

being supplied by the Federal Transit Administration (FTA). Currently the City is applying for Section 5307 funding through the FTA.

c. During the course of the last three (3) years, there have not been any civil rights compliance review activities conducted with respect to the City and, to the best of our knowledge, there are not presently any ongoing civil rights compliance review activities being conducted with respect to the City.

d. There are currently no pending construction projects which would negatively impact minority communities being performed by the City.

III. INCORPORATION OF THE PROGRAM

The City of Casper (hereinafter referred to as the "City" or "Recipient") hereby agrees that, as a condition to receiving any Federal financial assistance from the Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the "Act"), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the "Regulations"), and other pertinent directives. No person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, including the Federal Transit Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) of the Regulations.

More specifically, and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its Federal Transit Administration program:

a. That the Recipient agrees that each "program" and each "facility," as defined in subsections 21.23(e) and 21.23(b) of the Regulations will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated, in compliance with all requirements imposed by, or pursuant to, the Regulations.

b. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all Federal Transit Administration programs and, in adapted form in all proposals or negotiated agreements:

The City, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations,

Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders/proposers that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to the invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

c. That the Recipient shall insert the clauses contained herein as **APPENDIX A** in every contract subject to this Act and the Regulations.

d. That the Recipient shall insert the clauses contained herein as **APPENDIX B**, as a covenant running with the land, in any deed from the United States affecting a transfer of real property, structures, or improvements thereon, or interest herein.

e. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.

f. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.

g. That the Recipient shall include the appropriate clauses contained herein as **APPENDIX C**, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under Federal Transit Administration programs; and (b) for the construction or use of, or access to, space on, over, or under real property acquired, or improved under Federal Administration programs.

h. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of personal property or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.

i. The Recipient shall provide for such methods of administration for the programs as are found by the Secretary of Transportation or the official to whom he/she

delegates specific authority to give reasonable guarantee that it, other interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.

j. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

k. The Recipient assures that the level and quality of transit service and related benefits are provided in a manner consistent with Title VI of the Civil Rights Act of 1964.

THESE ASSURANCES are given in consideration of, and for the purpose of, obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the Federal Administration and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal Transit Administration programs.

The person whose signature appears below is authorized to sign these assurances on behalf of the grant applicant or recipient.

DATED: 6/16/22

City of Casper, Wyoming

By: J. Carter Napier
City Manager

IV. GENERAL GUIDELINES/REQUIREMENTS

a. Annual Certification and Assurance

As stated in Section I, City shall submit annually, their Title VI assurance, as part of their annual Certification and Assurance submission to the FTA.

b. Complaint Procedures

In compliance with 49 CFR Section 21.9(b), City has developed procedures for investigating and tracking Title VI complaints filed against them. Such procedures shall be made available to the public upon request. City complaint procedures and complaint form are contained herein as **APPENDIX D**.

c. Record Title VI Activities

In compliance with 49 CFR Section 21.9(b), City shall prepare and maintain a list of any active investigations conducted by entities other than the FTA, lawsuits, or complaints naming City that allege discrimination on the basis of race, color, or nation origin. Such list shall include:

1) Date the investigation, lawsuit, or complaint was filed;
2) Summary of the allegation(s);
3) The status of the investigation, lawsuit, or complaint; and
4) Actions taken by the City in response to the investigation, lawsuit or complaint.

d. Access for LEP Persons

City shall take steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP). City will assist persons with limited English proficiency to participate in the transportation planning process. City Staff will make every effort to provide translators and document translation, where feasible, upon request. City's Limited English Proficiency (LEP) Plan is contained herein as **APPENDIX E**.

e. Public Notification

In compliance with 49 CFT Section 21.9(d), City shall provide information to the public regarding their Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by the Title VI. City complaint procedures and public notification information are contained herein as **APPENDIX D**.

f. Additional Information

City acknowledges that, at the discretion of the FTA, information other than that which is required by FTA C 4702.1A, may be requested in writing of the City, to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI.

g. Timely Submission

City acknowledges that their Title VI submissions and/or updates thereto, shall be supplied to their FTA Regional Office once every three (3) years. The submission shall include, but is not limited to:

1) A summary of public outreach and involvement activities undertaken since the last submission and a description of steps taken to ensure that minority and low-income people had meaningful access to these activities;

2) City's process for persons with limited English proficiency (LEP);

3) Title VI Complaint and Tracking procedures;

4) A list of any Title VI investigations, complaints or lawsuits filed since the last submission; and

5) A copy of City's public notice regarding Title VI compliance and public access and instructions to City Title VI complaint procedures.

6) A table depicting the membership of non-elected committees and councils, the membership of which is selected by the Recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees.

7) A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program.

h. Environmental Analysis of Construction Projects

City shall integrate an environmental justice analysis into their National Environmental Policy Act (NEPA) documentation of transit related construction projects of which require NEPA. If a Categorical Exclusion (CE) is performed, City shall complete the FTA's standard CE check-list which includes a section on community disruption and environmental justice. While preparing an Environmental Assessment (EA) or Environmental Impact Statement (EIS), City shall integrate into their documents, the following:

1) A description of the low-income and minority population within the study area affected by the project, and a discussion of the method used to identify this population;

2) A discussion of all adverse effects that would affect the identified minority and low-income population;

3) A discussion of all positive effects that would affect the identified minority and low-income population;

4) A description of all mitigation and environmental enhancement actions incorporated into the project to address the adverse effects, including, but not limited to, any special features of the relocation program that go beyond the requirements of the Uniform Relocation Act and address adverse community effects such as separation or cohesion issues, and the replacement of the community resources destroyed by the project, if applicable;

5) A discussion of the remaining effects, if any, and why further mitigation is not proposed; and

6) For projects that traverse predominantly minority and low-income and predominantly non-minority and non-low-income areas, a comparison will be completed of mitigation and environmental enhancement actions between the two stated areas. If there is no basis for such a comparison, City shall describe why this is so.

i. Public Participation

As part of the 2021 Public Participation Plan, we did the following:

- Analyzed existing communication materials, methods, and processes
- Conducted stakeholder listening sessions
- Reviewed social media chatter
- Examined demographic and socioeconomic trends
- Identified virtual engagement tools
- Held a self-guided online public meeting

The City has developed a proactive public involvement process for transit related issues that provides complete information, timely public notice, full public access to key decisions, and supports early and continuing involvement in the transit operation. Casper's Council of People with Disabilities meets once a month with the City of Casper and the Transit Division to provide input on issues that are affecting those with disabilities

that are using the transit system. The City of Casper's Public Participation Plan can be found on the City of Casper website by clicking here. The URL is provided below.

https://www.casperwy.gov/cms/One.aspx?portalId=63067&pageId=86082

The City shall seek out and consider viewpoints of minority, low-income, and LEP populations in the course of conducting public outreach and involvement activities in regards to proposed transportation decisions. City shall make every effort to include the following practices:

1) Coordination with individuals, institutions, or organizations and implementing community-based public involvement strategies to reach out to members in the affected minority and/or low-income communities;

2) Provision of opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments;

3) Utilization of locations, facilities and meeting times that are convenient and accessible to low-income and minority communities;

4) Utilization of different meeting sizes or formats, or varying the type and number of news media used to announce public participation opportunities; and

5) Implementation of DOT's policy guidance regarding City's responsibilities to LEP persons.

j. Membership Boards and Committees

Casper Area Boards and Committees relevant to the City's Transit Program, broken down by Gender, Race, and Ethnicity.

The City of Casper's City Council is an elected body. The City of Casper does not have a subrecipient. The MPO Policy Committee is an elected body, with the exception of the District Engineer for WYDOT. The MPO Technical Committee consists of professional staff appointed by elected officials from member agencies of the MPO. The Citizen Transportation Advisory Committee is selected from applicants appointed by each governing board of MPO member entities.

Citizen's Advisory Committee									
Men	Women	White	Black	Hispanic	Asian	NA/AN	NH/PI	Multiracial	Other
5	5	10	0	0	0	0	0	0	0
MPO Technical Committee									
Men	Women	White	Black	Hispanic	Asian	NA/AN	NH/PI	Multiracial	Other
5	2	7							
MPO Policy Committee									
Men	Women	White	Black	Hispanic	Asian	NA/AN	NH/PI	Multiracial	Other
6	2	8							
Casper City Council									
Men	Women	White	Black	Hispanic	Asian	NA/AN	NH/PI	Multiracial	Other
6	3	8		1					

k. Narrative Describing Subrecipient Monitoring

The City of Casper does not have a subrecipient.

The person whose signature appears below is authorized to sign on behalf of the grant applicant or Recipient.

DATED: 6/16/22

City of Casper, Wyoming

By: J. Carter Napier
City Manager

APPENDIX A - TO TITLE VI ASSURANCE – Contract Clauses

(to be inserted into every contract subject to Title VI)

The City of Casper is herein referred to as the "City"

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

(1) Compliance with Regulations: The contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

(2) Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

(3) Solicitations for Subcontracts (Including Procurements of Materials and Equipment): In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

(4) Information and Reports: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the City or the Federal Transit Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the City or the Federal Transit Administration, as appropriate, and shall set forth what efforts it has made to obtain the information.

(5) Sanctions for Noncompliance: In the event of the contractor's noncompliance with nondiscrimination provisions of this contract, the City shall impose contract sanctions as it or the Federal Transit Administration may determine to be appropriate, including, but not limited to:

(a) Withholding of payments to the contractor under the contract until the contractor complies; and/or
(b) Cancellation, termination, or suspension of the contract in whole or in part.

(6) Incorporation of Provisions: The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the City or the Federal Transit Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the City to enter into such litigation to protect the interests of the City, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

APPENDIX B - TO TITLE VI ASSURANCE – Real Property

(to be inserted into real property transactions)

The City of Casper is herein referred to as the "City"

The following clauses shall be included in any and all deeds effecting or recording the transfer of real Property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the City will accept title to the lands and maintain the project constructed thereon, in accordance with The State of Wyoming, the Regulations for the Administration of Program and the policies and procedures prescribed by the Federal Transit Administration and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally assisted Programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the City all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)

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

The City, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person 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 with regard to any facility allocated wholly or in part on, over, or under such lands hereby conveyed, (2) that the City shall use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations

may be amended, and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.

APPENDIX C - TO TITLE VI ASSURANCE – Clauses/Covenants

(to be inserted into Federally funded real property transactions or improvements)

The City of Casper is herein referred to as the "City"

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the City pursuant to the provisions of Assurance 7(a).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for herself/himself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as a covenant running with the land") that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, (the grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination of Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, the City shall have the right to terminate the (license, lease, permit, etc.) and to re-enter and repossess said land and the facilities thereon, and hold the same as if said (licenses, lease, permit, etc.) had never been made or issued.

[Include in deeds]*

That in the event of breach of any of the above nondiscrimination covenants, the City shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the City and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the City pursuant to the provisions of Assurance 7(b).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for herself/himself, his/her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in case of deeds, and leases add "as a covenant running with the land") that (1) no person on the grounds of race, color, or national origin shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing services thereon, no person on the grounds of race,

color, or national origin shall be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination, and (3) that the (grantee, licensee, lessee, permittee, etc.] shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, the City shall have the right to terminate the (license, lease, permit, etc.) and to re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, lease, permit, etc.) had never been made or issued.

[Include in deeds]*

That in the event of breach of any of the above nondiscrimination covenants, the City shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the City and its assigns.

APPENDIX D - TITLE VI PUBLIC NOTICE OF RIGHTS / COMPLAINT PROCESS

City of Casper, Wyoming is herein referred to as the "City"

Public Notice of Rights

The following statement shall be posted on site at the City office, the Casper Area Transit office, on the transit website www.casperareatransit.org, permanently displayed on public transit vehicles; and other appropriate materials made available to the public: *(Documents will be translated into languages other than English, upon request.)*

> **STATEMENT OF RIGHTS:** Casper Area Transit is committed to ensuring that no person is excluded from participation in or denied the benefits of or be subject to discrimination in the receipt of its services on the basis of race, color, national origin or any other characteristics protected by law including Title VI of the Civil Rights Act of 1964 as amended. If you believe you have be subjected to discrimination, you may file a written complaint no later than one-hundred and eighty (180) calendar days after the alleged discrimination with the Casper Area Transit Title VI Officer at 1715 East 4th Street Casper, WY 82601. If you need assistance with a written complaint (o si no habla ingles, llama por) call the Casper Area Transit office at (307) 235-8273 during regular business hours.

Title VI Information, Limited English Proficient (LEP) information and Complaint Process (for printed materials, website, and other mediums upon request)

The City of Casper (City) grants all citizens equal access to all its public transportation services. It is further the intent of the City that all citizens are aware of their rights to such access. This is designed to serve as an educational tool for citizens so that they may understand one of the civil rights laws that protect their benefit of the City programs and services, specifically, as it relates to Title VI of the Civil Rights Act of 1964.

What is Title VI?

Title VI is a section of the Civil Rights Act of 1964 requiring 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." Note that Title VI does not address gender discrimination. It only covers race, color, and national origin. Other Civil Rights laws prohibit gender discrimination.

What is LEP?

As part of Title VI requirements, the City has developed a Limited English Proficiency (LEP) Plan to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to City services as required by Executive Order 13166 "Improving Access to Services for Persons With Limited English Proficiency," reprinted at 65 FR 50121 (August 16,

2000). A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

City's Complaint and Investigation Procedures

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, for alleged discrimination in any transportation program or activity administered by the City.

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. 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 may be utilized for resolution. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited under Title VI and related statutes may file a complaint.

The Title VI Complaint Process can be found on the following page.

Title VI Complaint Process

In compliance with U.S. Department of Transportation Title VI regulations (49 CFR Part 21), Casper Area Transit operates without regard to race, color, or national origin. Any person who believes he or she has been discriminated against by Casper Area Transit on the basis of race, color, or national origin may file a Title VI complaint.

Title VI complaint form can be downloaded here or this URL: https://www.casperwy.gov/cms/one.aspx?pageId=86185 or by calling 307-235-8241. If the complainant is unable to write a complaint, a representative may file on his or her behalf, or Casper Area Transit staff will provide assistance. Complaints must be filed within 180 calendar days of the alleged incident.

1. When a complaint is received by Casper Area Transit, the City Title VI Officer will provide written acknowledgement to the Complainant, within ten (10) calendar days by registered mail.

2. If a complaint is deemed incomplete, additional information will be requested, and the complainant will be provided sixty (60) calendar days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.

3. Within fifteen (15) calendar days from receipt of a complete complaint, the City will determine its jurisdiction in pursuing this matter and whether the complaint has sufficient merit to warrant investigation. Within five (5) calendar days of this decision, the Public Transit Manager or his/her authorized designee will notify the Complainant and Respondent, by registered mail, informing them of the disposition.

   a. If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.

   b. If the complaint is to be investigated, the notification shall state the grounds of the City's jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator. The Public Transit Manager will coordinate with the City Legal Department and Human Resource Department.

4. When the City does not have sufficient jurisdiction, the Public Transit Manager or his/her authorized designee will refer the complaint to the appropriate State or Federal agency holding such jurisdiction.

5. Casper Area Transit will complete the investigation within sixty (60) calendar days of receipt of complaint. If additional time is needed for the investigation, the complainant will be notified. A written investigative report will be prepared, including a summary description of the incident, investigative findings, and recommended corrective action.

6. A closing letter will be provided to the Complainant within ninety (90) calendar days from receipt of the complaint.

Title VI Discrimination Complaint Form

City of Casper Transit Division

Title VI of the Civil Rights Act of 1964 protects people from discrimination based on race, color and national origin in programs and activities receiving financial assistance. Any person who believes she or he has been discriminated against on the basis of race, color or national origin may file a Title VI complaint by completing and submitting Casper Area Transit's Title VI Complaint Form.

The following information is necessary to assist us in processing your complaint. Should you require any assistance in completing this form, please contact the Title VI Officer at (307) 235-8241. In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the Title VI Coordinator. Under these circumstances, the Complainant will be interviewed, and the Title VI Officer will assist the Complainant in converting the verbal allegations to writing.

Complete and return this form to:
City of Casper
Title VI Officer – Community Development
200 North David, Room #203
Casper, WY 82601-1894

COMPLAINANT CONTACT INFORMATION *Please provide your name and contact information*	
Name:	
Address:	
City:	
State:	**Zip:**
County	
Home Phone:	**Cell Phone:**
Email Address:	
Date of Birth:	

BASIS OF THE DISCRIMINATORY ACT(S) *Please specify the categories which you marked*		
Race:	**National Origin:**	**Color:**

*All information contained in this form remains confidential

WHEN DID THE DISCRIMINATORY ACT(S) OCCUR? *Please provide the dates of the alleged acts(s)*		
Beginning Date of the Alleged Act:		
End Date of the Alleged Act:		
Is the Alleged Act Ongoing? ☐ **YES** ☐ **NO**		

CONTACT INFORMATION *Please provide the name and contact information of the **person** that you believe discriminated against you.*		
Name:		
Address:		
City:	**State:**	**Zip:**
County:		**Phone Number:**

CONTACT INFORMATION *Please provide the name and contact information of the **entity** that you believe discriminated against you.*		
Name of Entity:		
Address:		
City:	**State:**	**Zip:**
County:		**Phone Number:**

TELL US WHAT HAPPENED *In your own words, tell us what happened. Provide dates, if applicable, and describe how you were treated differently than others. Use additional paper if needed.*
TELL US WHAT HAPPENED (CONTINUED)

Please sign below to acknowledge that the information entered in the complaint is true and correct.

Complainant Signature

Date

WITNESSES *Please list any individuals that may have information that supports or clarifies your complaint. Include as much contact information as possible. Use additional paper if needed.*		
Witness #1:		
Name of Entity:		
Address:		
City:	**State:**	**Zip:**
Phone Number:		
Witness #2:		
Name of Entity:		
Address:		
City:	**State:**	**Zip:**
Phone Number:		
Witness #3:		
Name of Entity:		
Address:		
City:	**State:**	**Zip:**
Phone Number:		
Witness #4:		
Name of Entity:		
Address:		
City:	**State:**	**Zip:**
Phone Number:		
Witness #5:		
Name of Entity:		
Address:		
City:	**State:**	**Zip:**
Phone Number:		

TITLE VI / LEP

COMPLAINT LOG

January 1, 2019 to December 31, 2019 - NONE

January 1, 2020 to December 31, 2020 - NONE

January 1, 2021 – December 31, 2021 - NONE

January 1, 2022 to date – One (1)

APPENDIX E - Limited English Proficiency (LEP) Plan

City of Casper Wyoming

Submitted to:

Federal Transit Administration

Region 8

1961 Stout St, Ste 13301

Denver, CO 80294-3007

June 2022

TABLE OF CONTENTS

			Page
I	INTRODUCTION		29
II	EXECUTIVE ORDER 13166		29
III	PLAN SUMMARY		29
IV	FOUR FACTOR ANALYSES		30
V	LIMITED ENGLISH PROFICIENCY PLAN OUTLINE		31
	a.	How to Identify an LEP Person who Needs Language Assistance	31
	b.	Language Assistance Measures	31
	c.	Staff Training	32
	d.	Outreach Techniques	32
	e.	Monitoring and Updating the LEP Plan	32
	f.	Dissemination of the City Limited English Proficiency Plan	33
SUB-APPENDIX A – City Languages Spoken at Home Chart			34
SUB-APPENDIX B – Census Bureau's "I Speak Cards"			35

I INTRODUCTION

The purpose of this limited English proficiency policy guidance is to clarify the responsibilities of recipients of federal financial assistance from the U.S. Department of Transportation (DOT) and assist them in fulfilling their responsibilities to limited English proficient (LEP) persons, pursuant to Title VI of the Civil Rights Act of 1964 and implementing regulations. It was prepared in accordance with **Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq.**, and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance, and;

II EXECUTIVE ORDER 13166

Executive Order 13166 "Improving Access to Services for Persons With Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000), directs each Federal agency that is subject to the requirements of Title VI to publish guidance for its respective recipients clarifying that obligation. Executive Order 13166 further directs that all such guidance documents be consistent with the compliance standards and framework detailed in the Department of Justice's (DOJ's) Policy Guidance entitled "Enforcement of Title VI of the Civil Rights Act of 1964--National Origin Discrimination Against Persons With Limited English Proficiency." (See 65 FR 50123, August 16, 2000 DOJ's General LEP Guidance). Different treatment based upon a person's inability to speak, read, write, or understand English may be a type of national origin discrimination.

Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies such as the City of Casper, Wyoming (City), and governments, private and non-profit entities, and subrecipients.

III PLAN SUMMARY

The City has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to transit services as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates.

In developing the plan while determining the City's extent of obligation to provide LEP services, the City undertook a U.S. Department of Transportation four factor LEP analysis which considers

the following: 1) The number or proportion of LEP persons eligible in the City service area who maybe served or likely to encounter an City transit program, activity, or service; 2) the frequency with which LEP individuals come in contact with a transit services; 3) the nature and importance of the program, activity or service provided by the City to the LEP population; and 4) the resources available to the City and overall costs to provide LEP assistance. A brief description of these considerations is provided in the following section.

IV FOUR FACTOR ANALYSES

1. The number or proportion of LEP persons eligible in the City service area who may be served or likely to encounter a City Transit program, activity, or service

The City examined the American Community Survey from 2013-2017 and was able to determine that approximately 6.8%, or 5,120 people spoke a language other than English. Of the 5,120 people reporting they speak other languages than English, 1,473 or 2.0% of respondents either speak English "not well" or "not at all." (See **SUB-APPENDIX A** on page 34 for City Languages Spoken at Home Chart).

2. The frequency with which LEP individuals come in contact with a City transit program, activity, or service

The City assesses the frequency at which staff and drivers have or could possibly have contact with LEP persons. This includes documenting phone inquiries and surveying completed by the drivers. The City has never had a request for interpreters. The City provides, on its own accord, the public transportation bus schedules that are translated into Spanish. The City has had zero requests for other translated transit documents. The staff and drivers have had very little contact with LEP individuals.

3. The nature and importance of the program, activity, or service provided by the City to LEP community

There is no large geographic concentration of any one type of LEP individuals in the Casper service area. The overwhelming majority of the population, 93.2% or 70,392, speak only English. The Spanish speaking population appears to be bi-lingual with only 2.0% or 1,473 individuals that reported speaking English "less than very well."

Several organizations in the community are able to provide outreach services to LEP individuals within the Casper service area.

4. The resources available to the City transit and overall costs

The City assessed its available resources that could be used for providing LEP assistance. This included determining which documents would be the most valuable to be translated if and when the population supports, determining what staff could assist with translation efforts, and what level of staff training may be needed.

After analyzing the four factors, the City developed the plan outlined in the following section for assisting persons of limited English proficiency.

V LIMITED ENGLISH PROFICIENCY PLAN OUTLINE

a) **How to Identify an LEP Person who Needs Language Assistance** - Below are tools to help identify persons who may need language assistance:

- Examine records requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings;

- When City transit sponsored workshops or conferences are held, post on the public notices contact information for people with special needs. Also set up a sign-in sheet table, have a staff member greet and briefly speak to each attendee. To informally gauge the attendee's ability to speak and understand English, ask a question that requires a full sentence reply;

- Have the Census Bureau's "I Speak Cards" be made available (contained herein as **SUB-APPENDIX A** on page 34) when needed and have the cards available at the City Transit Office and on buses; and

- Frequently survey drivers and other first line staff of any direct or indirect contact with LEP individuals.

b) **Language Assistance Measures** - The City has or will implement the following LEP procedures. The creation of these steps are based on the very low percentage of persons speaking other languages or not speaking English at least "well," in the Casper transit area:

- City's website has a "Select Language" tab that will translate the webpage into any one of 108 languages. www.casperaretransit.org

- Census Bureau's "I Speak Cards" are to be located at the Casper Area Transit office at all times. Bus drivers will also be required to carry Basic Spanish for Transit Employees from CDOT on their routes.

- When the City transit hosts public meetings or conferences and a special need is identified in advance, the City will make every effort to have a translator available at the meeting.

- When an interpreter is needed, in person or on the telephone, an available bilingual transit staff member will attempt to assist. If a bilingual staff member is not available, staff will first attempt to determine what language is required. Staff shall use the

telephone interpreter service - Language Line Services at http://www.languageline.com. On the Language Line home page the staff will select the Need an Interpreter Now link and follow the directions to receive an access code.

c) **Staff Training** - All transit staff will be provided with the LEP Plan and will be educated on procedures to follow. This information will also be part of the TOB staff orientation process for new hires. Training topics are listed below:

- Understanding the Title VI policy and LEP responsibilities;
- What language assistance services the City offers;
- Use of LEP "I Speak Cards";
- How to use the Language Line interpretation and translation services;
- Documentation of language assistance requests;
- How to handle a Title VI and/or LEP complaint (this process is contained in *APPENDIX D of the City of Casper Title VI Plan*)

d) **Outreach Techniques** – The City's Public Participation Plan has identified outreach techniques. The following are options that the City will incorporate when and/or if the need arises for LEP outreach:

- If staff knows that they will be presenting a topic that could be of potential importance to an LEP person or if staff will be hosting a meeting or a workshop in a geographic location with a known concentration of LEP persons, meeting notices, fliers, advertisements, and agendas will be printed in an alternative language, based on known LEP population in the area.

- When running a general public meeting notice, staff will insert the clause, based on the LEP population and when relevant, that translates into "A (insert alternative Language) translator will be available". For example: "*Un traductor del idioma español estará disponible.*" This means "*A Spanish translator will be available*".

- Key print materials, including, but not limited to, schedules and maps, will be translated and made available by request.

e) **Monitoring and Updating the LEP Plan** - This plan is designed to be flexible and is one that can be easily updated. At a minimum, the City will follow the Title VI Program update schedule for the LEP Plan. However, major updates most likely will not occur until the 2020 Census data is released, unless the City finds it necessary and crucial for an update before such time.

Each update should examine all plan components such as:

- How many LEP persons were encountered?
- Were their needs met?

- What is the current LEP population in the Casper service area?
- Has there been a change in the types of languages where translation services are needed?
- Have the City's available resources, such as technology, staff, and financial costs changed?
- Has the City fulfilled the goals of the LEP Plan?
- Were any complaints received?

f) **Dissemination of the City Limited English Proficiency Plan** - The City includes the LEP Plan with its Title IV Policy and Complaint Procedures. The City's Notice of Rights under Title VI to the public is posted in the Transit office, City building, and on all transit vehicles.

Any person, including social service, non-profit, and law enforcement agencies and other community partners will be able to access the plan on the website here downloaded here or this URL: https://www.casperwy.gov/cms/one.aspx?pageId=86185.

Copies of the LEP Plan will be provided, on request, to any person(s) requesting the document via phone, in person, by mail or email. LEP persons may obtain copies/translations of the plan upon request.

Any questions or comments regarding this plan should be directed to the City Title VI Coordinator.

City Title VI Officer – Community Development Director
City of Casper
200 North David
Casper, WY 82601
Phone: 307-235-8241
Fax: 307-235-8362
Email: lbecher@casperwy.gov

SUB-APPENDIX A

City of Casper Languages Spoken at Home Chart

Casper Metropolitan Area Languages Spoken at Home		
Based on the 2020 American Community Survey 5-Year Estimates Detailed Tables		
Language Spoken At Home And Ability To Speak English In The United States For The Population 5 Years And Older	**Total**	**Percentage of Population**
Total Resident Population 5 Years and Over	74,838	100.00%
Speak Only English	70,281	93.91%
Speak Languages Other Than English	4,557	6.09%
Speak Spanish:	2,776	
Speak English "very well"	2,065	2.76%
Speak English "well"	427	0.57%
Speak English "not well"	256	0.34%
Speak English "not at all"	28	0.04%
Speak other Indo-European languages:	894	
Speak English "very well"	839	1.12%
Speak English "well"	31	0.04%
Speak English "not well"	24	0.03%
Speak English "not at all"	-	0.00%
Speak Asian and Pacific Island languages:	560	
Speak English "very well"	453	0.61%
Speak English "well"	90	0.12%
Speak English "not well"	13	0.02%
Speak English "not at all"	4	0.01%
Speak other languages:	327	
Speak English "very well"	270	0.36%
Speak English "well"	-	0.00%
Speak English "not well"	57	0.08%
Speak English "not at all"	-	0.00%
Total Residents that speak only English, or speak English "Very Well" or "Well"	74,456	99.49%
Total Residents that speak English "Not Well" or "Not at All"	382	0.51%
Data Set:	ACSDT5Y2020	
Table ID:	B16004	

2004 Census Test

United States Census 2010

LANGUAGE IDENTIFICATION FLASHCARD

☐ ضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.	1. Arabic
☐ Խնդրում՝ նշեք այս քառակուսում, եթե խոսում կամ կարդում եք հայերեն:	2. Armenian
☐ যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।	3. Bengali
☐ ឈូមបញ្ជាក់ក្នុងប្រអប់នេះ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ។	4. Cambodian
☐ Motka i kahhon ya yangin ûntûngnu' manaitai pat ûntûngnu' kumentos Chamorro.	5. Chamorro
☐ 如果你能读中文或讲中文，请选择此框。	6. Simplified Chinese
☐ 如果你能讀中文或講中文，請選擇此框。	7. Traditional Chinese
☐ Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.	8. Croatian
☐ Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.	9. Czech
☐ Kruis dit vakje aan als u Nederlands kunt lezen of spreken.	10. Dutch
☐ Mark this box if you read or speak English.	11. English
☐ اگر خواندن و نوشتن فارسي بلد هستيد، اين مربع را علامت بزنيد.	12. Farsi

DB-3309

U.S. DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. CENSUS BUREAU

☐ Cocher ici si vous lisez ou parlez le français.	13. French
☐ Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	14. German
☐ Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.	15. Greek
☐ Make kazye sa a si ou li oswa ou pale kreyòl ayisyen.	16. Haitian Creole
☐ अगर आप हिन्दी बोलते या पढ़ सकते हों तो इस बक्स पर चिह्न लगाएँ।	17. Hindi
☐ Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	18. Hmong
☐ Jelölje meg ezt a kockát, ha megérti vagy beszéli a magyar nyelvet.	19. Hungarian
☐ Markaam daytoy nga kahon no makabasa wenno makasaoka iti Ilocano.	20. Ilocano
☐ Marchi questa casella se legge o parla italiano.	21. Italian
☐ 日本語を読んだり、話せる場合はここに印を付けてください。	22. Japanese
☐ 한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	23. Korean
☐ ໃຫ້ໝາຍໃສ່ຊ່ອງນີ້ ຖ້າທ່ານອ່ານຫຼືປາກພາສາລາວ.	24. Laotian
☐ Prosimy o zaznaczenie tego kwadratu, jeżeli posługuje się Pan/Pani językiem polskim.	25. Polish

DB-3309

U.S. DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. CENSUS BUREAU

☐ Assinale este quadrado se você lê ou fala português.	26. Portuguese
☐ Însemnaţi această căsuţă dacă citiţi sau vorbiţi româneşte.	27. Romanian
☐ Пометьте этот квадратик, если вы читаете или говорите по-русски.	28. Russian
☐ Обележите овај квадратић уколико читате или говорите српски језик.	29. Serbian
☐ Označte tento štvorček, ak viete čítat'alebo hovorit'po slovensky.	30. Slovak
☐ Marque esta casilla si lee o habla español.	31. Spanish
☐ Markahan itong kuwadrado kung kayo ay marunong magbasa o magsalita ng Tagalog.	32. Tagalog
☐ ให้กาเครื่องหมายลงในช่องถ้าท่านอ่านหรือพูดภาษาไทย.	33. Thai
☐ Maaka 'i he puha ni kapau 'oku ke lau pe lea fakatonga.	34. Tongan
☐ Відмітьте цю клітинку, якщо ви читаєте або говорите українською мовою.	35. Ukranian
☐ اگر آپ اردو پڑھتے یا بولتے ہیں تو اس خانے میں نشان لگائیں۔	36. Urdu
☐ Xin đánh dấu vào ô này nếu quý vị biết đọc và nói được Việt Ngữ.	37. Vietnamese
☐ באצייכנט דעם קעסטל אויב איר לייענט אדער רעדט אידיש.	38. Yiddish

DB-3309

U.S. DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. CENSUS BUREAU

APPENDIX F - Passenger Guidelines

Passenger Guidelines

1715 East 4th Street
307-235-8273
307-235-8287
307-265-1373(TDD)
www.casperareatransit.org

Restrictions

To ensure safety of our drivers, LINK and ASSIST will have the following restrictions

- Refrain from smoking and chewing tobacco. No spitting on buses is allowed
- Refrain from fighting, using vulgar, offensive or abusive language, pushing, shouting or participating in rough behavior.
- Refrain from bringing prohibited items on ASSIST or LINK including:

  Flammable liquids such as gasoline or kerosene; including gas containers that are empty, but have had gasoline, or kerosene in them at some point. (Gas containers that are brand new and have never been used can be boarded).

  Vehicle batteries, fireworks, large packages or other items such as furniture, air conditioners etc.

Mobility Devices

Drivers are specially trained to assist you. Drivers will deploy lifts and ramps for persons using mobility devices and those without mobility devices who cannot navigate the bus steps upon request. Drivers must secure passengers using mobility devices with no fewer than four securements. Management will be contacted immediately prior to transporting any mobility device that cannot be secured to the bus floor.

At pick up or drop off address drivers will not assist passengers using wheelchairs and scooters up or down stairways. Passengers are required to have someone else assist them up or down stairways at the pickup and drop off

Walkers must be folded and other mobility devices must be stored out of the aisles.

Seating

Passengers using *ADA (American with Disabilities Act) Mobility Devices on the bus (including wheelchairs, scooters, walkers, etc.) are given priority seating. Passengers must yield priority seating in the front of the vehicle for senior and disabled customers.

ASSIST and LINK passengers are required to use seat belts unless they have a medical certificate on file from a physician stating passenger is exempt. Passengers using mobility devices are required to use the lap belts that are attached to the securement devices.

Strollers

Strollers must be folded and stored out of the aisles. Strollers are not ADA Mobility Devices. If strollers cannot be folded and stowed safely, passengers with strollers must wait for the next available bus

Children man not remain in strollers during vehicle movement

Service Animals

Working service animals are welcomed

Companion animals are permitted on a leash or a small carrier. Cats must be in a carrier. No unsecured animals are allowed under any circumstances

Stop Requests

The Link passengers are required to use the stop request cord at least one block before the bus stop.

Passengers requesting a route deviation must call 307-235-8287 one hour in advance to request a deviation. The dispatcher will ask the driver if the deviation will work in the schedule. If the driver is on schedule the request is usually approved.

Deviation Cost (one way trip):

Seniors/disabled/Medicare	$1.00
General Public	$2.00

Bags

Assist: Passengers are limited to 6 grocery size bags with a weight limit of no more than 20lbs per item

The Link: Passengers are limited to 4 grocery size bags with a weight limit of no more than 20lbs per item.

Complaints or Problems

Concerns or complaints should be submitted to:

Casper Area Transit
1715 East 4th Street
Casper, WY 82601

Denial of Service

LINK and ASSIST reserve the right to refuse service to anyone. Inappropriate behavior, language or conduct toward any passenger or employee of Casper Area transit will not be tolerated and with ample warnings can result in loss of service.

LINK and ASSIST
1715 E. 4th Street
Casper, WY
Phone (307) 235-8259
Fax (307) 235-7567
www.casperareatransit.org

Casper Area Transit

Statement of Rights:

Casper Area Transit is committed to ensuring that no person is excluded from participation in, or denied the benefits of, or been subject to discrimination in the receipt of its services on the basis of race, color, national origin or any other characteristics protected by law including Title VI of the Civil Rights Act of 1964 as amended.

If you believe you have been subjected to discrimination, you may file a written complaint no later than 80 calendar days after the alleged discrimination with the Director of Casper Area Transit, 1715 East 4th Street Casper, WY 82601.

If you need assistance with a written complaint call (307)235-8259 during regular business hours Monday- Friday 8:00AM to 5:00PM.

Casper Area LINK

ASSIST
CASPER AREA TRANSIT DIAL-A-RIDE

APPENDIX G - Other Title VI Program Documents

1. A copy of the City Council resolution, meeting minutes, or similar as evidence that the City Council has approved the Title VI Program (page 43).

2. Evidence that a requirement to Notify Beneficiaries of Protection is prominently posted on the agency's website (page 44).

3. A copy of the established public participation program (page 45).

4. A copy of an equity analysis to determine site or location of facilities (page 46).

5. System and Facility Guidelines

RESOLUTION NO. 22-114

A RESOLUTION APPROVING THE CITY OF CASPER'S TITLE VI PROGRAM AS REQUIRED BY THE DEPARTMENT OF TRANSPORTATION FOR FEDERAL TRANSPORTATION ASSISTANCE AND AUTHORIZED BY THE CIVIL RIGHTS ACT OF 1964, 42 U.S.C. § 2000D ET SEQ.

WHEREAS, the Department of Transportation requires every Federal Transit Administration Grantee to have an approved Title VI program; and,

WHEREAS, the City of Casper is a designated Recipient of Federal Transportation Assistance as defined by 49 U.S.C. § 5307(a)(2); and,

WHEREAS, the City of Casper desires to remain a Designated Recipient of the Federal Transit Administration.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING: That the City Manager is authorized to execute and file the Title VI Program on behalf of the City of Casper with the Federal Transit Administration authorized by 42 U.S.C. § 2000d et seq.

PASSED, APPROVED, AND ADOPTED this 21st day of June, 2022.

APPROVED AS TO FORM:

ATTEST:

SEAL OF THE CITY OF CASPER WYOMING CITY CLERK

Fleur Tremel
City Clerk

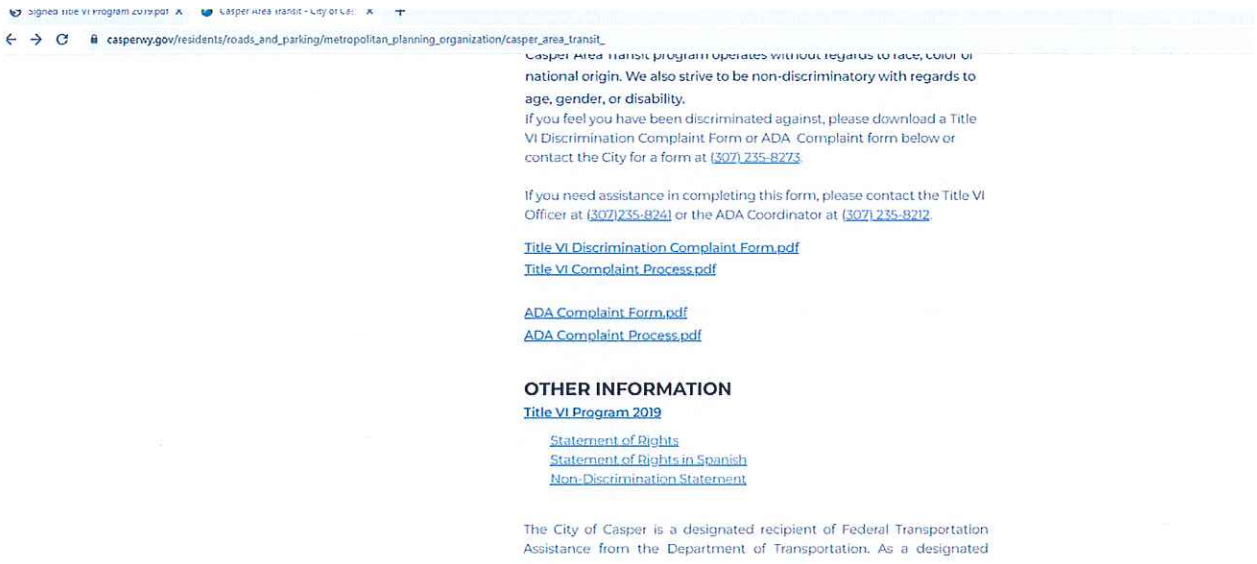
CITY OF CASPER, WYOMING
A Municipal Corporation

Ray Pacheco
Mayor

I hereby certify that this document is a true and correct copy of the original.

City Clerk or Deputy Clerk

Evidence of notification to beneficiaries on website.



national origin. We also strive to be non-discriminatory with regards to age, gender, or disability.

If you feel you have been discriminated against, please download a Title VI Discrimination Complaint Form or ADA Complaint form below or contact the City for a form at (307) 235-8273.

If you need assistance in completing this form, please contact the Title VI Officer at (307)235-8241 or the ADA Coordinator at (307) 235-8212.

Title VI Discrimination Complaint Form.pdf
Title VI Complaint Process.pdf

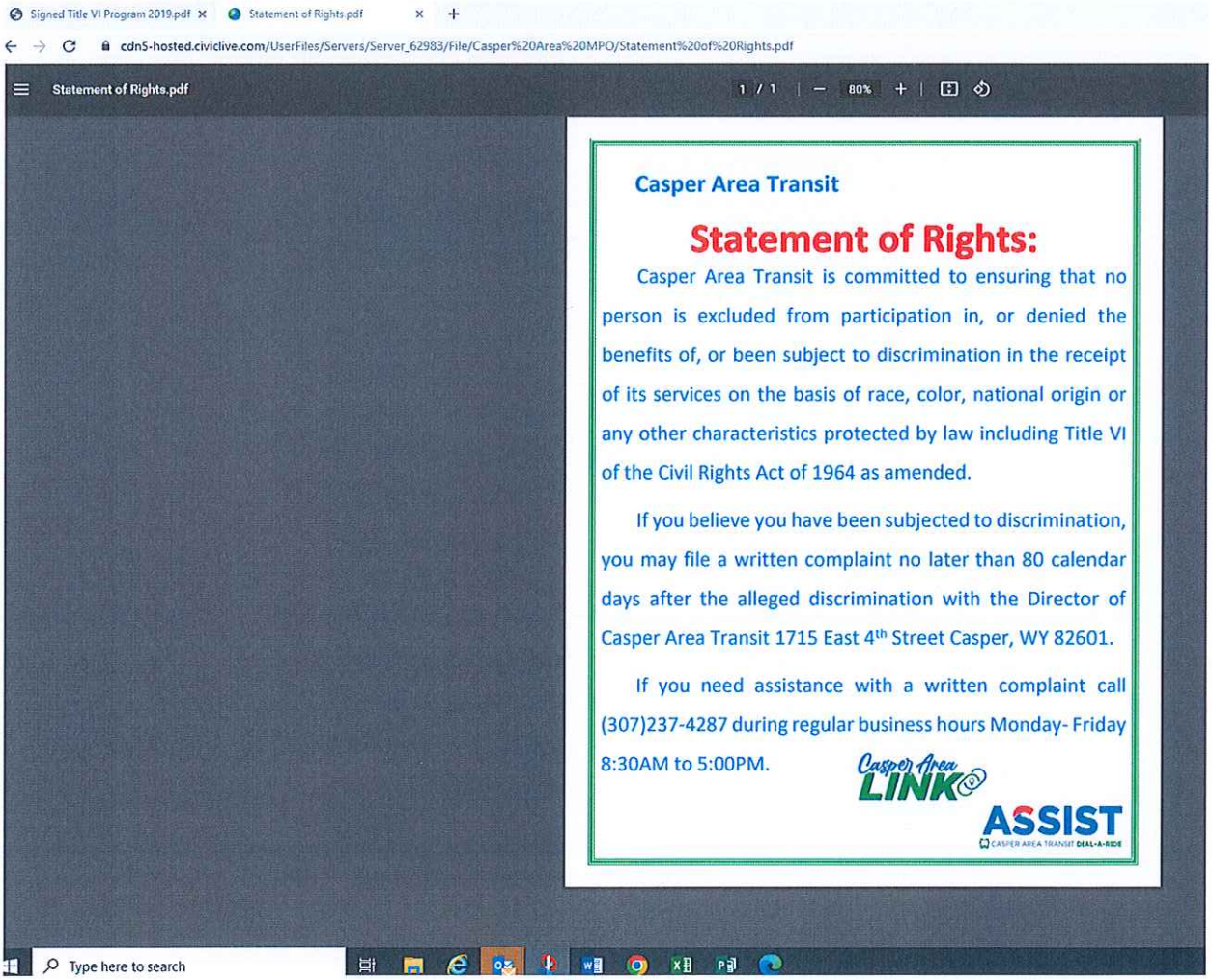
ADA Complaint Form.pdf
ADA Complaint Process.pdf

OTHER INFORMATION

Title VI Program 2019

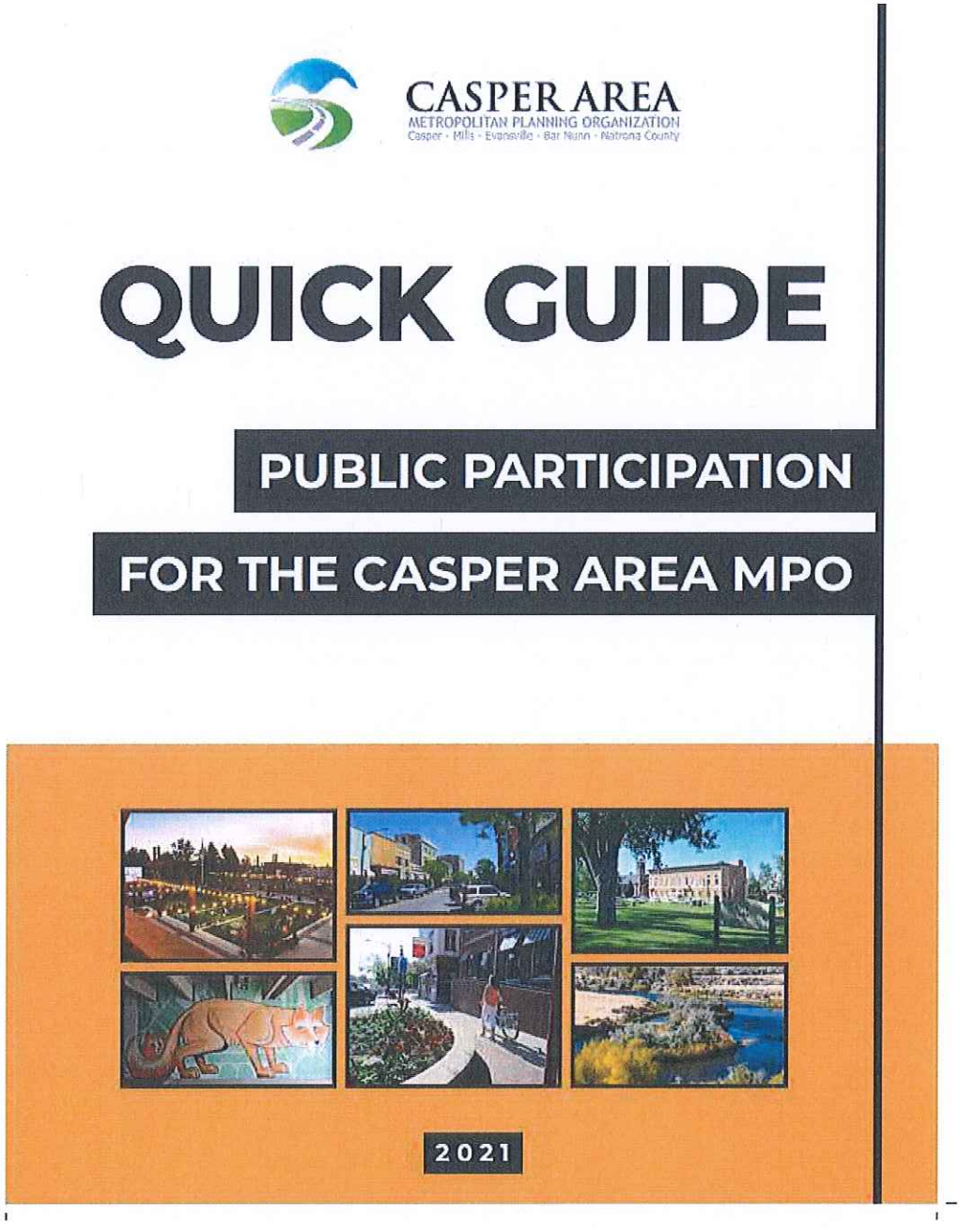
Statement of Rights
Statement of Rights in Spanish
Non-Discrimination Statement

The City of Casper is a designated recipient of Federal Transportation Assistance from the Department of Transportation. As a designated



The City of Casper's Public Participation Plan can be found on the City of Casper website by clicking here. The URL is provided below.

https://www.casperwy.gov/cms/One.aspx?portalId=63067&pageId=86082



Equity Analysis (Construction Projects)

The City of Casper Transit Division has not engaged in any project requiring land acquisition and/or displacement of persons from their residences or businesses during this reporting period, nor has any plans to do so. As standard policy, the City integrates environmental justice analysis into any NEPA documentation required in connection with any construction projects. Those involving categorical exclusions are submitted to the FTA and include a section on community disruption and environmental justice. City policy and reporting integrates the following into environmental assessments or impact statements:

- Description of low-income and minority population within the area affected by the project, and description of the method used to identify the population;
- Discussion of adverse effects of the project during and after construction;
- Discussion of positive effects;
- Description of mitigation and environmental enhancement actions incorporated into the project to address any adverse effects of a construction project;
- Discussion of remaining effects and, if any, why further mitigation is not proposed;
- A comparison of mitigation and environmental enhancement actions that affect predominately low-income and minority areas with mitigation implemented in predominately low-income and minority areas.

City of Casper Policy on Disparate Impact

The requirement for this policy comes from Federal Transit Administration (FTA) Circular 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients" which became effective October 1,2012. The Circular requires any FTA recipient that operates 50 or more fixed route vehicles in peak service and serving a population of 200,000 or greater to evaluate any fare change and any major service change at the planning and programming stages to determine whether those changes have a discriminatory impact. Even though at this time the City of Casper does not meet the size criteria specified for this policy, the City is committed to ensuring that changes made to transit services do not have disparate impacts on any citizens or neighborhoods within the transit service area.

The purpose of this policy is to establish a threshold which identifies when adverse effects of a major service change or any fare change are borne disproportionately by minority populations.

A disparate impact occurs when the minority population adversely affected by a fare or service change is ten percent more than the average minority population of the transit service area.

Disparate impacts on routes with either span of service changes and/or frequency changes will be determined by analyzing all routes with such changes together. Disparate impacts on routes with segment elimination, re- routing, or route elimination will be determined on a route by route basis.

If the City finds a potential disparate impact, the City will take steps to avoid, minimize or mitigate impacts then reanalyze the modified service plan to determine whether the impacts were removed. If the City chooses not to alter the proposed changes, the agency may implement the service or fare change if there is substantial legitimate justification for the change AND the City can show that there are no alternatives that would have less of an impact on the minority population and would still accomplish the City's legitimate program goals.

Casper Area Transit (LINK / ASSIST) Service and Facility Guidelines

Purpose of Transit Guidelines and Standards

Many public transit agencies implement guidelines and standards to guide transit service development, design, and provision. Service design guidelines identify methods, procedures, and criteria for designing, evaluating, and adjusting the performance of fixed-route public transit services. They act as tools for maximizing the overall usefulness of the public transportation system for customers, ensuring consistency of the route structure, and providing consistent criteria for establishment of service levels.

Guidelines differ from standards in that guidelines tend to be more flexible in nature. A standard on the other hand is a firmer measure used as a basis for judgment or comparison.

Guiding Factors for Casper Area Transit (Transit) Service and Facility Development

Transit's guidance for service and facility development comes from many sources including historical agency guidelines, published industry best practices, and application of professional knowledge and judgment. For the purposes of this discussion, service and facility guidelines standards are considered for those elements of Transit's system which are not already specifically guided by federal, state or local laws or regulations, which themselves may direct or define Transit's services.

Transit has at different points in time identified service guidelines to provide direction for tracking performance, evaluating service changes and identifying services not meeting the desired levels of performance as well as identifying design guidelines for facility development. Given the evolution of Transit's transit system and the ongoing evolution of best practices across the transit industry, some previously-identified guidelines are no longer relevant. Consequently, there is no one document that Transit points to as the basis for service and facility development decisions but rather decision-making rests upon a variety of sources. These sources include planner knowledge and experience, adaptations of previously identified guidelines, national research by industry experts such as the Transportation Research Board, and review of service and facility guidelines used by other agencies.

Examples of Service and Facility Guidelines

There are certain guidelines that Transit uses regularly and which affect various aspects of Transit's service design, delivery and system management investments. Some guidelines suggest best practices for service design, methods of evaluating service quality or to identify thresholds at which service or facility investments should be made. For example:

- *Service Quality – Overloads:* A route is defined as overloaded when it is at or above 1.2 times seated capacity or at 1.1 times seated capacity with passengers standing for 20 minutes or longer
- *Service Quality – Schedule adherence*: A route is defined as on-time if it is less 5 minutes late and never arrives early. Transit targets to achieve an 85 percent on-time rate.
- *Service Design – Deviation*: Routings should only deviate from a more direct pathway where the number of riders boarding/alighting on deviation offsets the number of minutes lost for through riders.
- *Facility Investment – Threshold for installation of a shelter: 2*0 or more riders per day in Casper, 15 or more outside of Casper.

Service Evaluation Guidelines

Transit has established service evaluation guidelines for regular assessment of the performance of all routes. The evaluation process is intended to provide clear, consistent information about the performance of individual transit services to aid planners and decision-makers in developing service changes. The intent of the process was to identify very successful services as well as unsuccessful ones, utilize simple evaluation criteria to improve the consistency of use, and define performance thresholds that reflect unique performance aspects of different markets and types of service.

The service evaluation guidelines are applied in the annual Route Performance Report, which assesses service performance of all regular service. Performance assessment is based on comparison to other members of the same group of routes and routes are grouped by subarea and time period for similarity in operating conditions. Thresholds for "strong" and "below average" performance are determined for each subarea and time-period group, based on average route performance in each group.

The Route Performance report focuses on four measures: riders per revenue hour, fare revenue to operating expense ratio, passenger miles per revenue hour and passenger miles divided by platform miles.

Principles for Developing New Guidelines and Measures

General principles identified as part of Transit's service evaluation update process state that guidelines should:

1) Be simple to use and understand by a wide audience
2) Rely on criteria that are measurable and methods that are quantifiable to ensure consistent application over time
3) Require all services to meet minimum expectations at some point so that limited public resources can be responsibly and efficiently targeted
4) Clearly delineate actions stemming from both poor and strong performance
5) Provide more than one chance for a service to demonstrate performance but limit the amount of time a service has to perform before resources are reallocated (i.e. poor performers cannot continue forever)

Published Industry Research and Best Practices
Published research is a valuable source of information and guidance, for both service design and facility design. Some of the specific documents used by Transit include:

- Transportation Research Board (TRB) Transit Cooperative Research Program (TCRP) Report 100: *Transit Capacity and Service Quality Manual*
- Transportation Research Board (TRB) Transit Cooperative Research Project (TCRP) Report 19: *Guidelines for the Location and Design of Bus Stops*
- Transportation Research Board (TRB) Transit Cooperative Research Program (TCRP) Report 95: Chapter 9: *Transit Scheduling and Frequency*
- Transportation Research Board (TRB) Transit Cooperative Research Program (TCRP) Report 95: Chapter 10: *Bus Routing and Coverage.*

Overview of Possible Factors Addressed By Guidelines
Service and facility guidelines can play a role in helping an agency meet its goals and objectives by providing flexible performance targets. Therefore, it is important that an agency select guidelines that correspond with their performance goals and targets.

This section is designed to provide an overview of quality of service measures and guidelines included in the Transit Development Plan that was completed in 2021.

Land Use
Land use affects the level and nature of travel demand, and therefore influences transit service levels. Where employment centers and high density development exist, there is a greater opportunity for a greater transit market, given that other attributes present in the area are transit supportive. On the national scale, a ten percent increase in population density has been shown to correspond with a five percent increase in transit boardings.
Transit serves a mix of areas including neighborhoods and commercial centers. Residential densities in neighborhoods in the City vary greatly and these differences offer unique challenges to transit service that affects decisions made about service frequency and service coverage. Land use and development patterns also affect accessibility to transit. To make transit service more attractive and to enhance service levels, areas served with transit service must also provide accessibility to pedestrians.

Access to Transit
Access to a transit stop or transit center is a critical point in connecting citizens with transit service. Best practices suggest that a quarter mile is the farthest transit agencies should expect passengers to walk to buses. Transit attempts to locate bus stops so that customers walk no more than a quarter of a mile to access a bus stop. There are multiple components to transit accessibility that include not only walking distance, but factors such as street design and pedestrian pathways.
Street designs, pedestrian crossings, weather and topography also affect pedestrian accessibility and willingness to walk. When streets are designed to provide more direct access

for pedestrians to transit routes and neighborhood amenities, this may encourage more people to travel via alternative modes. Wide and busy streets can discourage pedestrian travel, so the provision of signalized crossings in such areas makes pedestrian travel friendlier. The difficulty pedestrians have crossing the street can be expressed by the amount of delay they experience when crossing the street. Pedestrians become impatient when their wait exceeds 30 seconds and display risk-taking behaviors such as jay-walking or running across the street. For transit providers, locating transit stops where there are designated pedestrian crossings and adequate pedestrian amenities can help encourage further use of the transit system.

Service Quality Factors

Aside from factors that affect actual service provision, there are additional components of service that impact service quality and ultimately, transit system performance. These areas including service frequency, on-time performance and travel time can serve as both performance measurements and service guideline areas for transit agencies to consider.

Service Frequency

Service frequency is important to attracting more transit riders. Service frequency determines how often a user can access the transit mode available, provided it is during the time and destined for the place the user wishes to travel. With more frequent service, transit users have more flexibility in selecting travel times and shorter waits when a bus is missed or the schedule is unknown. Increased service frequencies can make transit a more attractive form of travel. Many transit agencies have implemented policy headways, which specify the frequency in minutes that a type of transit service operates. Policy headways are considered a guideline that provides a minimum requirement for different types of service including express, local and commuter services.

On-Time Performance

On-time performance is the commonly used measure for service reliability, which is tied to service frequency. If the service is scheduled for arrival every 20 minutes, but arrives late, it impacts both the frequency and reliability of the service. Transit employs on-time performance as a measure to manage transit route performance. The Transit Development Plan identifies "on-time" as a vehicle being 0 to 5 minutes late, with early departures not considered to be on-time. Transit vehicles running early can be a significant contributor to low on-time performance. On-time performance is particularly valuable to measure vehicles with less frequent service while headway adherence may be a better measure to determine reliability on transit service operating at headways of 15 minutes or less. Headways are an important guideline in service reliability because vehicles that do not adhere to headways can cause longer wait times for passengers and a stacking of transit vehicles, leading to a decline in the efficiency of the service.

Travel Times

Travel times for commuters are also a consideration in thinking about service guidelines. Total trip time for transit users includes travel time to the transit stop, wait time for the transit

vehicle, on-board travel time and any additional transfer or walking time to their final destination. Passengers perceive travel times differently during portions of their trip. Travelers tend to value waiting and walking time to transit higher than in-vehicle time. Transfers further impose a perceived cost on riders. From the perception of a transit user, transfer wait time costs tend to be greatest during the first few minutes and decline as waiting duration increases. When passengers have to transfer, it is estimated that the penalty is 5-15 minutes of in-vehicle time. There are means to reduce perceived travel times through increased comfort, improvements in walking conditions, reduced waiting times and increases in speed and reliability of a service.

Passenger Loads

Transit can become less attractive for passengers when they encounter crowded vehicles. Crowded transit vehicles can deter users while also slowing down transit operations. The degree of passenger crowding, can be measured by load factor. Transit regularly monitors the load factor on route trips through available data and with a load factor of 1.0, meaning that there are an equal number of seats and passengers on that trip at its maximum load point. Passenger loads and service frequencies interact, with higher boarding volumes and higher frequency, passengers can be assured that their waiting time will be minimal for the next bus.

Use of Guidelines

- **Tie Between Guidelines and Performance Measures -** Many agencies develop guidelines to help guide and evaluate service. There tends to be a close linkage between service standards or guidelines, and agency performance measures.
- **Guidelines as One Component of an Evaluation System –** Established guidelines are one component of an evaluation system which sets expectations for route or system performance, they are not used in isolation to discontinue poorly performing routes. Services that consistently perform poorly are subject to monitoring, review and possible action to modify or improve it. Poor performing services will be put on probation and evaluated on a continual basis. If efficiency becomes even more urgent in the context of global warming and rising operating costs, Transit may need to consider applying the route performance thresholds and other service evaluation in a more aggressive manner.

Issues for Discussion

Many transit agencies have developed guidelines to help track and evaluate performance. Published guidelines or standards can help provide a basis for planners to make difficult decisions when balancing service quality with efficiency. Identified guidelines can assist policymakers and stakeholders in judging whether an agency's actions are consistent and based on established criteria. They can also help ensure consistency across service, service types and facilities. As Transit's system evolves due to initiatives and fluctuations in the transit market there may be value in updating guidelines to better reflect and guide Transit's service and facility development. In addition, it may be important to establish guidelines to help respond to

the emerging issues of climate change, fuel shortages, and increasing demand for transit which suggest that new, innovative approaches to service delivery may be needed to meet demand.