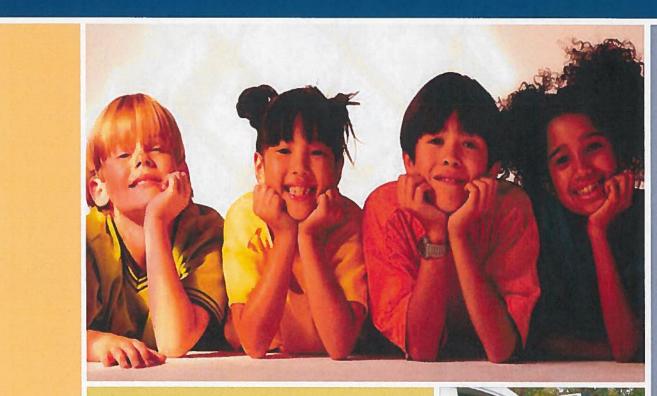
Agency for Community Treatment Services, Inc.



Title VI Plan



Table of Contents

1.0 Plan		VI/Nondiscrimination Policy Statement and Management Commitment to Title VI		
2.0	Intro	duction & Description of Services2-1		
	2.1	First Time Applicant Requirements2-2		
	2.2	Annual Certifications and Assurances2-3		
	2.3	Title VI Plan Concurrence and Adoption		
3.0	Title	VI Notice to the Public		
	3.1	Notice to Public 3-4		
	3.2	Notice Posting Locations 3-4		
4.0	Title	VI Procedures and Compliance		
	4.1	Complaint Procedure4-5		
	4.2	Complaint Form4-5		
	4.3	Record Retention and Reporting Policy4-6		
	4.4	Sub-recipient Assistance and Monitoring4-6		
	4.5	Contractors and Subcontractors		
5.0	Title	VI Investigations, Complaints, and Lawsuits5-8		
6.0	Publ	ic Participation Plan6-9		
7.0	Lang	guage Assistance Plan7-10		
8.0		sit Planning and Advisory Bodies 8-10		
9.0	Title VI Equity Analysis 9-10			
10.0	Syste	em-Wide Service Standards and Service Policies 10-11		
11.0	App	endices 11-12		
APPE	NDIX.	A FTA CIRCULAR 4702.1B REPORTING REQUIREMENTS FOR TRANSIT PROVIDERS		
APPE	NDIX	B CURRENT SYSTEM DESCRIPTION		
APPE	NDIX	C TITLE VI PLAN ADOPTION MEETING MINUTES AND FDOT CONCURRENCE LETTER		
APPE	NDIX	D TITLE VI SAMPLE NOTICE TO PUBLIC		
APPE	NDIX	E TITLE VI COMPLAINT FORM		
APPE	NDIX	F PUBLIC PARTICIPATION PLAN		
APPE	NDIX	G LANGUAGE ASSISTANCE PLAN		
APPE	NDIX	H OPERATING AREA LANGUAGE DATA: ACTS SERVICE AREA		
APPE	NDIX	I DEMOGRAPHIC MAPS		
ADDE	VIDIY:	I TITLE VLEOLITY ANALYSIS		

ACTS

1.0 Title VI/Nondiscrimination Policy Statement and Management Commitment to Title VI Plan

49 CFR Part 21.7(a): Every application for Federal financial assistance to which this part applies shall contain, or be accompanied by, an assurance that the program will be conducted or the facility operated in compliance with all requirements imposed or pursuant to [49 CFR Part 21].

ACTS assures the Florida Department of Transportation that no person shall on the basis of race, color, national origin, age, disability, family or religious status, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and the Florida Civil Rights Act of 1992 be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity undertaken by the agency.

ACTS further agrees to the following responsibilities with respect to its programs and activities:

- 1. Designate a Title VI Liaison that has a responsible position within the organization and access to the recipient's Chief Executive Officer or authorized representative.
- 2. Issue a policy statement signed by the Executive Director or authorized representative, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Recipient's organization and to the general public. Such information shall be published where appropriate in language other than English.
- 3. Insert the clauses of Section 4.5 of this plan into every contract subject to the Acts and the Regulations.
- 4. Develop a complaint process and attempt to resolve complaints of discrimination against ACTS.
- 5. Participate in training offered on the Title VI and other nondiscrimination requirements.
- 6. If reviewed by FDOT or any other state or federal regulatory agency, take affirmative actions to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) days.
- 7. Have a process to collect racial and ethnic data on persons impacted by the agency's programs.
- 8. Submit the information required by FTA Circular 4702.1B to the primary recipients (refer to Appendix A of this plan)

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding. The person whose signature appears below is authorized to sign this assurance on behalf of the agency.

Richard E. Brown
Chief Executive Officer
January 28, 2016

ACTS 1-1

2.0 Introduction & Description of Services

ACTS submits this Title VI Plan in compliance with Title VI of the Civil Rights Act of 1964, 49 CFR Part 21, and the guidelines of FTA Circular 4702.1B, published October 1, 2012.

ACTS is a sub-recipient of FTA funds and provides service in Hillsborough, Pinellas, and Pasco Counties. A description of the current ACTS system is included in Appendix B.

Title VI Liaison

Carali McLean
Chief Administrative Officer
813-246-4899
4612 North 56th Street
Tampa, FL 33610

Alternate Title VI Contact

Lauren Cohn
Director of Quality Improvement
813-246-4899
4612 North 56th Street
Tampa, FL 33610

ACTS must designate a liaison for Title VI issues and complaints within the organization. The liaison is the focal point for Title VI implementation and monitoring of activities receiving federal financial assistance. Key responsibilities of the Title VI Liaison include:

- Maintain knowledge of Title VI requirements.
- Attend training on Title VI and other nondiscrimination authorities when offered by FDOT or any other regulatory agency.
- Disseminate Title VI information to the public including in languages other than English, when necessary.
- Develop a process to collect data related to race, gender and national origin of service area population to
 ensure low income, minorities, and other underserved groups are included and not discriminated against.
- Implement procedures for the prompt processing of Title VI complaints.

ACTS 2-1

2.1 First Time Applicant Requirements

FTA Circular 4702.1B, Chapter III, Paragraph 3: Entities applying for FTA funding for the first time shall provide information regarding their Title VI compliance history if they have previously received funding from another Federal agency.

ACTS is not a first time applicant for FTA/FDOT funding. The following is a summary of ACTS current and pending federal and state funding.

<u>Current and Pending FDOT Funding</u> (FL Dept of Trans)				
TITLE	DATE	AMOUNT	CURRENT	PENDING
Enhanced Mobility of Seniors and Individuals with Disabilities	7/1/2015	\$57,808.00	\$57,808.00	\$0.00
TOTAL STATE FDOT FUNDING		\$57,808.00	\$57,808.00	\$0.00

Current and Pending Federal Funding (non-FTA)

TITLE	DATE	AMOUNT	CURRENT	PENDING
School Breakfast Program	7/1/2015	\$27,499.00	\$27,499.00	\$24,749.10
National School Lunch Program	7/1/2015	<u>\$42,179.00</u>	\$42,179.00	\$37,961.10
Mortgage Insurance Rental and Cooperative Housing for Mod. Income Families/Elderly	7/1/2015	\$76,000.00	\$76,000.00	\$76,000.00
Community Development Block/Entitlement Grants	7/1/2015	\$335,300.00	\$335,300.00	\$335,300.00
Home Investment Partnerships Program	7/1/2015	\$437,500.00	\$437,500.00	\$262,500.00
Supportive Housing Program	7/1/2015	\$110,000.00	\$110,000.00	\$110,000.00
Housing Opportunities for Persons with AIDS	7/1/2015	\$846.00	\$846.00	\$41,537.00
Neighborhood Stabilization Program	7/1/2015	\$287,943.00	\$287,943.00	\$287,943.00
Continuum of Care (COC) Program	7/1/2015	\$1,904,262.00	\$1,904,262.00	\$3,172,977.00
ARRA-Recovery Act-Edward Byrne Memorial Justice Assistance Grant	7/1/2015	\$4,822.00	\$4,822.00	<u>\$12,604.00</u>
VA Homeless Providers Grant and Per Diem Program	7/1/2015	\$538,520.00	\$538,520.00	\$596,142.00
Consolidated Health Grants	7/1/2015	\$10,000.00	\$10,000.00	\$10,000.00
Substance Abuse and Mental Health Service Projects of Regional and National Significance	7/1/2015	<u>\$283,008.00</u>	\$283,008.00	<u>\$82,326.00</u>

ACTS 2-2

Temporary Assistance for	7/1/2015	\$210,909.00	\$210,909.00	\$206,612.00
Needy Families				
Foster Care Title IV-E	7/1/2015	\$435,784.00	\$435,784.00	\$435,784.00
Social Services for Block	7/1/2015	\$290,909.00	\$290,909.00	\$290,909.00
<u>Grants</u>				
Block Grants for Community	7/1/2015	\$58,336.00	\$58,336.00	\$36,283.00
Mental Health Services				
Block Grants for Treatment of	7/1/2015	\$3,145,549.00	\$3,145,549.00	\$4,099,366.00
Substance Abuse				
TOTAL FEDERAL FUNDING		\$8,199,366.00	\$8,199,366.00	\$10,118,993.20
(Non-FTA)				

Current and Pending State Funding (non-FDOT)

TITLE	DATE	AMOUNT	CURRENT	PENDING
Dept of Juvenile Justice- Hillsborough County	7/1/2015	\$961,574.00	\$961,574.00	\$961,574.00
Dept of Juvenile Justice-Polk County	7/1/2015	\$49,725.00	\$49,725.00	\$604,995.00
Childnet, Inc.	7/1/2015	\$234,271.00	\$234,271.00	\$234,271.00
Central FL Behavioral Health Network	7/1/2015	\$6,050,870.00	\$6,050,870.00	\$6,043,003.00
TOTAL STATE FUNDING (Non-FDOT)		\$7,296,440.00	\$7,296,440.00	\$7,843,843.00

During the previous three years, ACTS has not had a Title VI compliance review. ACTS has not been found to be in noncompliance with any civil rights requirements.

2.2 Annual Certifications and Assurances

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 Title VI regulations. This requirement shall be fulfilled when the applicant/recipient submits its annual certifications and assurances. Primary recipients will collect Title VI assurances from sub-recipients prior to passing through FTA funds.

ACTS will remain in compliance with this requirement by annual submission of certifications and assurances as required by FDOT.

ACTS 2-3

2.3 Title VI Plan Concurrence and Adoption

FTA Circular 4702.1B, Chapter III, Paragraph 5: Title 49 CFR 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.

This Title VI Plan received FDOT concurrence on (date). The Plan will be approved and adopted by ACTS's Board of Directors during a meeting held on February 1, 2016. A copy of the meeting minutes and FDOT concurrence letter will be included in Appendix C of this Plan.

3.0 Title VI Notice to the Public

3.1 Notice to Public

FTA Circular 4702.1B, Chapter III, Paragraph 2: Every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with the Title VI regulations.

Recipients must notify the public of its rights under Title VI and include the notice and where it is posted in the Title VI Plan. The notice must include:

- A statement that the agency operates programs without regard to race, color and national origin
- A description of the procedures members of the public should follow in order to request additional information on the grantee's nondiscrimination obligations
- A description of the procedure members of the public should follow in order to file a discrimination complaint against the grantee

A sample of the notice is included in Appendix D of this Plan. The sample notice should be translated into other languages, as necessary.

3.2 Notice Posting Locations

The Notice to Public will be posted at many locations to apprise the public of the Agency's obligations under Title VI and to inform them of the protections afforded them under Title VI. At a minimum, the notice will be posted in public areas of ACTS office(s) including the reception desk and areas accessible to persons served, and on the ACTS website at www.actsfl.org. A sample version of this notice is included in Appendix D of this Plan along with any translated versions of the notice, as necessary.

ACTS 3-4

4.0 Title VI Procedures and Compliance

4.1 Complaint Procedure

FTA Circular 4702.1B, Chapter III, Paragraph 6: 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 member of the public.

Any person who believes he or she has been discriminated against on the basis of race, color or national origin by ACTS may file a Title VI complaint by completing and submitting the agency's grievance form (refer to Appendix E). ACTS investigates complaints received no more than 180 days after the alleged incident. ACTS will process complaints that are complete.

Once the complaint is received, ACTS will review it to determine if our office has jurisdiction. The complainant will receive acknowledgement letter informing him/her whether the complaint will be investigated by our office.

ACTS has ninety (90) days to investigate the complaint. If more information is needed to resolve the case, ACTS may contact the complainant. The complainant has ten (10) business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within ten (10) business days, ACTS can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. A LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member or other action will occur. If the complainant wishes to appeal the decision, she/he has seven (7) days to do so from the time he/she receives the closure letter or the LOF.

The complaint procedure will be made available to the public on the ACTS website, www.actsfl.org.

4.2 Complaint Form

A copy of the complaint form is provided in Appendix E and on the ACTS website, www.actsfl.org.

ACTS 4-5

4.3 Record Retention and Reporting Policy

FTA requires that all direct and primary recipients document their compliance by submitting a Title VI Plan to their FTA regional civil rights officer once every three (3) years. ACTS will submit Title VI Plans to FDOT for concurrence on an annual basis or any time a major change in the Plan occurs.

Compliance records and all Title VI related documents will be retained for a minimum of three (3) years and reported to the primary recipient annually.

4.4 Sub-recipient Assistance and Monitoring

ACTS does not have any sub-recipients to provide monitoring and assistance. As a sub-recipient to FDOT, ACTS utilizes the sub-recipient assistance and monitoring provided by FDOT, as needed. In the future, if ACTS has sub-recipients, it will provide assistance and monitoring as required by FTA Circular 4702.1B.

4.5 Contractors and Subcontractors

ACTS is responsible for ensuring that contractors are in compliance with Title VI requirements. Contractors may not discriminate in the selection and retention of any subcontractors. Subcontractors also may not discriminate in the selection and retention of any subcontractors. ACTS, contractors, and subcontractors may not discriminate in their employment practices in connection with federally assisted projects. Contractors and subcontractors are not required to prepare or submit a Title VI Plan. However, the following nondiscrimination clauses will be inserted into every contract with contractors and subcontractors subject to Title VI regulations.

Nondiscrimination Clauses

During the performance of a contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "Contractor") must agree to the following clauses:

- Compliance with Regulations: The Contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (hereinafter, "USDOT") 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 Agreement.
- 2. Nondiscrimination: The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status 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 Subcontractors, including Procurements of Materials and Equipment: In all solicitations made by the Contractor, either by competitive bidding or negotiation for work to be performed under a subcontract, including procurements of materials or leases of equipment; each potential subcontractor or

ACTS 4-6

- supplier shall be notified by the Contractor of the subcontractor's obligations under this contract and the Regulations relative to nondiscrimination on the basis of race, color, national origin, sex, age, disability, religion or family status.
- 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 Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety 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 Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety 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 the nondiscrimination provisions of this contract, ACTS shall impose contract sanctions as 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 procurement 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 ACTS, Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration may direct as a means of enforcing such provisions including sanctions for noncompliance.

E-Verify

As a part of the JPA with FDOT, vendors and contractors of ACTS shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the vendor or contractor while contracted with ACTS. Additionally, vendors and contractors shall expressly require any subcontractors performing work or providing services pursuant to work for ACTS shall likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor while working for ACTS.

ACTS 4-7

5.0 Title VI Investigations, Complaints, and Lawsuits

FTA Circular 4702.1B, Chapter III, Paragraph 7: In order to comply with the reporting requirements of 49 CFR 21.9(b), FTA requires all recipients to prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin: active investigations....; lawsuits, and complaints naming the recipient.

In accordance with 49 CFR 21.9(b), ACTS must record and report any investigations, complaints, or lawsuits involving allegations of discrimination. The records of these events shall include the date the investigation, lawsuit, or complaint was filed; a summary of the allegations; the status of the investigation, lawsuit, or complaint; and actions taken by ACTS in response; and final findings related to the investigation, lawsuit, or complaint. The records for the previous three (3) years shall be included in the Title VI Plan when it is submitted to FDOT.

ACTS has had no transit related complaints, no investigations, and no lawsuits involving allegations of discrimination on the basis of race, color, or national origin over the past three (3) years.

Table 1: Summary of Investigations, Lawsuits, and Complaints

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations				
1.				
2.				
Lawsuits				·
1.				
2.				
Complaints				
1.				
2.				

ACTS 5-8

6.0 Public Participation Plan

FTA Circular 4702.1B, Chapter III, Paragraph 4.a.4: Every Title VI Plan shall include the following information: A public participation plan that includes an outreach plan to engage minority and limited English proficient populations, as well as a summary of outreach efforts made since the last Title VI Plan submission. A recipient's targeted public participation plan of minority populations may be part of efforts that extend more broadly to include constituencies that are traditionally underserved, such as people with disabilities, low-income populations, and others.

The Public Participation Plan (PPP) for ACTS was developed to ensure that all members of the public, including minorities and Limited English Proficient (LEP) populations, are encouraged to participate in the decision making process for ACTS as appropriate. Policy and service delivery decisions need to take into consideration community sentiment and public opinion based upon well-executed outreach efforts. The public outreach strategies described in the PPP are designed to provide the public with effective access to information about the services of ACTS and to provide a variety of efficient and convenient methods for receiving and considering public comment prior to implementing changes to services. The PPP is included as Appendix F to this Title VI Plan.

Current Outreach Efforts

ACTS is required to submit a summary of public outreach efforts made over the last three (3) years. The following is a list and short description of ACTS's recent, current, and planned outreached activities.

ACTS continuing outreach has been non-transit and includes the following:

- Stand-Downs for Homeless Veterans in Hillsborough, Pinellas and Pasco Counties, conducted with the James A. Haley Veterans Administration Medical Center (Hillsborough and Pasco) and the C.W. Bill Young Veterans Administration Medical Center (Pinellas)
- Health Fairs with the Veterans Administration (VA)
- Health Fairs with the Homeless Coalitions in Hillsborough and Pasco Counties
- The Homeless Coalition of Pasco County Annual Homeless Count
- The Tampa Hillsborough Homeless Initiative Point in Time Homeless Count
- Connect to Protect, health outreach to LGBT populations
- Operation Reveille, a rapid housing initiative with the Veterans Administration and several community health care and social service agencies

ACTS 6-9

7.0 Language Assistance Plan

FTA Circular 4702.1B, Chapter III, Paragraph 9: Recipients shall take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities for individuals who are limited English proficient (LEP).

ACTS provides van transportation services to persons served by the Agency within Hillsborough, Pinellas, and Pasco Counties. The Language Assistance Plan (LAP) has been prepared to address the responsibilities of ACTS as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals who have a limited ability to read, write, speak or understand English are LEP. In the ACTS service area there are 183,146 residents, or 7.32%, who describe themselves as not able to communicate in English very well (Source: US Census). ACTS is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. ACTS has utilized the U.S. Department of Transportation (DOT) LEP Guidance Handbook and performed a four factor analysis to develop its LAP. The LAP is included in this Title VI Plan as Appendix G.

8.0 Transit Planning and Advisory Bodies

FTA Circular 4702.1B, Chapter III, Paragraph 10: Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees.

ACTS does not have a transit-related committee or board, therefore this requirement does not apply.

9.0 Title VI Equity Analysis

FTA Circular 4702.1B, Chapter III, Paragraph 4.a.8: If the recipient has constructed a facility, such as vehicle storage, maintenance facility, operation center, etc., the recipient shall include a copy of the Title VI equity analysis conducted during the planning stage with regard to the location of the facility.

Title 49 CFR, Appendix C, Section (3)(iv) requires that "the location of projects requiring land acquisition and the displacement of persons from their residences and business may not be determined on the basis of race, color, or national origin." For purposes of this requirement, "facilities" does not include bus

ACTS 9-10

shelters, as they are considered transit amenities. It also does not include transit stations, power substations, or any other project evaluated by the National Environmental Policy Act (NEPA) process. Facilities included in the provision include, but are not limited to, storage facilities, maintenance facilities, operations centers, etc. In order to comply with the regulations, ACTS will ensure the following:

- ACTS will complete a Title VI equity analysis for any facility during the planning stage with regard to where
 a project is located or sited to ensure the location is selected without regard to race, color, or national
 origin. ACTS will engage in outreach to persons potentially impacted by the siting of the facility. The Title VI
 equity analysis must compare the equity impacts of various siting alternatives, and the analysis must occur
 before the selection of the preferred site.
- 2. When evaluating locations of facilities, ACTS will give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result. Analysis should be done at the Census tract or block group level where appropriate to ensure that proper perspective is given to localized impacts.
- 3. If ACTS determines that the location of the project will result in a disparate impact on the basis of race, color, or national origin, ACTS may only locate the project in that location if there is a substantial legitimate justification for locating the project there, and where there are no alternative locations that would have a less disparate impact on the basis of race, color, or national origin. ACTS must demonstrate and document how both tests are met. ACTS will consider and analyze alternatives to determine whether those alternatives would have less of a disparate impact on the basis of race, color, or national origin, and then implement the least discriminatory alternative.

ACTS has not recently constructed any facilities nor does it currently have any facilities in the planning stage. Therefore, ACTS does not have any Title VI Equity Analysis reports to submit with this Plan.

10.0 System-Wide Service Standards and Service Policies

FTA Circular 4702.1B, Chapter III, Paragraph 10: All fixed route transit providers shall set service standards and policies for each specific fixed route mode of service they provide.

ACTS is not a fixed route service provider.

ACTS 10-11

11.0 Appendices

APPENDIX A	FTA CIRCULAR 4702.1B REPORTING REQUIREMENTS FOR TRANSIT PROVIDERS
APPENDIX B	CURRENT SYSTEM DESCRIPTION
APPENDIX C	TITLE VI PLAN ADOPTION MEETING MINUTES AND FDOT CONCURRENCE LETTER
APPENDIX D	TITLE VI SAMPLE NOTICE TO PUBLIC
APPENDIX E	TITLE VI COMPLAINT FORM
APPENDIX F	PUBLIC PARTICIPATION PLAN
APPENDIX G	LANGUAGE ASSISTANCE PLAN
APPENDIX H	OPERATING AREA LANGUAGE DATA: ACTS SERVICE AREA
APPENDIX I	DEMOGRAPHIC MAPS

ACTS 11-12



Doreen Joyner-Howard, AICP District Modal Development Manager

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Consultant: HDR Engineering, Inc.