



1001 Westbrook Street
Portland, Maine 04102

TITLE VI PROGRAM

August 2017

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I. INTRODUCTION

All entities that receive federal financial assistance from the U.S. Department of Transportation comply with Title VI of the Civil Rights Acts of 1964 by assessing the nature, extent, and incidence of probable impacts, both negative and positive, from any transportation-related activity on minority, low-income and other disadvantaged populations.

The Portland International Jetport (PWM) assures that no person shall on the grounds of race, color, national origin, sex or creed as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 (PL 100.259), and the Section 520 of the Airport and Airway Improvement Act of 1982 be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The Portland International Jetport further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs are federally funded or not. Anytime communities may be impacted by programs or activities every effort will be made to involve their leaders and the general public in the decision making process. Awards of contracting, concessionaires, and leases are made without regard for race, color, national origin, sex or creed.

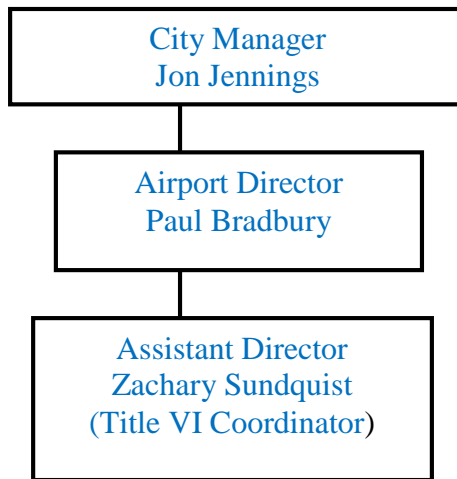
The Portland International Jetport requires Title VI assurances from each tenant, contractor, and concessionaire providing an activity, service or facility at the airport under lease, contract or franchise from the airport. The Portland International Jetport also requires that such tenants, contractors, and concessionaires require Title VI assurances of their subcontractors.

Zachary Sundquist, Assistant Airport Director and Title VI Coordinator, is responsible for initiating and monitoring Title VI activities, preparing required reports and other responsibilities as required by 49 CFR 21.

Paul Bradbury
Portland International Jetport Director

Date

Organizational Chart



II. ADMINISTRATION

The Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing required reports and other required responsibilities.

Title VI Coordinator Responsibilities

The Title VI Coordinator:

- Receives records and forwards a copy of Title VI complaints to the Federal Aviation Administration (FAA) within 15 days of receipt.
- Provides the FAA with an explanation of resolution attempts regarding the complaint. 49 CFR Part 21 Appendix C (b) (3).
- Annually reviews the airport's Title VI plan and disseminates Title VI information, education, etc. to program liaisons.
- Responds to requests by FAA for data and records to determine Title VI compliance.
- Coordinates with program liaisons to ensure that racial and ethnic data showing the extent to which minority groups are beneficiaries of or impacted by airport programs is available. 49 CFR 21.9 (b) & (c).
- Maintains a list of the race, color, and national origin representation on non-elected planning and advisory bodies for the airport.
- Identifies any disparity between representation on these entities and the airport beneficiaries to the selecting official/committee when vacancies occur. DOT Order 1000.12 (4) (b) (2) (a).
- Maintains a copy of 49 CFR Part 21 for inspection by any person asking for it during normal working hours. This regulation is available at <http://www.usdog.gov/crt/cor/byagency/dotvi.htm>

III. RESPONSIBILITIES AND OBJECTIVES

The principle of environment justice in transportation planning ensures that transportation projects do not have disproportionately negative impact on minority and low-income populations. The goal is to achieve environmental justice protection for all communities.

For transportation, Title VI means assessing the nature, extent, and incidence of probable impacts, both negative and positive, from any transportation-related activity on minority, low-income and other disadvantaged populations. Transportation activities include the broad pattern of transportation investment and impacts considered in the metropolitan planning process through implementation of individual transportation projects.

IV. LEGISLATION AND GUIDANCE

Title VI of the Civil Rights Act of 1964 created a foundation for future environmental justice regulations. Since the establishment of Title VI, environmental justice has been considered in local, state, and federal transportation projects. Section 42.104 of Title VI and related statutes require Federal agencies to ensure that no person is excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving Federal financial assistance on the basis of race, color, national origin, age, sex, disability, or religion.

The National Environmental Policy Act of 1969 (NEPA) addresses both social and economic impacts of environmental justice. NEPA stresses the importance of providing for “all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings,” and provides a requirement for taking a “systematic, interdisciplinary approach” to aid in considering environmental and community factors in decision making.

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

On February 11, 1994, President Clinton signed Executive Order 12898: Federal Actions to Address Environmental Justice in minority Populations and Low-Income Populations. This piece of legislation directed every Federal agency to make Environmental Justice part of its mission by identifying and addressing all programs, policies, and activities that affect human health or the environment so as to identify and avoid disproportionately high and adverse effects on minority populations and low-income populations.

Rather than being reactive, Federal, State, local and tribal agencies must be proactive when it comes to determining better methods to serve the public who rely on transportation systems and services to increase their quality of life.

In April 1997, as a reinforcement to Executive Order 12898, the United States Department of Transportation (DOT) issued an Order on Environmental Justice (DOT Order 5610.2), which summarized and expanded upon the requirements of Executive Order 12898 to include all policies,

programs, and other activities that are undertaken, funded, or approved by the Federal Highway Administration, the Federal Transit Administration (FTA), the Federal Aviation Administration, (FAA), or other U.S. DOT rules.

Section 520 of the Airport and Airway Improvement Act of 1982, (49 USC, 47123) added sex and creed to the list of prohibited bases of discrimination with regard to nondiscrimination in the FAA's grant program.

49 Code of Federal Regulations Part 23 (Airport Concessions) seeks:

- (a) To ensure nondiscrimination in the award and administration of opportunities for concessions by airports receiving DOT financial assistance;
- (b) To create a level playing field on which ACDBEs can compete fairly for opportunities for concessions;
- (c) To ensure that the Department's ACDBE program is narrowly tailored in accordance with applicable law;
- (d) To ensure that only firms that fully meet this part's eligibility standards are permitted to participate as ACDBEs;
- (e) To help remove barriers to the participation of ACDBEs in opportunities for concessions at airports receiving DOT financial assistance; and
- (f) To provide appropriate flexibility to airports receiving DOT financial assistance in establishing and providing opportunities for ACDBEs.

Part 26 (Federally Assisted Contracts) seeks:

- (a) To ensure nondiscrimination in the award and administration of DOT-assisted contracts in the Department's highway, transit, and airport financial assistance programs;
- (b) To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
- (c) To ensure that the Department's DBE program is narrowly tailored in accordance with applicable law;
- (d) To ensure that only firms that fully meet this part's eligibility standards are permitted to participate as DBEs;
- (e) To help remove barriers to the participation of DBEs in DOT-assisted contracts;
- (f) To promote the use of DBEs in all types of federally-assisted contracts and procurement activities conducted by recipients.

(g) To assist the development of firms that can compete successfully in the marketplace outside the DBE program; and

(h) To provide appropriate flexibility to recipients of Federal financial assistance in establishing and providing opportunities for DBEs.

V. GRANT ASSURANCES – 49 CFR 21.7 (a) (1); 49 CFR Part 21 Appendix C(b)

The Portland International Jetport, upon application for its first grant to purchase land or an airport or noise implementation project involving construction, executed the complete standard DOT Title VI assurances.

In subsequent grants the Portland International Jetport, includes the Civil Rights Grant Assurance as provided in the grant application package for all FAA-assisted contracts. Assurances may be found at: <http://www.nw.faa.gov/airports/inetform.htm#APPS>

Clauses/Covenants:

a. All contracts, leases, deeds, licenses, permits or other similar instruments, not only those resulting from the first grant, but in all instruments from that point on, contain the contractual requirements and clauses outlined in attachments one and two of the standard DOT Title VI Assurance.

b. The general Civil Rights Provision is inserted into all contractor, tenant, concessionaire, and lessee agreements. Further the Portland International Jetport requires this provision to be included in all subcontracts, subleases and other agreements at any tier.

VI. MINORITY BUSINESS NOTIFICATION – 49 CFR 21 Appendix C (a) (1) (x)

PWM shall assure that the minority business community in the area is advised of the opportunities offered by airport concessions, and that bids are solicited from such qualified minority firms, and awards made without regard to race, color, or national origin.

NOTE: This regulation is in addition to the Disadvantaged Business Enterprise Program in 49 CFR Part 26. All FAA funding recipients, regardless of funding levels, must meet the notification and award requirements of 49 CFR Part 21 Appendix C(a)(1)(x).

Bids for airport contractors and concessions are solicited from area minority businesses through the following avenues: Local minority and general newspapers, trade journals, and a professional services directory, etc. Some of the bid notification sources include:

- Portland Press Herald
- Maine Sunday Telegram
- American Association of Airport Executives
- Portland City web site

The contractors and concession award process is not based on race, color, national origin, sex or creed. Information on the award process and documentation for specific bid decisions is kept with the City of Portland, Purchasing Office, City Hall, 389 Congress Street, Room 103, Portland, Maine 04101.

VII. TRANSPORTATION – 49 CFR 21 Appendix C (a) (1) (ix)

The Portland International Jetport (PWM) has coordinated with the City of Portland, Transportation Program Manager, and the Greater Portland Transit District, General Manager, to assure public transportation is available and convenient to the disadvantaged areas of nearby communities to enhance employment opportunities for the disadvantaged and minority population.

Bruce Hyman
Transportation Program Manager
City of Portland
389 Congress Street,
Portland, Maine 04101

Greg Jordan, General Manager
Greater Portland Transit District
(Metro)
114 Valley Street
Portland, Maine 04102

The Board of Directors for the Greater Portland Transit District (Metro) reviews all of the fixed route service, which includes a bus to the Portland International Jetport. All bus routes converge at a central hub on Elm Street, thereby allowing transfers to the Jetport Bus route. The earliest bus from the Elm Street Pulse to the Jetport departs at 5:55 am and arrives at the Jetport at 6:35 am. The last return is 10:18 pm arriving at the Elm Street Pulse at 10:45 pm. Metro does not offer service to any location before 5:00 am and runs no later than the 10:18 pm.

VIII. MAPPING OF TARGET POPULATIONS

The Portland Jetport utilizes the demographic information available to all transportation modes provided by the Portland Area Comprehensive Transportation (PACTS) and Greater Portland Council of Governments (GPCOG). Their staffs have created a series of demographic maps (Attachment 5) to assist in the assessment of the seven relevant groups for Title VI analysis for the PACTS area. These maps aid planners in understanding which communities are prone to environmental justice infractions. Once planners have an understanding of where these communities are located, future transportation plans and projects can include these communities in a collaborative planning process. Planning studies can benefit from the use of these maps and focus on the equitable distribution of transportation benefits and potentially adverse impacts caused by future projects.

Table 1: PACTS Regional Summary of Data Used for Title VI Report Maps

Table 1: PACTS Regional Summary of Data Used for Title VI Report Maps			
PEOPLE IN POVERTY			
Target Group	Total Population	Total Target Population	Percent of Total
Persons in Poverty	269,630	32,470	12.0%
<i>Source: ACS 2010-2014 5-Year Estimates (Census Tract)</i>			
<i>Universe: Population for whom poverty status is determined (15 years and over)</i>			
<i>Income in the last 12 months fell below poverty level</i>			
MINORITY POPULATION			
Target Group	Total Population	Total Target Population	Percent of Total
Black	276,981	7,828	2.8%
Hispanic	276,981	5,595	2.0%
American Indian and Alaska Native Alone	276,981	683	0.2%
Asian Alone	276,981	6,717	2.4%
Native American and Other Pacific Islanders Alone	276,981	32	0.0%
Some Other Race Alone	276,981	1,089	0.4%
Two or More Races	276,981	5,401	1.9%
Total	276,981	27,345	9.9%
<i>Universe: Total Population</i>			
<i>Source: ACS 2010-2014 5-Year Estimates (Census Tract)</i>			
PEOPLE WITH DISABILITIES			
Target Group	Total Population	Total Target Population	Percent of Total
Percent with Disabilities	273,594	31,876	11.7%
<i>Universe: Civilian Noninstitutionalized Population</i>			
<i>Source: ACS 2010-2014 5-Year Estimates (Census Tract)</i>			
<i>In the U.S. the civilian noninstitutionalized population refers to people 16 years and older residing in the 50 states and D.C. who are not inmates of institutions (penal, mental facilities, homes for the aged) and who are not active duty in the Armed Forces.</i>			
<i>Disabilities includes: hearing difficulty, vision difficulty, cognitive difficulty, ambulatory difficulty, self-care difficulty, independent living difficulty</i>			
POPULATION OVER 65			
Target Group	Total Population	Total Target Population	Percent of Total
Population over 65	276,981	41,297	14.9%
<i>Universe: Total Population</i>			
<i>Source: ACS 2010-2014 5-Year Estimates (Census Tract)</i>			
LIMITED ENGLISH PROFICIENCY			
Target Group	Total Households	Total Target Households	Percent of Total
Households with Limited English Proficiency	115,392	2,182	1.9%
<i>Universe: Total Households</i>			
<i>Source: ACS 2010-2014 5-Year Estimates (Census Tract)</i>			
NO VEHICLE AVAILABLE			
Target Group	Total Households	Total Target Households	Percent of Total
Households with No Vehicle Available	115,392	10,406	9.0%
<i>Universe: Total Households</i>			
<i>Source: ACS 2010-2014 5-Year Estimates (Census Tract)</i>			

PUBLIC ASSISTANCE			
Target Group	Total Households	Total Target Households	Percent of Total
Households with Public Assistance	115,392	16,716	14.5%
<i>Universe: Total Households</i>			
<i>Source: ACS 2010-2014 5-Year Estimates (Census Tract)</i>			
<i>Includes: Public assistance income or food stamps/snap in the past 12 months</i>			

IX. MONITORING

The Title VI coordinator will provide oversight of the entire Title VI Program. This includes ensuring training is conducted, language translation services are available, and appropriate Title VI signage is posted. This also includes updating community statistics, and corresponding with the FAA as necessary.

X. COMPLAINTS – 49 CFR 21 Appendix C (b) (3); 28 CFR 42.406(d)

Written Title VI complaints received by airport personnel are forwarded to the Title VI coordinator. The coordinator maintains a record of the complaint, conducts a preliminary review and attempt at resolution, and forwards a copy of the complaint and a description of the resolution efforts to the Area Manager of the FAA Area in which the Jetport is located within 15 days of receipt. The following are the complaint procedures.

THE PORTLAND INTERNATIONAL JETPORT DISCRIMINATION COMPLAINT PROCEDURES

These procedures are for complaints of discrimination, other than employment discrimination by the Portland International Jetport. They apply to discrimination by airport employees, contractors, concessionaires, lessees, or tenants of the Jetport, or at Jetport facilities based upon race, creed, color, national origin, or gender, including but not necessarily limited to complaints under Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987. They cover any program or activity administered by the Portland International Jetport.

Any person who feels that he or she has been subjected to discrimination on the basis of race, creed, color, national origin, or gender has the right to file a complaint with the Jetport. These procedures do not deny or limit the right of a complainant to file a formal complaint with an outside agency, such as the U.S. Department of Transportation or federal Aviation Administration (FAA), or to seek private legal counsel regarding discrimination.

Procedure

Complaints must be filed within 90 days after the discriminatory event, must be in writing, and must be delivered to: (A copy of the complaint form is included in Attachment 4 and is also available on the Jetport’s website.)

Zachary Sundquist
 Title VI Coordinator

Portland International Jetport
1001 Westbrook Street
Portland, Maine 04102
zrs@portlandmaine.gov

If a complaint is initially made by phone, it must be supplemented with a written complaint within 90 days after the discriminatory event. Accommodation will be provided upon request to individuals unable to file a written complaint due to a disability.

A copy of complaints alleging what amounts to a Title VI violation by airport employees, contractors, concessionaires, lessees, or tenants, relative to the airports aviation activities, will be forwarded to the FAA. For information on filing a complaint with DOT/FAA contact the individual named above. The Title VI Coordinator may meet with the complainant to clarify the issues, obtain additional information, and determine if informal resolution might be possible. The Title VI Coordinator will issue a written decision.

***THE PORTLAND INTERNATIONAL JETPORT DISCRIMINATION COMPLAINT REFERRAL
AND INVESTIGATION INTERNAL PROCEDURES***

Introduction

Scope

These procedures are for complaints of discrimination, other than employment discrimination by the Portland International Jetport. They apply to discrimination by airport employees, contractors, concessionaires, lessees, or tenants based upon race, creed, color, national origin, or gender, including but not necessarily limited to complaints under Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987. They cover any program or activity administered by the Jetport.

Cooperation with FAA

The Title VI Coordinator will promptly investigate all discrimination complaints, including those referred to the FAA for investigation. In investigating a complaint that has been referred to the FAA, the Title VI Coordinator will endeavor to avoid interfering with the FAA investigation, will cooperate with the FAA when possible, and will share factual information with the FAA.

Prompt Investigation

The Title VI Coordinator will make every effort to complete discrimination complaint investigations within 60 calendar days after the complaint is received, but recognizes that some investigations will take longer.

Prompt Resolution of Dispute The Title VI Coordinator will quickly and fairly resolve disputes with complainants, or with contractors, tenants, or other persons, through early resolution efforts at the lowest level possible. The option of informal mediation meetings(s) between the affected parties and the Title VI Coordinator may be utilized for resolution. Further, 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.

Avoiding Future Discrimination

In addition to taking action with respect to any specific instances of discrimination, the Portland International Jetport will identify and implement measures to reduce the chances of similar discrimination in the future.

Intimidation and Retaliation Prohibited

The Portland International Jetport employees will not intimidate or retaliate against a person who has filed a complaint alleging discrimination.

Written Complaints Required

If a verbal complaint is received, the complainant should be given a copy of the Jetport’s Discrimination Complaint Procedures and instructed to submit a written complaint. Accommodation will be provided upon request to individuals unable to file a written complaint due to a disability.

PROCEDURES

Initial Receipt of Written Complaint

Title VI Coordinator will log in the complaint and promptly send copies of the complaint to the Jetport Director and the City of Portland legal department.

Assignment of Investigator

The Title VI Coordinator will immediately begin the investigation or designate an investigator.

FAA Notification

Within 15 days of receipt, the Title VI Coordinator will forward a copy of the complaint and a statement describing all actions taken to resolve the matter and the results thereof to the FAA, Regional Civil Rights Staff.

Contact with Complainant

The Title VI Coordinator should meet with the complainant to clarify the issues and obtain additional information.

Investigation Report.

After completing the investigation, the Title VI Coordinator will prepare a written report.

Consultation with Legal Counsel

In every case, the Title VI Coordinator will consult with the Portland International Jetport's Legal Counsel regarding the investigation and the report.

Forwarding Report and Response to Complainant

At the completion of the investigation, the complainant and respondent will receive a letter of findings and determination of the investigation and any applicable resolution. The letter transmitting the findings and any applicable resolution will state the Jetport's conclusion regarding whether unlawful discrimination occurred, and will describe the complainant's appeal rights.

Appeal and Final Administrative Action

If the complainant disagrees with the written response or conclusion, the complainant may appeal in writing to the Portland International Jetport Director. The written appeal must be received within ten (10) business days after receipt of the written decision. The written appeal must contain all arguments, evidence, and documents supporting the basis for the appeal. The Portland International Jetport Director will issue a final written decision in response to the appeal.

Copies to the FAA

Copies of each Title VI complaint, a summary of the investigation report, any response, and the Jetport's transmittal letter to the complainant will be sent to the FAA.

Training

City of Portland new employee orientation incorporates Title VI training. It includes forwarding complaints to Title VI Coordinator and accessing translation services. It also contains cultural and community relations sensitivity training. Refresher information will be provided annually.

XI. NOTICES – 49 CFR Part 21 Appendix C (b) (2) (ii)

The Portland International Jetport conspicuously displays the FAA provided non-discrimination posters in all security screening areas of the airport. The Title VI coordinator ensures these posters are visible and maintained.

The City of Portland ensures that required notices of public hearings and opportunities to comment on proposed airport actions reach all segments of the impacted community. Such notices are announced over general and minority newspapers and broadcast media, where appropriate. The City of Portland

contacts leaders in affected communities directly and solicits their participation. The office maintains records of all such notices and the efforts made to reach the affected community.

To ensure that the community is effectively informed of and able to participate in public hearings, the City of Portland advertises public notices in appropriate languages when a significant number or proportion of the affected community has limited English proficiency. Such notices will include direction for obtaining an interpreter free of charge for the public hearing. 28 CFR 42.405 (d).

XII. REPORTS AND FORMS – 28 CFR 42.406(d); 49 CFR Part 21 Appendix C (b) (3)

The Portland International Jetport completes the “Title VI Pre-Award Sponsor Checklist” as part of the grant application package for projects that meet one or more of the following criteria:

1. Environmental assessment or impact statement;
2. Major runway extension;
3. Relocation of airport, runway, person or structure; or
4. Impact access or preservation of burial, ceremonial or other sacred or historic structure or lands of any indigenous or ethnic population.

The checklist is available by calling your FAA Regional Civil Rights Staff.

XII. MONITORING

The Title VI Coordinator will provide oversight of the entire Title VI Program. This includes ensuring training is conducted, language translation services are available, and appropriate Title VI signage is posted. This also includes updating community statistics, and corresponding with the FAA as necessary.

XIII. LIMITED ENGLISH PROFICIENCY

On August 11, 2000, President Clinton signed *Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency*, which requires meaningful access to all federally assisted programs and activities by persons with limited English proficiency (LEP).

Executive Order 13166 states that individuals who do not speak English well and who have a limited ability to read, write, speak or understand English are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit or encounter. It reads in part:

Each Federal agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency’s programs and activities.

In addition to the requirement that federal agencies prepare LEP plans, all recipients of federal financial assistance have to comply with Title VI and LEP guidelines of the federal agency from which funds are provided. The Federal Highway Administration has mandated that all "...recipients must take reasonable steps to ensure that such persons have meaningful access to the programs, services and information those recipients provide, free of charge..."

Who is an LEP Individual?

For the purposes of the 2010 to 2014 data obtained from the American Community Survey, the term Limited English Proficient (LEP) refers to anyone age 5 and older who reported speaking English "less than very well" as classified by the U. S. Census Bureau.

The Four Factor Analysis

Under guidance from the U.S. Department of Transportation, and in accordance with Circular FTA 4702.1B, PWM is obligated to determine the extent of its obligation to provide LEP services to its region's population. This determination must be based on an analysis of four factors:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.
2. The frequency with which LEP persons come in contact with the program;
3. The nature and importance of the program, activity, or service provided by the program to people's lives; and
4. The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.

The Portland International Jetport works in collaboration with the Portland Area Comprehensive Transportation System (PACTS), The Portland School District, The City of Portland and the Greater Portland Transit District to ensure a common understanding of affected populations and to develop outreach communications. These communications include but are not limited to: signage and wayfinding; schedules and other written materials; Public Notices as required; translation services including Google Translate for PWM website; attendance at public events including festivals, meetings etc.

Factor 1: The number and proportion of LEP persons likely to be encountered by PWM

The first step in determining components of an LEP Plan for PWM is to understand the proportion of LEP persons who may encounter the PACTS transportation planning process, their literacy skills in English and their native language, and the location of their communities and neighborhoods.

To do this, PACTS evaluated the level of English literacy and to what degree individuals in our planning area speak a language other than English and what those languages are. We did this analysis using U.S. Census data reflected in American Community Survey (ACS) data for 2010 to

2014. Table 1 summarizes the data on a PACTS region wide basis. The table shows that 2,182 households, or 1.9% of the region’s households, are LEP households.

Table 1 below shows the numbers for the eleven neighborhoods/census tracts with the highest percentages of LEP households in the PACTS region.

TABLE 1				
<u>Top Eleven Census Tracts / Approximate Neighborhoods for Limited English Proficiency in the PACTS Region</u>				
<u>Census Tracts / Approx. Neighborhood</u>	<u>City</u>	<u>Total Households</u>	<u>LEP Households</u>	<u>Percent</u>
West Bayside	Portland	1,352	163	12.1%
Parkside	Portland	1,394	154	11.0%
East Bayside/India Street	Portland	985	102	10.4%
Nason’s Corner	Portland	1,393	106	7.6%
West End	Portland	2,507	156	6.2%
Portland Downtown/Waterfront	Portland	1,681	96	5.7%
East End	Portland	1,228	63	5.1%
Riverton	Portland	2,186	104	4.8%
North Deering	Portland	2,325	100	4.3%
Prides Corner	Westbrook	1,658	69	4.2%
Biddeford Downtown	Biddeford	3,204	130	4.1%

Factor 2: How LEP persons interact with PWM, and the frequency with which LEP persons come in contact with programs, activities or services of PWM.

Portland International Jetport is the major regional airport for Southern Maine. With more than 1,000,000 passengers per year, the airport sees a broad representation of all citizens in the area and as such is prepared to assist passengers and visitors with appropriate signage and translation services.

Table 2 displays the highest percentage LEP target groups in the PWM region. The five highest ones are French (0.6%), African languages (0.5%), Spanish (0.4%), Vietnamese (0.3%) and Arabic (0.3%). The primary French dialects are Patois and Cajun. The top African language is probably Somali. This conclusion is based on the recent analysis done for the METRO bus service’s LEP Plan in which they examined data provided by the Portland Public School Department.

TABLE 2				
<u>ABILITY TO SPEAK ENGLISH LESS THAN "VERY WELL"</u>				

Target Group	Total Population	Total Target	Percent of Total
French (Patois, Cajun)	263,194	1,680	0.6
African Languages	263,194	1,424	0.5
Spanish	263,194	923	0.4
Vietnamese	263,194	755	0.3
Arabic	263,194	755	0.3
Khmer	263,194	476	0.2
Other Asian Languages	263,194	460	0.2
Chinese	263,194	378	0.1
Russian	263,194	329	0.1
Other Indo-European	263,194	135	0.1
Serbo-Croatian	263,194	102	0.0
German	263,194	75	0.0
Korean	263,194	68	0.0
Italian	263,194	67	0.0
Polish	263,194	56	0.0
Portuguese	263,194	29	0.0
Thai	263,194	25	0.0
Japanese	263,194	10	0.0
Hindi	263,194	4	0.0
English Only	263,194	238,271	90.5
<i>Universe: Population 5 years and over</i>			
<i>Source: ACS 2010-2014 5-Year Estimates (Census Tract)</i>			

Factor 3: The nature and importance of programs, activities or services to the LEP population

The work of PWM mentioned above impacts every resident of the PACTS region. In particular, the transit providers in the PACTS region are key partners in the regional work of PWM when it comes to our LEP population. For more information on their Limited English Proficiency Plans please visit the websites of these organizations:

- Casco Bay Island Transit District
- Greater Portland Transit District
- Northern New England Passenger Rail Authority
- Regional Transportation Program
- Shuttlebus/ZOOM Bus Service
- South Portland Bus Service
- York County Community Action Program

Factor 4: The resources available to the recipient and overall costs to provide LEP assistance

PWM has committed resources to improving access to our planning and programming work for LEP persons. Given that the overall budget for our 2017-2018, we are confident that we can achieve the goals described below.

PWM Limited English Proficiency Plan and Outreach

PWM is committed to monitoring the transportation planning needs of our Limited English Proficiency citizens and to evaluating how best to address those needs with our partner agencies and municipalities. During the coming year we will take the following actions.

1. PWM will add a language translation application (such as Google Translate) to our websites.
2. PWM will develop a Title VI Brochure in four languages: English, French, Somali and a fourth language (to be determined). We will bring them to our public events and also distribute them to area libraries, town halls and other centers in low-income and minority areas of the region. (We have chosen French because it is the highest percentage language shown in Table 2 above. We have chosen Somali because it is the most common African language spoken in the Portland Public School system.)
3. PWM will bring an “Interpretation Service Available” poster to our public forums.

PWM will contract with an interpreter service to provide service via phone or in person upon request. This will include American Sign Language. Upon request, PWM will provide this service at our administrative office, at PWM public forums and at PWM.

Attachment 1

Regulations: 49 CFR Part 21

(http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title49/49cfr26_main_02.tpl)

Attachment 2

City of Portland Policy

Title VI of the Civil Rights Act of 1964 states 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. Inability to access, or participate in, federally funded City programs and services because of language barriers is a form of prohibited discrimination. Portland's changing demographics have resulted in significant growth in the City's limited English proficiency (LEP) population. Thus, in compliance with Title VI and in order to provide quality services to all members of the public, the City of Portland shall take the following steps to ensure accessibility of its programs to its limited English speaking customers:

1. When needed, the City will provide trained interpreters at no cost to any individual who requires such services in order to participate in a City program. If a bi-lingual employee is available to provide such services, they will be used if they have been trained to provide interpreter services.
2. All employees in positions which have contact with the public, whether federally funded or not, will be trained in the procedures to follow when a limited English speaking customer attempts to access a City service and there is difficulty in communicating with that customer. Training will be provided in the following areas:
 - a. Determination of the language needed;
 - b. Availability of trained translators through the Refugee Resettlement Program and how and when to call them;
 - c. Availability and use of the A.T. & T Language Line Services; and
 - d. Cross cultural awareness training.
3. The City's policy of ensuring accessibility of City programs and services to all of its citizens, regardless of English proficiency, will be reviewed with appropriate management staff. Each Department will be responsible for identifying its needs for its limited English-proficiency

customers, including training needs for Departmental employees and need for translated program materials, and shall work to implement this City policy on an ongoing Departmental basis.

ATTACHMENT 3. - Definitions

Adverse Effects -- The totality of significant individual or cumulative human health or environmental effects, including interrelated social and economic effects, which may include, but are not limited to: (See Appendix B for additional discussion of “significant.”)

- bodily impairment, infirmity, illness or death
- air, noise, and water pollution and soil contamination
- destruction or disruption of man-made or natural resources
- destruction or diminution of aesthetic values
- destruction or disruption of community cohesion or a community's economic vitality
- destruction or disruption of the availability of public and private facilities and services
- adverse employment effects
- displacement of persons, businesses, farms, or nonprofit organizations
- increased traffic congestion, isolation, exclusion or separation of minority or low-income individuals within a given community or from the broader community
- denial of, reduction in, or significant delay in the receipt of benefits of PACTS programs, policies, or activities

Significant Adverse Effects on Minority and Low-Income Populations -- An adverse effect that:

- a. is predominately borne by a minority population and/or a low-income population, or
- b. will be suffered by the minority population and/or low-income population and is shown to be appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population

Limited English Proficiency -- Individuals with a primary or home language other than English who must, due to limited fluency in English, communicate in that primary or home language if the individuals are to have an equal opportunity to participate effectively in or benefit from any aid, service or benefit provided by the transportation provider or other PACTS recipient.

Federal Assistance -- Includes grants and loans of federal funds; the grant or donation of federal property and interests in property; the detail of federal personnel, Federal property of any interest in such property without consideration or at a nominal consideration or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and any federal agreement, arrangement, or other contract which has, as one of its purposes, the provision of assistance.

Low-Income -- A person whose median household income is at or below the Department of Health and Human Services poverty guidelines. (<http://aspe.os.dhhs.gov/poverty/poverty.htm>)

Low-Income Population -- Any readily identifiable group of low-income persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed Portland Area Comprehensive Transportation System (PACTS) program, policy or activity.

Minority -- A person who is:

- a. Black -- a person having origins in any of the black racial groups of Africa;
- b. Hispanic -- a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race;
- c. Asian American-- a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands; or
- d. American Indian and Alaskan Native -- a person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition.

Minority Population -- Any readily identifiable groups of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed PACTS program, policy or activity.

Noncompliance -- A recipient has failed to meet prescribed requirements and has shown an apparent lack of good faith effort in implementing all the requirements of Title VI/ Environmental Justice and related statutes.

Persons -- Where designation of persons by race, color, or national origin is required, the following designations ordinarily may be used: "White not of Hispanic origin," "Black not of Hispanic origin," "Hispanic," "Asian or Pacific Islander," "American Indian or Alaskan Native." Additional subcategories based on national origin or primary language spoken may be used, where appropriate, on either a national or a regional basis.

Program -- Includes any multi-modal or bridge project including project planning or any activity for the provision of services, financial aid, or other benefits to individuals. This includes education or training, work opportunities, health, welfare, rehabilitation, housing, or other services, whether provided directly by the recipient of federal financial assistance or provided by others through contracts or other arrangements with the recipient.

Recipient -- Any state, territory, possession, the District of Columbia, Puerto Rico, or any political subdivision, or instrumentality thereof, or any public or private agency, institution, or organization, or other entity, or any individual, in any state, territory, possession, the District of Columbia, or Puerto Rico, to whom Federal assistance is extended, either directly or through another recipient, for any program. Recipient includes any successor, assignee, or transferee thereof, but does not include any ultimate beneficiary under any such program.

Sub-recipient -- An agency such as a council of governments, regional planning agency, educational institution, for example, that receives Federal Highway Administration (FHWA) funds through the State DOTs and not directly from the FHWA. Other agencies, local governments, contractors, consultants that receive these funds are all considered sub-recipients.

Section IV:

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

Section V:

Have you filed this complaint with any other Federal, State or local agency, or with any Federal or State court?

() Yes () No

If yes, check all that apply and provide agency or court name:

() Federal Agency: _____ () Federal Court: ____

() State Agency: _____ () State Court: _

() Local Agency: _____

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

Name:

Title:

Agency:

Address:

Telephone:

E-mail:

Section VI:

Name of agency complaint is against:

Contact person:

Title:

Telephone number:

E-mail address:

You may attach any written materials or other information that you think is relevant to your complaint. Signature and date required below

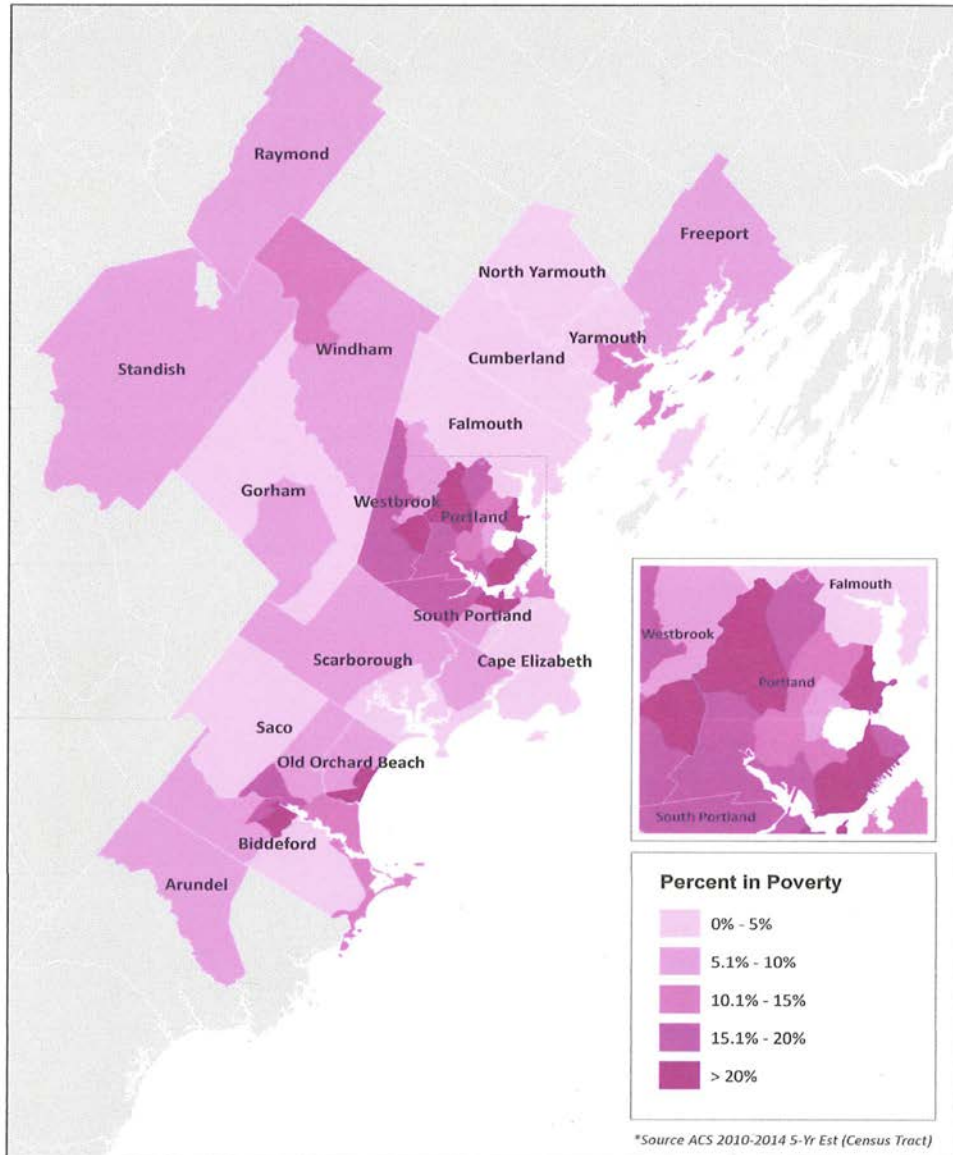
Signature

Date

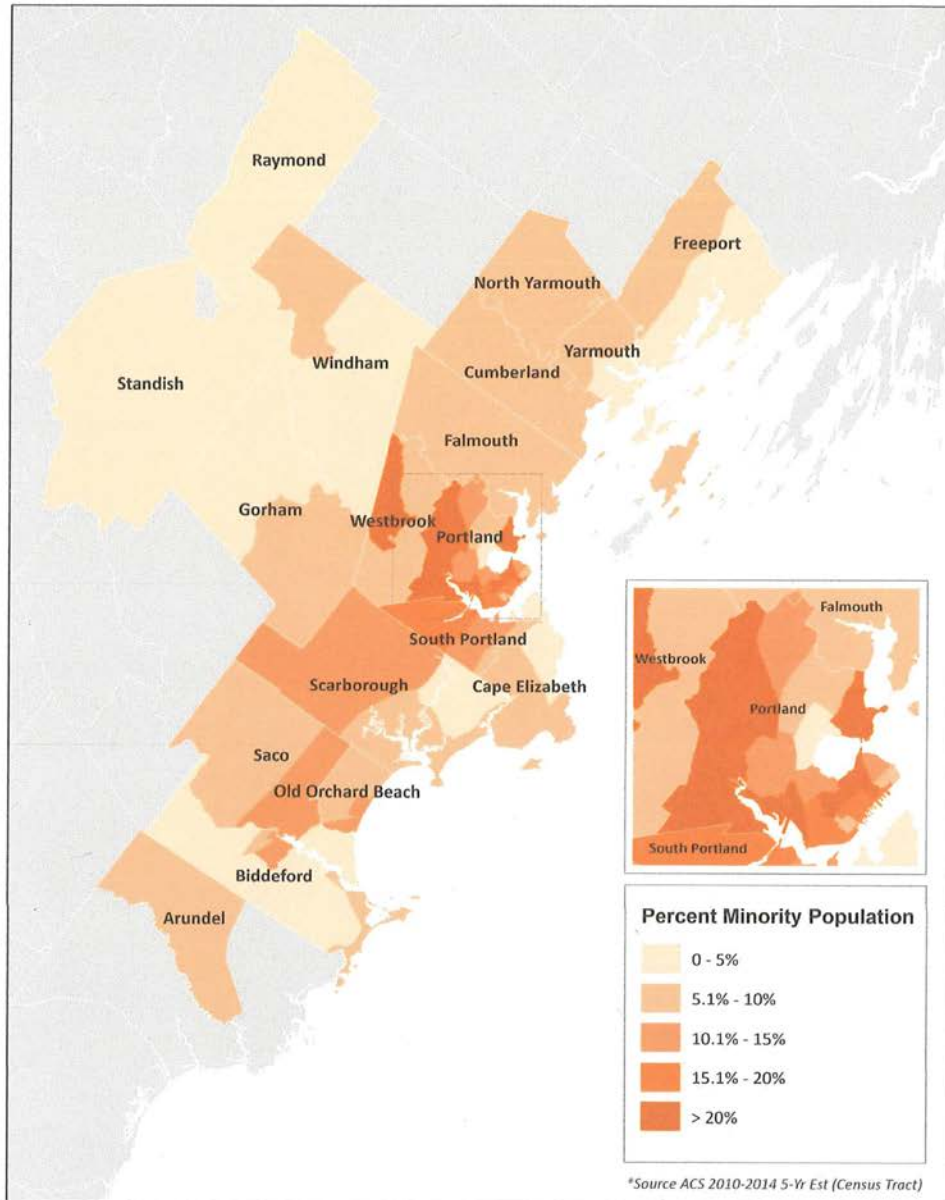
Submission Options: You may submit this form in person at the address below, by mail to the address below or you may scan this completed form along with all supporting materials and e-mail to Zachary Sundquist, PWM, 1001 Westbrook Street, Portland, Maine 04102
zrs@portlandmaine.gov

Attachment 5 – Maps

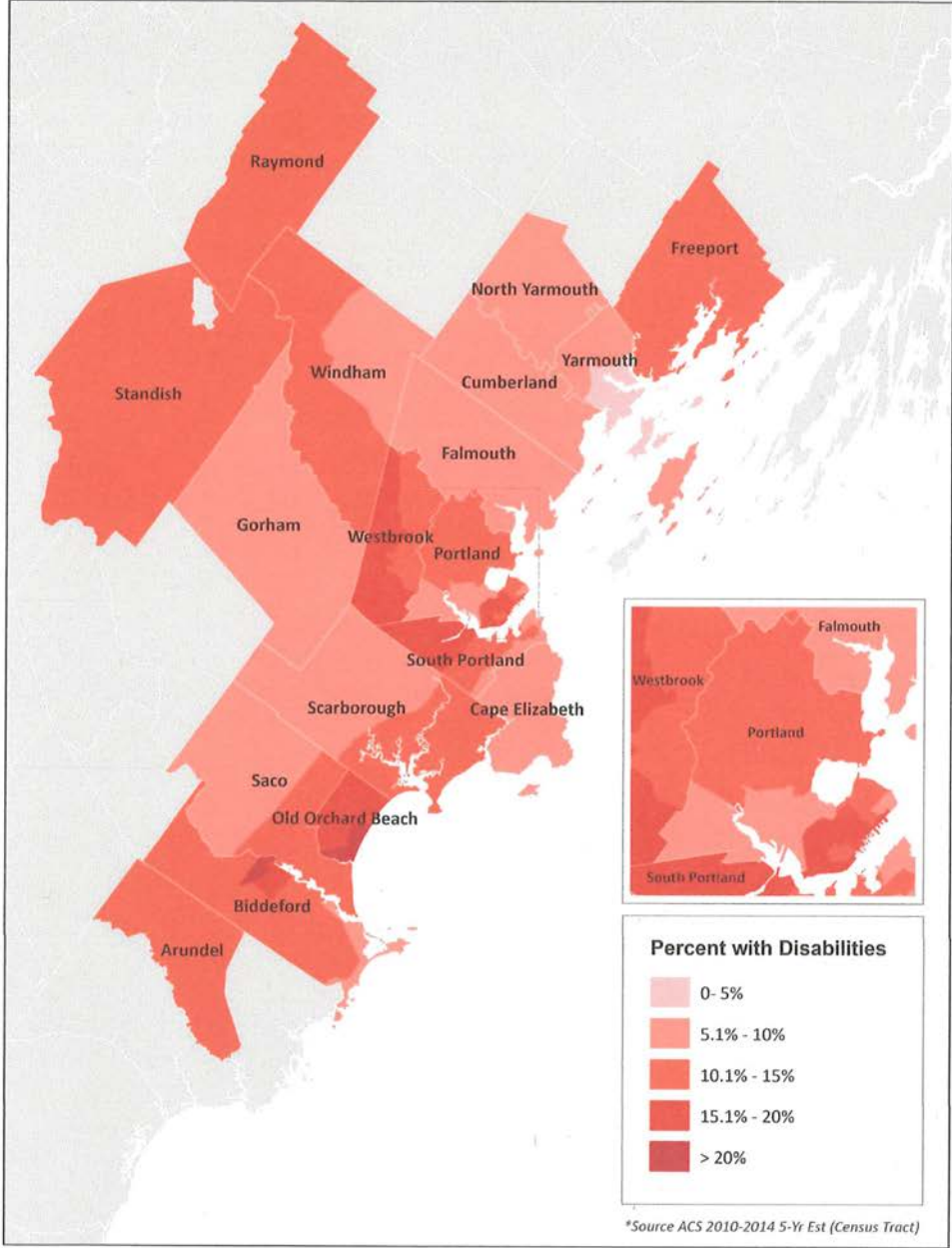
Map 1
Income Below Poverty Level



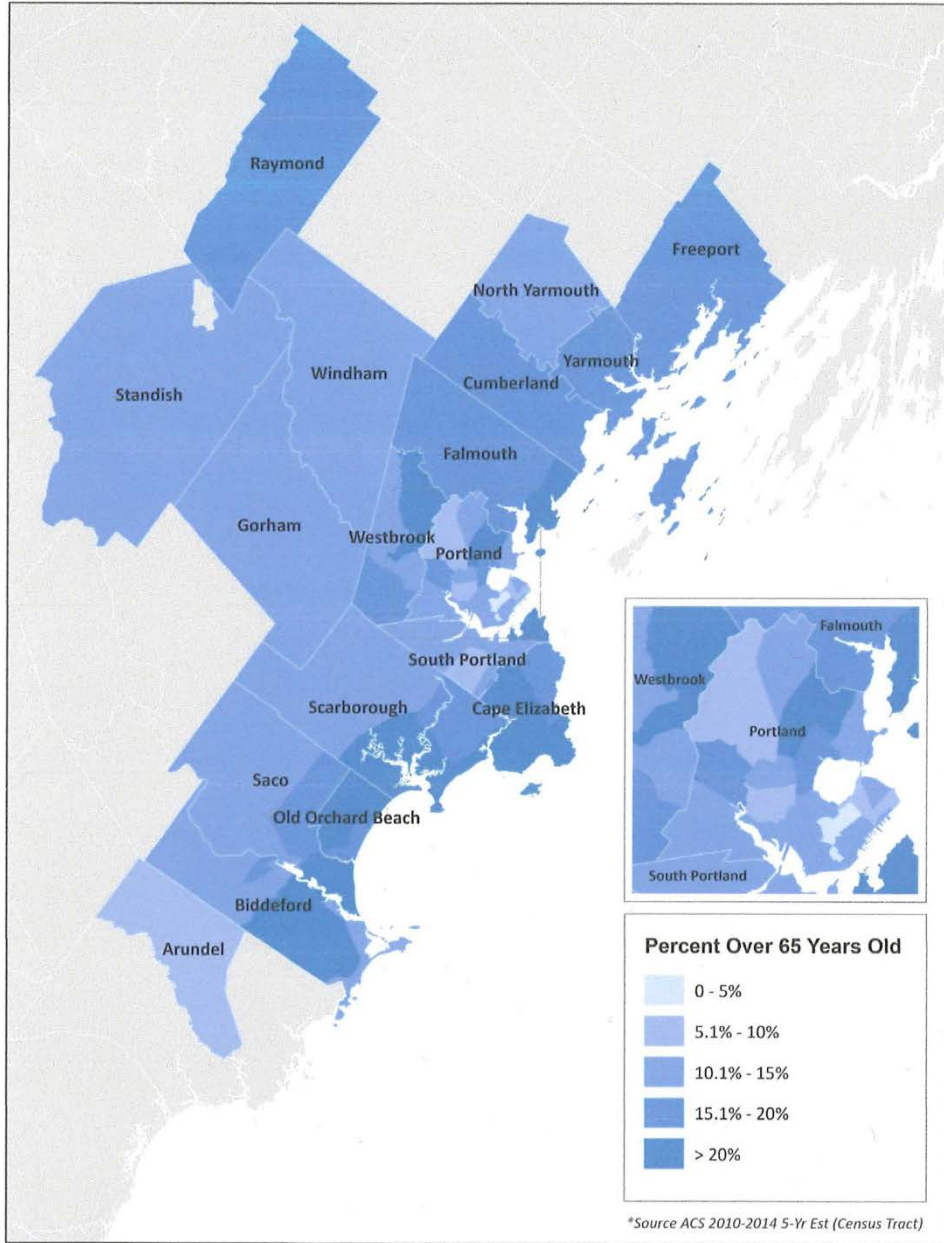
**Map 2
Minority Populations**



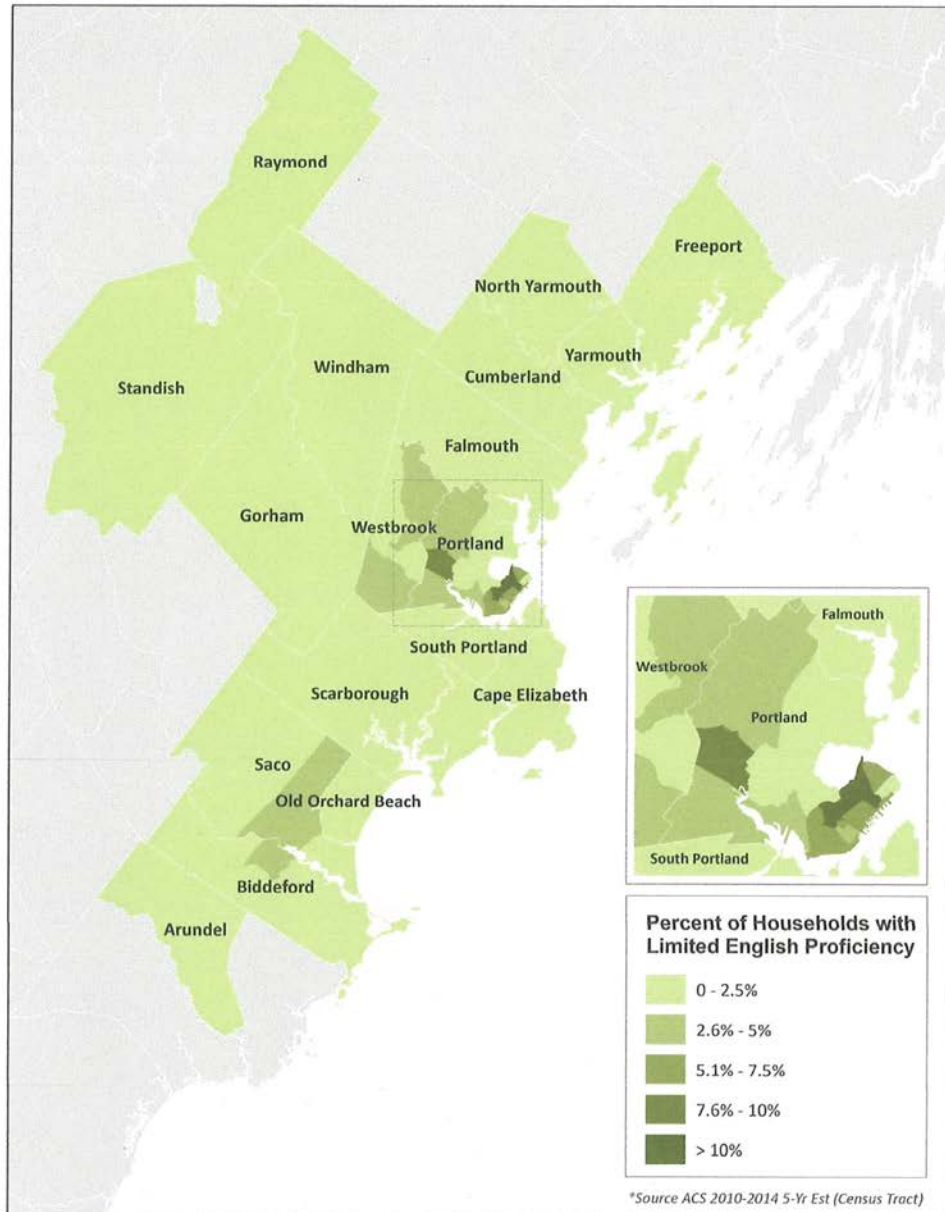
**Map 3
Persons with Disabilities**



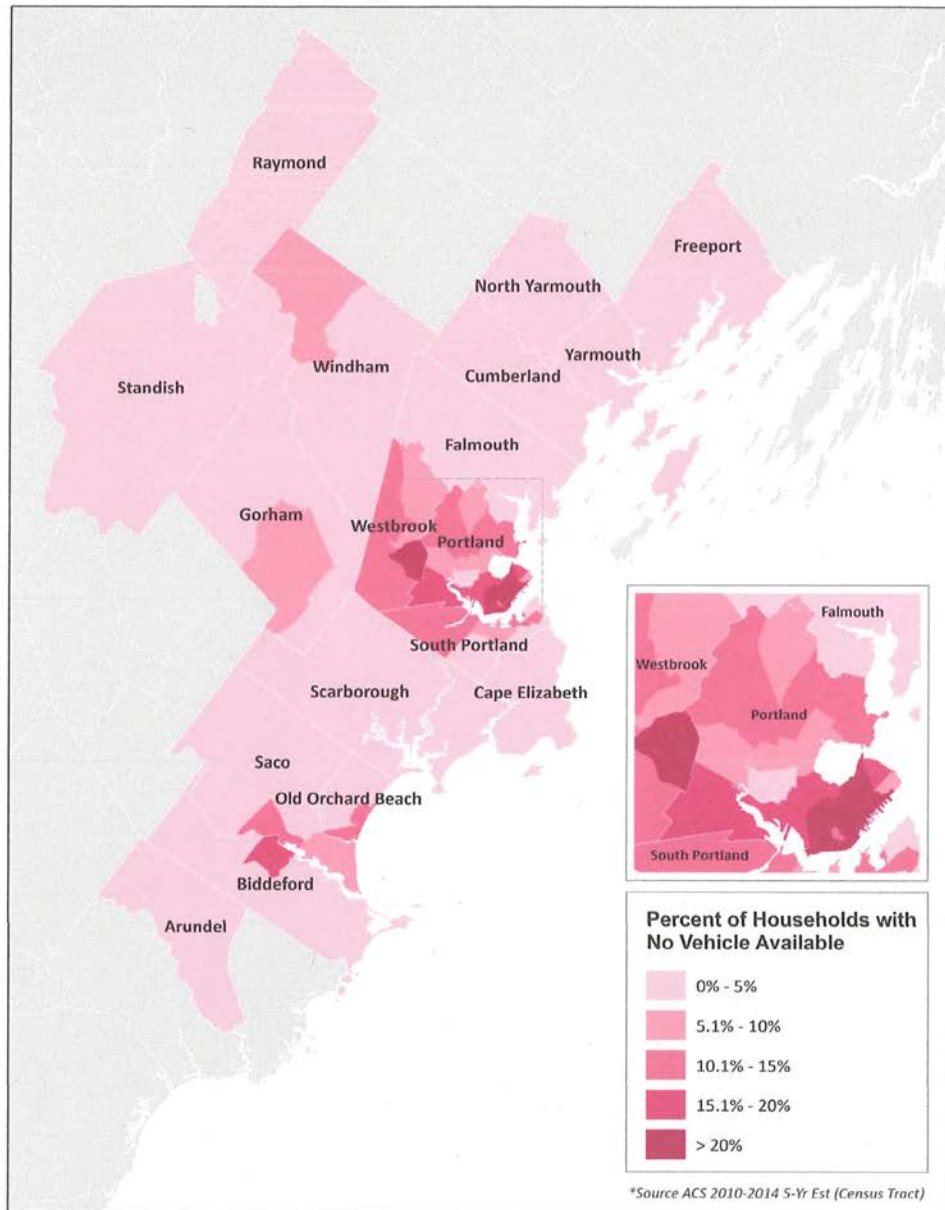
Map 4
Residents Over Sixty-Five



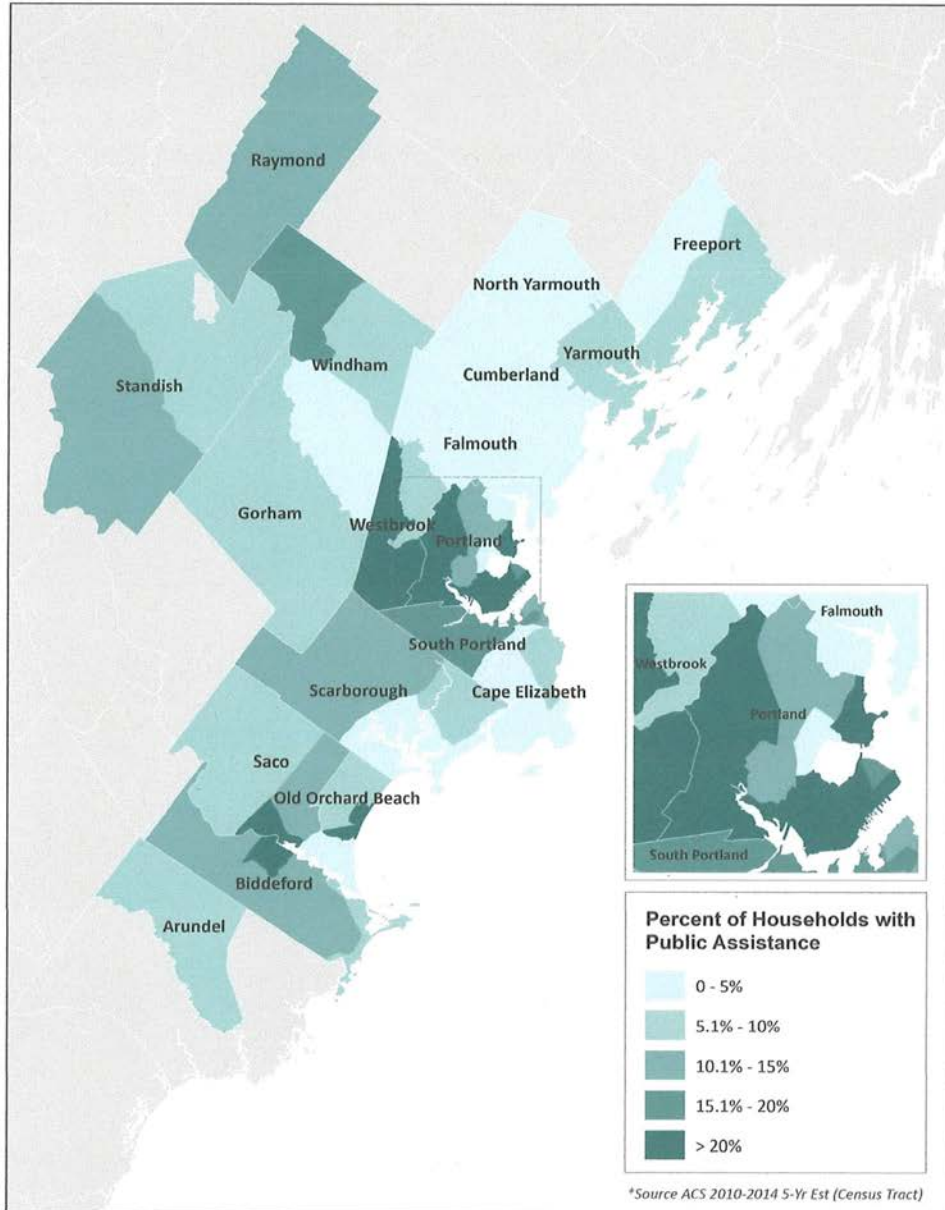
Map 5
Limited English Proficiency



**Map 6
Population with No Vehicle**



Map 7
Households Receiving Public Assistance



Attachment 6

Example Contract Language

Non-discrimination

“That no person on the grounds of race, creed, color, sex, age, disability, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of the leased premises.”

“That in the construction of any improvements on, over, or under the Leased Premises and the furnishing of services thereon, no person on the grounds of race, creed, color, sex, or national origin shall be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination.”

“In compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Chapter A, Part 21, Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation Effectuation OTitle VI Of The Civil Rights Act Of 1964, and as said regulation may be amended. “” shall also comply with the applicable provisions of Section 504 of the Rehabilitation Act of 1973 and 49 CFR Part 27.

“That, in the event of breach of any of the above nondiscrimination covenants, City shall have the right to terminate this Agreement and re-enter and repossess the Leased Premises and the improvements thereon, and hold the same as if said Agreement had never been made or issued.”

