



**Title VI Plan
2022-2024**

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A. Title VI Assurances

Pony Bird, Inc. agrees to comply with all provisions prohibiting discrimination on the basis of race, color, or national origin of Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 200d *et seq.*, and with U.S. DOT regulations, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act," 49 CFR part 21.

Pony Bird, Inc. assures that no person shall, as provided by Federal and State civil rights laws, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity. Pony Bird, Inc. further ensures every effort will be made to ensure non-discrimination in all programs and activities, whether those programs and activities are federally funded or not.

Pony Bird, Inc. meets the objectives of the FTA Master Agreement which governs all entities applying for FTA funding, including Pony Bird, Inc. and its third-party contractors by promoting actions that:

- A. Ensure that the level and quality of transportation service is provided without regard to race, color, or national origin.
- B. Identify and address, as appropriate, disproportionately high and adverse effects of programs and activities on minority populations and low-income populations.
- C. Promote the full and fair participation of all affected Title VI populations in transportation decision making.
- D. Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations.
- E. Ensure meaningful access to programs and activities by persons with Limited English Proficiency (LEP).

Signed:



Title:

Director of Operations

Date:

06/27/2022

B. Agency Information

1. Mission of Pony Bird, Inc.

The mission of Pony Bird, Inc. is to enrich the lives of individuals with disabilities.

2. History (including year started)

Pony Bird opened its doors in June 1977 to ten children who were non-ambulatory with significant intellectual and physical disabilities. Program offered include Residential Services, Community Integration and Education, Therapies, Medical Supports, Day Services, and Respite.

In June 1980, the Jefferson County Developmental Disabilities Resource Board (JCDDRDB) established the non-profit corporation, Exceptional Ones, Inc. to provide direct services. In 1991, Exceptional Ones officially merged with Developmental Disability Services, an agency that provided developmental training for adults, and changed its name to Developmental Services of Jefferson County, Inc. In June 2010, the board voted to formally approve changing the name of the not-for-profit agency from Developmental Services of Jefferson County, Inc. to NextStep for Life, Inc. effective August 1, 2010. Effective July 2017, the JCDDRDB and NextStep for Life officially separated into two entities and NextStep established its own Board of Directors. NextStep for Life offers Employment Services, Residential Services, Community Support Services, Recreation/Leisure Services, Family Supports, and Respite.

As of June 30, 2022, Pony Bird, Inc. will formally merge with NextStep for Life increasing the number of those we serve to over 1,100 individuals of all ages with intellectual, physical, developmental, and other disabilities and their families. The name will continue to be Pony Bird, Inc. Services provided will include Residential, Employment, Leisure and Recreation, Family Supports, Community Integration and Education, Day Programs, Therapies, Medical Supports, and Respite.

Pony Bird only provides transportation to individuals receiving services from our organization. Transportation is provided for medical appointments, community integration and education, community support services, and community outings.

3. Regional Profile (regional population; growth projection)

Pony Bird, Inc. receives request for services through the Department of Mental Health and, as of June 30, 2022, will also receive request for services from Vocational Rehabilitation. Pony Bird provides services to individuals in St. Charles County, St. Louis County, St. Louis City, and Jefferson County.

4. Population served (in relation to regional population)

As of June 30, 2022, Pony Bird will serve more than 1,100 individuals of all ages with intellectual, physical, developmental, and other disabilities (as defined by state statute) and their families. These vehicles are dedicated to the individuals served by Pony Bird, Inc. Referrals for the services provided by Pony Bird are made through the Department of Mental Health and Vocational Rehabilitation. Many of the individuals served are classified as low income. Jefferson County is 70% urban and 30% rural.

5. Service area (include map, with any routes utilized)

Pony Bird, Inc. only provides transportation to individuals who receive services at Pony Bird. Individuals are transported to requested or scheduled locations as needed.

6. Governing body make-up (include terms of office)

Pony Bird, Inc. is governed by a volunteer Board of Directors. The new bylaws drafted for the merged entity include three-year term limits.

C. Notice to the Public

Notifying the Public of Rights under Title VI

Pony Bird, Inc. posts Title VI notices on our agency's website, in public areas of our agency, in our board room, and on our buses and/or paratransit vehicles.

Pony Bird, Inc. operates its programs and services without regard to race, color, or national origin, in accordance with Title VI of the Civil Rights Act of 1964.

For more information on the Pony Bird, Inc.'s Title VI program, and the procedures to file a complaint, contact Pony Bird, Inc. at 636-931-5818; awolf@ponybird.org; or visit our administrative office at 1 Pony Bird Lane, Mapaville, MO 63065. For more information visit www.ponybird.org.

If you believe you have been discriminated against on the basis of race, color, or national origin by Pony Bird, Inc., you may file a Title VI complaint by completing, signing, and submitting the agency's Title VI Complaint Form.

To obtain additional information about your rights under Title VI, contact: Andrea Wolf, 636-931-5818 or by email at awolf@ponybird.org.

How to file a Title VI/ADA complaint with Pony Bird, Inc.:

1. The individual with a complaint will contact the Director of Operations, Andrea Wolf, at 636-931-5818 or awolf@ponybird.org. A complaint form will be made available.
2. In addition to the complaint process at Pony Bird, Inc., complaints may be filed directly with the Federal Transit Administration, Office of Civil Rights, East Building, 5th Floor – TCR 1200 New Jersey Ave., SE Washington, DC 20590.
3. Complaints must be filed within 180 days following the date of the alleged discriminatory occurrence and should contain as much detailed information about the alleged discrimination as possible.
4. The form must be signed and dated and include your contact information.

If information is needed in another language, contact 636-931-5818.

D. Procedure for Filing a Title VI Complaint

Filing a Title VI Complaint

The complaint procedures apply to the beneficiaries of Pony Bird's programs, activities, and services.

RIGHT TO FILE A COMPLAINT: Any person who believes they have been discriminated against on the basis of race, color, or national origin by Pony Bird, Inc. may file a Title VI complaint by completing and submitting the agency's **Title VI Complaint Form**. Title VI complaints must be received in writing within 180 days of the alleged discriminatory complaint.

HOW TO FILE A COMPLAINT: Information on how to file a Title VI complaint is posted on our agency's website, and in public areas of our agency.

You may download the Pony Bird, Inc. Title VI Complaint Form at <http://www.ponybird.info/documentation/>, or request a copy by writing to PO Box 190, Mapaville, MO 63065 . Information on how to file a Title VI complaint may also be obtained by calling Andrea Wolf at 636-931-5818.

You may file a signed, dated complaint no more than 180 days from the date of the alleged incident. The complaint should include:

- Your name, address, and telephone number.
- Specific, detailed information (how, why and when) about the alleged act of discrimination.
- Any other relevant information, including the names of any persons, if known, the agency should contact for clarity of the allegations.

Please submit your complaint form to Andrea Wolf, PO Box 190, Mapaville, MO 63065.

COMPLAINT ACCEPTANCE: Pony Bird, Inc. will process complaints that are complete. Once a completed Title VI Complaint Form is received, Pony Bird, Inc. will review it to determine if Pony Bird, Inc. has jurisdiction. The complainant will receive an acknowledgement letter informing them whether or not the complaint will be investigated by Pony Bird, Inc.

INVESTIGATIONS: Pony Bird, Inc. will generally complete an investigation within 90 days from receipt of a completed complaint form. If more information is needed to resolve the case, Pony Bird, Inc. may contact the complainant. Unless a longer period is specified by Pony Bird, Inc., the complainant will have ten (10) days from the date of the letter to send requested information to the Pony Bird, Inc. investigator assigned to the case.

If the requested information is not received within that timeframe the case will be closed. Also, a case can be administratively closed if the complainant no longer wishes to pursue the case.

LETTERS OF CLOSURE OR FINDING: After the Title VI investigator reviews the complaint, the Title VI investigator will issue one of two letters to the complainant: a closure letter or 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 Letter of Finding (LOF) summarizes the allegations and provides an explanation of the corrective action taken.

If the complainant disagrees with Pony Bird, Inc's determination, the complainant may request reconsideration by submitting the request in writing to the Title VI investigator within seven (7) days after the date of the letter of closure or letter of finding, stating with specificity the basis for the reconsideration. Pony Bird, Inc. will notify the complainant of the decision either to accept or reject the request for reconsideration within ten (10) days. In cases where reconsideration is granted, Pony Bird, Inc. will issue a determination letter to the complainant upon completion of the reconsideration review.

A person may also file a complaint directly with the Federal Transit Administration, at the FTA Office of Civil Rights, East Building, 5th Floor - TCR 1200 New Jersey Avenue SE, Washington, DC 20590.

If information is needed in another language, contact Andrea Wolf at PO Box 190, Mapaville, MO 63065, or at 636-931-5818.

E. Monitoring Title VI Complaints, Investigations, Lawsuits and Documenting Evidence of Agency Staff Title VI Training

See sample
Title VI
Self-Survey Form

ATTACHMENT 3

Documenting Title VI Complaints/Investigations

All Title VI complaints will be entered and tracked in Pony Bird, Inc’s complaint log. Active investigations will be monitored for timely response on the part of all parties. The agency’s Title VI Coordinator shall maintain the log.

During the reporting period, Pony Bird, Inc. had 0 Title VI Complaints.

Agency Title VI Complaint Log

Date complaint filed	Complainant	Basis of complaint R-C-NO	Summary of allegation	Pending status of complaint	Actions taken	Closure Letter (CL)	Letter of Finding (LOF)	Date of CL or LOF

Documenting Evidence of Agency Staff Title VI Training

Pony Bird, Inc’s staff are given Title VI training, and agency can answer affirmatively to all the following questions:

1. Are new employees made aware of Title VI responsibilities pertaining to their specific duties?
2. Do new employees receive this information via employee orientation?
3. Is Title VI information provided to all employees and program applicants?
4. Is Title VI information prominently displayed in the agency and on any program materials distributed, as necessary?

F. Public Engagement Plan

Goal

The goal of the Public Engagement Plan is to have significant and ongoing public involvement, by all identified audiences, in the public participation process for major agency outreach efforts.

Objectives

- To understand the service area demographics and determine what non-English languages and other cultural barriers exist to public participation.
- To provide general notification of meetings and forums for public input, in a manner that is understandable to all populations in the area.
- To hold public meetings in locations that are accessible to all area stakeholders, including but not limited to minority and low income members of the community.
- To provide methods for two-way communication and information and input from populations which are less likely to attend meetings.
- To convey the information in various formats to reach all key stakeholder groups.

Identification of Stakeholders

Stakeholders are those who are either directly or indirectly affected by an outreach effort, system or service plan or recommendations of that plan. Stakeholders include but are not limited to the following:

- Board of Directors – the governing board of the agency. The role of the Board is to establish policy and legislative direction for the agency. The Board defines the agency's mission, establishes goals, and approves then budget to accomplish the goals.
- Advisory Bodies – non-elected advisory bodies review current and proposed activities of the agency, and are encouraged to be active in the agency's public engagement process. Advisory bodies provide insight and feedback to the agency.
- Agency Transit riders and clients
- Minority and low income populations, including limited English proficient persons
- Local jurisdictions and other government stakeholders
- Private businesses and organizations
- Employers
- Partner agencies

Elements of the Public Engagement Plan

It is necessary to establish a public participation plan that includes an outreach plan to engage minority and limited English proficient (LEP) populations.

Elements of the Public Engagement Plan include:

1. Public Notice

- a. Official notification of intent to provide opportunity for members of the general public to participate in public engagement plan development, including participation in open Board/council meetings, and advisory committees.

2. Public Engagement Process/Outreach Efforts:

- a. Public meetings
- b. Open houses
- c. Rider forums
- d. Rider outreach
- e. Public hearings
- f. Focus groups
- g. Surveys
- h. Services for the Disabled (Notices of opportunities for public involvement include contact information for people needing these or other special accommodations.)

Events such as public meetings and/or open houses are held at schools, churches, libraries and other non-profit locations easily accessible to public transit and compliant with the Americans with Disabilities Act.

3. Public Comment

- a. Formal public comment periods are used to solicit comments on major public involvement efforts around an agency service or system change.
- b. Comments are accepted through various means:
 - i. Dedicated email address.
 - ii. Website.
 - iii. Regular mail.
 - iv. Forms using survey tool for compilation.
 - v. Videotaping.
 - vi. Phone calls to Customer Service Center [phone]

4. Response to Public Input

All public comments are provided to the Board of Directors prior to decision making. A publicly available summary report is compiled, including all individual comments.

Title VI Outreach Best Practices

Pony Bird, Inc. ensures all outreach strategies, communications and public involvement efforts comply with Title VI. Pony Bird, Inc's Public Engagement Plan proactively initiates the public involvement process and makes concerted efforts to involve members of all social, economic, and ethnic groups in the public involvement process. Aligned with the above referenced communication tactics, Pony Bird, Inc. provides the following:

- a. Public notices published in non-English publications (if available).
- b. Title VI non-discrimination notice on agency's website.
- c. Agency communication materials in languages other than English (subject to Safe Harbor parameters).
- d. Services for Limited English Proficient persons. Upon advance notice, translators may be provided.

2022 – 2024 Title VI Program Public Engagement Process

Pony Bird, Inc will not conduct a Public Engagement Process for the 2022-2024 Title VI Program. This process includes Community Meetings to seek input, provide education, and highlight key components of the Title VI Plan. Materials have been created to explain Title VI policies as well as provide education on how they relate to minority populations.

Pony Bird, Inc. will provide briefings to the Board of Directors and Advisory Bodies.

Pony Bird, Inc. will not conduct a 30 day public comment period to provide opportunities for feedback on the 2022-2024 Title VI Program.

Comments are accepted during the public outreach period via:

- a. Email
- b. Mail
- c. Phone
- d. In person
- e. Survey tool (agency option)

Summary of 2019-2021 Public Outreach Efforts

Not Applicable

G. Language Assistance Plan

Pony Bird, Inc. Limited English Proficiency Plan

This limited English Proficiency (LEP) Plan has been prepared to address Pony Bird, Inc's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964; Federal Transit Administration Circular 4702.1B, dated October 1, 2012, which states that the level and quality of transportation service is provided without regard to race, color, or national origin.

Executive order 13166, titled "Improving Access to Services for Persons with Limited English Proficiency," indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each federal agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discriminations do not take place. This order applies to all state and local agencies which receive federal funds.

Service Area Description: Pony Bird, Inc. only provides transportation to individuals participating in Pony Bird programs. Potential clients would reside in the county of Jefferson. Pony Bird serves individuals from St. Charles County, St. Louis County, St. Louis City, and Jefferson County, but all services are provided within Jefferson County.

Pony Bird, Inc. has developed this LEP Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services provided by Pony Bird, Inc.. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, and the ways in which assistance may be provided.

In order to prepare this plan, Pony Bird, Inc. undertook the **four-factor LEP analysis** which considers the following factors:

Four Factor Analysis

1. The number and proportion of LEP persons eligible to be served or likely to be encountered in the service area:

A significant majority of people in the Pony Bird, Inc. service area are proficient in the English language. Based on 2020 5-Year American Community Survey data, 7.3% of the population five

years of age and older speak English “less than very well” – a definition of limited English proficiency.

LEP Population in Pony Bird, Inc. Service Area

Population 5 years and over by language spoken at home and ability to speak English	Jefferson County, MO	St. Louis County, MO	St. Louis City, MO	Service Area Total	Percentage of Population 5 Years and Older
Population 5 Years and Over	227,771	293,310	295,039	816,120	94.70%
Speak English “less than very well”	1,494	28,707	10,487	40,688	6.20%
Spanish				0	0.00%
Speak English “less than very well”	585	7,081	3,601	11,267	1.38%
Indo-European				0	0.00%
Speak English “less than very well”	492	2,563	9,814	12,869	1.58%
Asian & Pacific Island				0	0.00%
Speak English “less than very well”	382	3,132	9,246	12,760	1.56%
All Other				0	0.00%
Speak English “less than very well”	35	1,191	2,566	3,792	0.46%

2. Frequency of Contact by LEP Persons with Pony Bird Inc’s Services:

The Pony Bird, Inc. staff reviewed the frequency with which office staff, dispatchers and drivers have, or could have, contact with LEP persons. To date, Pony Bird, Inc. has, on average, 0 requests per month for an interpreter. Pony Bird, Inc. averages zero phone calls per month where an interpreter is needed.

LEP Staff Survey Form	
<p>Pony Bird, Inc. is studying the language assistance needs of its riders so that we can better communicate with them if needed.</p>	
1.	<p>How often do you come into contact with passengers who do not speak English or have trouble understanding you when you speak English to them?</p> <p style="text-align: center;">DAILY WEEKLY MONTHLY LESS THAN MONTHLY NOT APPLICABLE</p>
2.	<p>What languages do these passengers speak? English</p>
3.	<p>What languages (other than English) do you understand or speak? None</p>
4.	<p>Would you be willing to serve as a translator when needed? Not applicable</p>

Frequency of Contact with LEP Persons	
Frequency	Language Spoken by LEP Persons
Daily	Not Applicable
Weekly	Not Applicable
Monthly	Not Applicable
Less frequently than monthly	Not Applicable

3. The importance of programs, activities or services provided by Pony Bird, Inc. to LEP persons:

Outreach activities, summarized in Pony Bird, Inc’s Title VI Public Engagement Plan, include events such as public meetings and/or open houses held at schools, churches, libraries and other non-profit locations, and include specific outreach to LEP persons to gain understanding of the needs of the LEP population, and the manner (if at all) needs are addressed.

Outside Organization LEP Survey
<p>Organization: <u>Pony Bird, Inc.</u></p> <ol style="list-style-type: none"> 1. What language assistance needs are encountered? Not applicable. 2. What languages are spoken by persons with language assistance needs? Not applicable 3. What language assistance efforts are you undertaking to assist persons with language assistance needs? Not applicable 4. When necessary, can we use these services? No, they are owned by the individual.

4. The resources available to Pony Bird, Inc. and overall cost to provide LEP assistance:

Strategies for Engaging Individuals with Limited English Proficiency include:

1. Language line. Upon advance notice, translators can be provided.
2. Language identification flashcards.
3. Written translations of vital documents (identified via safe harbor provision)
4. One-on-one assistance through outreach efforts.
5. Website information.
6. To the extent feasible, assign bilingual staff for community events, public hearings and Board of Directors meetings and on the customer service phone lines.

As applicable: Based on our demographic analysis (Factor 1) Pony Bird, Inc. has determined that no language group(s) within its service area meets Safe Harbor criteria requiring written translated “vital documents” by language group(s).

Pony Bird, Inc. will provide assistance and direction to LEP persons who request assistance.

Staff LEP Training

The following training will be provided to Pony Bird, Inc. staff:

1. Information on Pony Bird, Inc. Title VI Procedures and LEP responsibilities.
2. Description of language assistance services offered to the public.
3. Use of Language Identification Flashcards.
4. Documentation of language assistance requests.

Monitoring and Updating the LEP Plan

The LEP Plan is a component of Pony Bird, Inc's Title VI Plan requirement.

Pony Bird, Inc. will update the LEP plan as required. At minimum, the plan will be reviewed and updated when it is clear that higher concentrations of LEP individuals are present in the Pony Bird, Inc. service area. Updates include the following:

1. How the needs of LEP persons have been addressed.
2. Determine the current LEP population in the service area.
3. Determine as to whether the need for, and/or extent of, translation services has changed.
4. Determine whether local language assistance programs have been effective and sufficient to meet the needs.
5. Determine whether Pony Bird, Inc's financial resources are sufficient to fund language assistance resources as needed.
6. Determine whether Pony Bird, Inc. has fully complied with the goals of this LEP Plan.
7. Determine whether complaints have been received concerning Pony Bird Inc's failure to meet the needs of LEP individual.

H. Advisory Bodies

Table Depicting Membership of Committees, Councils, By Race

Committee [examples]	Caucasian	Latino	African American	Asian American		Total
Population Committee					Not applicable	100%
Access Committee					Not applicable	100%
Citizens Advisory Council					Not applicable	100%

Description of efforts made to encourage minority participation on committees:

- Not applicable

I. Subrecipient Assistance

Subrecipient Assistance

OPTION A

Pony Bird, Inc. does not have any subrecipients.

OPTION B

Primary recipients should provide subrecipients:

- Sample public notices, Title VI complaint procedures, and the recipient's Title VI complaint form.
- Sample procedures for tracking and investigating Title VI complaints filed with a subrecipient.
- Direction regarding obtaining demographic information of population served by subrecipients.
- Technical assistance.
- Reviews of Title VI Programs; follow-up as necessary.

J. Subrecipient Monitoring

Subrecipient Monitoring

OPTION A

Pony Bird, Inc. does not have any subrecipients.

K. Equity Analysis of Facilities

OPTION A

Pony Bird, Inc. has not constructed any storage facilities, maintenance facilities, or operations centers in the last three years.

Attachment 2

PONY BIRD, INC TITLE VI/ADA COMPLAINT FORM

“No person in the United States shall, on the basis 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.”

If you feel that you have been discriminated against in the provision of transportation services, please provide the following information to assist us in processing your complaint. Should you require any assistance in completing this form or need information in alternate formats, please let us know.

Please mail or return this form to:

Andrea Wolf, Director of Operations
Pony Bird, Inc.
PO Box 190, Mapaville, MO 63065
awolf@ponybird.org

PLEASE PRINT

1. Complainant's Name:
a. Address:
b. City: State: Zip Code:
c. Telephone (include area code): Home () or Cell () Work () - () -
d. Electronic mail (e-mail) address:
Do you prefer to be contacted by this e-mail address? () YES () NO
2. Accessible Format of Form Needed? () YES specify: () NO
3. Are you filing this complaint on your own behalf? () YES If YES, please go to question 7. () NO If no, please go to question 4
4. If you answered NO to question 3 above, please provide your name and address.
a. Name of Person Filing Complaint:
b. Address:
c. City: State: Zipcode:
d. Telephone (include area code): Home () or Cell () Work () - () -
e. Electronic mail (e-mail) address:
Do you prefer to be contacted by this e-mail address? () YES () NO
5. What is your relationship to the person for whom you are filing the complaint?
6. Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party. () YES, I have permission. () NO, I do not have permission.
7. I believe that the discrimination I experienced was based on (check all that apply): () Race () Color () National Origin (classes protected by Title VI) () Disability (class protected by ADA) () Other (please specify)

continued

TITLE VI COMPLAINT FORM – PAGE 2

8. Date of Alleged Discrimination (Month, Day, Year):
9. Where did the Alleged Discrimination take place?
10. Explain as clearly as possible what happened and why you believe that you were discriminated against. Describe all of the persons that were involved. Include the name and contact information of the person(s) who discriminated against you (if known). <i>Use the back of this form or separate pages if additional space is required.</i>
11. Please list any and all witnesses' names and phone numbers/contact information. <i>Use the back of this form or separate pages if additional space is required.</i>
12. What type of corrective action would you like to see taken?
13. Have you filed a complaint with any other Federal, State, or local agency, or with any Federal or State court? () YES If yes, check all that apply. () NO a. () Federal Agency (List agency's name) b. () Federal Court (Please provide location) c. () State Court d. () State Agency (Specify Agency) e. () County Court (Specify Court and County) f. () Local Agency (Specify Agency)
14. If YES to question 14 above, please provide information about a contact person at the agency/court where the complaint was filed.
Name: _____ Title: _____
Agency: _____ Telephone: () _____ - _____
Address: _____
City: _____ State: _____ Zip Code: _____

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

Signature and date is required:

Signature Date

If you completed Questions 4, 5 and 6, your signature and date is required:

Signature Date