



**ALLEGAN COUNTY
POLICY**

TITLE: Title VI
POLICY NUMBER: FS-001
SERVICE AREA: Allegan County Transportation
EFFECTIVE DATE: December 11, 2014
APPROVED BY: Allegan County BOC
Michigan Dept. of Transportation

TYPE OF ACTION: MDOT/FTA Compliance

1. PURPOSE:

All agencies receiving federal funds through the Michigan Department of Transportation, Office of Passenger Transportation, must have an approved Title VI Program. This program should be developed in accordance with the Federal Transit Administration's Title VI Circular 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients", or any updated circular thereafter.

2. SERVICE AREA(s) AFFECTED:

Allegan County – Transportation Services

3. DEFINITIONS:

MDOT – Michigan Department of Transportation

FTA – Federal Transit Administration

OPT – Office of Passenger Transportation

ACT – Allegan County Transportation

LEP – Limited English Proficiency

Title VI - Title VI, 42 U.S.C. § 2000d et seq., was enacted as part of the landmark Civil Rights Act of 1964. It prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance.

4. POLICY:

Plan Statement

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

Allegan County Transportation is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1B.

This plan was developed to guide the ACT in its administration and management of Title VI-related activities.

Title VI Coordinator Contact information

Allegan County Transportation, Executive Director of Services
750 Airway Drive
Allegan, MI 49010
(269) 686-4529
FAX (269) 673-2190

Title VI Information Dissemination

Title VI information posters shall be prominently and publicly displayed in the ACT facility and on their revenue vehicles. The name of the Title VI coordinator is available on the ACT's website, at www.allegancounty.org. Additional information relating to nondiscrimination obligation can be obtained from the ACT Title VI Coordinator.

Title VI information shall be disseminated to ACT employees annually via the Employee Education form. (see Appendix A) This form reminds employees of the ACT's policy statement, and of their Title VI responsibilities in their daily work and duties.

During New Employee Orientation, new employees shall be informed of the provisions of Title VI, and the ACT's expectations to perform their duties accordingly.

All employees shall be provided a copy of the Title VI Plan and are required to sign the Acknowledgement of Receipt (see Appendix B).

Subcontractors and Vendors

All subcontractors and vendors who receive payments from ACT where funding originates from any federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended.

Written contract shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

Record Keeping:

The Title VI Coordinator will maintain permanent records, which include, but are not limited to, signed acknowledgements of receipt from the employees indicating the receipt of the ACT Title VI Plan, copies of Title VI complaints or lawsuits and related documentation, and records of correspondence to and from complainants, and Title VI investigations.

Title VI Complaint Procedures

How to file a Title VI Complaint?

The complainant may file a signed, written complaint up to thirty (30) days from the date of the alleged discrimination. The complaint should include the following information:

- Your name, mailing address, and how to contact you (i.e., telephone number, email address, etc.)
- How, when, where and why you believe you were discriminated against. Include the location, names and contact information of any witnesses.
- Other information that you deem significant

The Title VI Complaint Form (see Appendix C) may be used to submit the complaint information. The complaint may be filed in writing with ACT at the following address:

Allegan County Transportation
750 Airway Drive
Allegan, MI 49010

NOTE: ACT encourages all complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily. For complaints originally submitted by facsimile, an original, signed copy of the complaint must be mailed to the Title VI Coordinator as soon as possible, but no later than 30 days from the alleged date of discrimination.

What happens to the complaint after it is submitted?

All complaints alleging discrimination based on race, color or national origin in a service or benefit provided by ACT will be directly addressed by ACT. ACT shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, ACT shall make every effort to address all complaints in an expeditious and thorough manner.

A letter acknowledging receipt of the complaint will be mailed within seven days (Appendix D). Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.

How will the complainant be notified of the outcome of the complaint?

ACT will send a final written response letter (see Appendix E or F) to the complainant. In the letter notifying complainant that the complaint is not substantiated (Appendix F), the complainant is also advised of his or her right to 1) appeal within seven calendar days of receipt of the final written decision from ACT, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the FTA. Every effort will be made to respond to Title VI complaints within 60 working days of receipt of such complaints, if not sooner.

In addition to the complaint process described above, a complainant may file a Title VI complaint with the following offices:

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

It is in the best interest of all involved parties to attempt to resolve concerns informally and at the lowest level possible. Therefore, with the complainant's consent, an informal resolution may be attempted. Similarly, these procedures do not prevent ACT from attempting to resolve issues and complaints that are unwritten.

Limited English Proficiency Plan

Four Factor Analysis

1. The number or proportion of LEP persons eligible in ACT's service area who may be served or likely to encounter an ACT program, activity, or service

ACT examined the US Census report from 2010 to determine that approximately 5.9% or 6,573 people within the ACT's service area, age 5 and older, speak a language other than English. Of the 6,573 people reporting they speak other languages than English, 2,314 or 2.1% of the respondents either speak English "not well" or "not at all". The largest non-English speaking group is Spanish. Spanish speak less than "very well" is at 1,789 or 1.6%.

2. The frequency with which LEP individuals come in contact with an ACT program, activity, or service

ACT assesses the frequency at which staff and drivers have or could possibly have contact with LEP individuals. This includes documenting phone inquiries and verbally surveying drivers. Since January 2013, ACT has had two requests for interpreters and zero requests for translated ACT documents. ACT does provide the basic brochure in Spanish. The staff and drivers have had very little to no contact with LEP individuals.

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

There is no large geographic concentration of any one type of LEP individuals in the ACT service area. The overwhelming majority of the population, 94.1% or 98,021 people, speak only English.

Therefore, there is a lack of any social, service, professional and leadership organizations within the ACT service area that focuses on outreach or membership of LEP individuals.

4. The resources available to ACT and overall costs

ACT assessed its available resources that could be used for providing LEP assistance. This included identifying how much a professional interpreter and translation service would cost on as needed basis, which documents would be the most valuable to be translated if and when the populations supports, taking an inventory of available organizations that ACT could partner with for outreach and translation efforts, and what level of staff training is needed.

After analyzing the four factors, ACT developed the plan for assisting persons of limited English proficiency. (Appendix I) This plan will be available on the county website.

Community Outreach

As an agency receiving federal financial assistance, ACT has made the following community outreach efforts:

ACT takes a leadership role in developing and updating the Allegan County Coordinated Public Transit-Human Services Transportation Plan (Coordinated Plan).

ACT's Title VI coordinator chairs the Allegan County Specialized Services Coordination Committee.

Board Meetings - The Allegan County Board of Commissioners holds two meetings monthly and the public is invited to attend and voice any concerns they have with ACT.

Public Meetings - When new service is proposed, information is disseminated to the community affected and public meetings are scheduled.

Travel Training Class - ACT has developed a travel training program to reach out to community groups (senior centers, senior facilities, and the disabled community) to conduct travel training classes. Travel Training classes are ongoing as well as outreach to these populations.

Customer Complaint Process - Citizens may call ACT's call center at (269) 673-4229 or the Title VI coordinator at (269) 686-4529 to lodge a complaint or comment. All complaints/comments are entered into a database and then distributed to the relevant manager who researches the complaint and responds back to the complainant.

Bilingual Outreach - ACT's Guest Services group provides Spanish-speaking guests with information on public transit services in Spanish. Guest Services assistance is utilized in outreach programs and offered for programs and public meetings.

We submit to the Michigan Department of Transportation annually an application for funding. The application requests funding for both capital and operating assistance. Part of the annual application is a public notice, which includes a 30-day public comment period.

Membership/Minority Representation of the Allegan County Public Transportation Local Advisory Council is identified in **Appendix H**.

Twice annually Allegan County advertises and seeks applicants for boards and commissions. The public is encouraged to apply. Individuals interested in seeking membership on the Allegan County Transportation LAC may do so by completing the Application Form on the county website. Interested parties may also contact the Executive Director of Services for Allegan County for more information involving the LAC functions.

Equity Analysis for Facility Construction

Should Allegan County ever consider construction of a new facility for ACT, a Title VI Equity Analysis will be conducted as required.

5. APPENDICES:

Appendix A

Employee Annual Education Form

Title VI Policy

No person 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.

All employees of the Allegan County Transportation are expected to consider, respect, and observe this policy in their daily work and duties. If a citizen approaches you with a question or complaint, direct him or her to the Allegan County Transportation, Executive Director of Services.

In all dealings with citizens, use courtesy titles (i.e. Mr., Mrs., Ms., or Miss) to address them without regard to race, color or national origin.

Appendix B

Acknowledgement of Receipt of Title VI Plan

I hereby acknowledge the receipt of the Allegan County Transportation Title VI Plan. I have read the plan and am committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1B.

Your signature

Print your name

Date

Appendix C

DISCRIMINATION COMPLAINT AGAINST ACT TITLE VI AND RELATED STATUTES

Contact Information

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Home Phone: _____ Work Phone: _____

Email: _____

Discrimination Complaint

Name of Staff Person that You
Believe Discriminated Against You: _____

Date of Alleged Incident: _____

You were discriminated because of:

<input type="checkbox"/> Race	<input type="checkbox"/> Color
<input type="checkbox"/> Retaliation	<input type="checkbox"/> National Origin (Language)
<input type="checkbox"/> Sex	<input type="checkbox"/> Age
<input type="checkbox"/> Familial Status	<input type="checkbox"/> Disability
<input type="checkbox"/> Religion	<input type="checkbox"/> Other

Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. Also attach any written material pertaining to your case:

Signature: _____

Date: _____

Appendix D

Letter Acknowledging Receipt of Complaint

Today's Date

Ms. Jo Doe
1234 Main St.
Allegan, Michigan 49010

Dear Ms. Doe:

This letter is to acknowledge receipt of your complaint against Allegan County Transportation alleging _____.

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by telephoning 269-686-4529, or write to me at 750 Airway Drive, Allegan, MI 49010.

Sincerely,

Name
Title VI Coordinator

Appendix E

Letter Notifying Complainant that the Complaint Is Substantiated

Today's Date

Ms. Jo Doe
1234 Main St.
Allegan, Michigan 49010

Dear Ms. Doe:

The matter referenced in your letter of _____ (date) against the Allegan County Transportation alleging Title VI violation has been investigated.

(An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program. ***(If a hearing is requested, the following sentence may be appropriate.)*** You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

Name
Title VI Coordinator

Appendix F

Letter Notifying Complainant that the Complaint Is Not Substantiated

Today's Date

Ms. Jo Doe
1234 Main St.
Allegan, Michigan 49010

Dear Ms. Doe:

The matter referenced in your complaint of _____ (date) against the Allegan County Transportation (ACT) alleging _____ has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964, had in fact been violated. As you know, Title VI prohibits discrimination based on race, color, or national origin in any program receiving federal financial assistance.

ACT has analyzed the materials and facts pertaining to your case for evidence of ACT's failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated.

I therefore advise you that your complaint has not been substantiated, and that I am closing this matter in our files.

You have the right to 1) appeal within seven calendar days of receipt of this final written decision from ACT, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration at

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

Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to call me.

Sincerely,

Name
Title VI Coordinator

Appendix G

Samples of Narrative to be included in Posters to be displayed in Revenue Vehicles and Facilities

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

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

Allegan County Transportation, Executive Director of Service
750 Airway Drive
Allegan, MI 49010
(269) 686-4529
FAX (269) 673-2190

Appendix H

Current membership/minority representation of the Allegan County Public Transportation Local Advisory Council is listed below. As members are added or deleted, the table below will be updated accordingly.

LAC Members:

Two (2) senior members (65 years of age or older)
One (1) member with a disability
Two (2) senior agency representatives
One (1) member representing agency representing persons with disabilities
One (1) member representing a human service agency

White/Caucasian	100%
Black/African American	0%
Hispanic/Latino	0%
Asian & Pacific Islander	0%
Native American	0%

Appendix I

LIMITED ENGLISH PROFICIENCY PLAN OUTLINE

How to Identify an LEP Person who Needs Language Assistance

Below are tools to help identify persons who may need language assistance:

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

When ACT sponsored workshops or conferences are held, set up a sign-in sheet table, have a staff member greet and briefly speak to each attendee. To informally gauge the attendee's ability to speak and understand English, ask a question that requires a full sentence reply;

Survey drivers and other first line staff periodically regarding their experience on having any direct or indirect contact with LEP individuals.

Language Assistance Measures

ACT has or will implement the following LEP procedures. The creation of these steps are based on the very low percentage of persons speaking other languages or not speaking English at least "well," and the lack of resources available in the ACT service area:

Census Bureau's "I Speak Cards" are to be located at the Customer Service window in the Transit Center at all times.

When an interpreter is needed, in person or on the telephone, staff will first attempt to determine what language is required. Staff shall use the telephone interpreter service - Language Line Services. ACT will establish an account with www.languageline.com for any usage, including any access codes necessary to utilize interpreter services. Staff will use interpreter services as needed.

ACT Staff Training

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

Understanding the Title VI policy and LEP responsibilities;

What language assistance services ACT offers;

How to use the Language Line interpretation and translation services;

Documentation of language assistance requests;

How to handle a Title VI and/or LEP complaint (See Appendix B)

Outreach Techniques

ACT does not have a formal practice of outreach techniques due to the lack of LEP population and resources available in the service area. However, the following are a few options that ACT will incorporate when and/or if the need arises for LEP outreach:

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

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

Key print materials, including but limited to schedules and maps, will be translated and made available at the ACT Transit Center, on board vehicles and in communities when a specific and concentrated LEP population is identified.

Monitoring and Updating the LEP Plan

This plan is designed to be flexible and is one that can be easily updated, see 2010 Census data earlier in this document. Major updates most likely will not occur unless ACT finds it necessary and crucial for an update.

Each update should examine all plan components such as:

How many LEP persons were encountered?;

Were their needs met?;

What is the current LEP population in ACT service area?;

Has there been a change in the types of languages where translation services are needed?;

Is there still a need for continued language assistance for previously identified ACT programs? Are there other programs that should be included?;

Have ACT's available resources, such as technology, staff, and financial costs changed?;

Has ACT fulfilled the goals of the LEP Plan?; and

Were any complaints received?

Dissemination of the ACT Limited English Proficiency Plan

Copies of the LEP Plan will be provided, on request, to any person(s) requesting the document via phone, in person, by mail or email. LEP persons may obtain copies/translations of the plan upon request. Any questions or comments regarding this plan should be directed to the ACT Title VI Coordinator.

Allegan County Transportation Title VI Coordinator
Executive Director of Service
750 Airway Drive
Allegan, MI 49010

Appendix J

List of transit-related Title VI investigations, complaints, and lawsuits

From June 2000 through the adoption of this plan there has been no public transportation related Title VI investigations, complaints or lawsuits filed with Allegan County Transportation.