

Twin Cities Area Transportation Authority

TITLE VI PLAN

I. Plan Statement

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on 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).

Twin Cities Area Transportation Authority, hereinafter referred to as TCATA, is committed to ensuring that no person is excluded from participation in or denied the benefits of its transit services based on race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1B.

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

Title VI Coordinator Contact Information

Title VI Coordinator

Twin Cities Area Transportation Authority
275 E. Wall Street
Benton Harbor, MI 49022
Phone: (269) 927-2268
Fax: (269) 9272310

office@tcatabus.org; Attn. Title VI Coordinator

II. Title VI Dissemination

Title VI information posters (see Appendix G) shall be prominently and publicly displayed in the TCATA facility and on revenue vehicles. The name of the Title VI coordinator is posted at **275 E. Wall Street, Benton Harbor, Michigan 49022** and via www.mywaythere.org/titlevi.asp. Additional information relating to nondiscrimination obligation can be obtained from TCATA Title VI Coordinator.

Nondiscrimination information shall be disseminated to TCATA employees annually (see Appendix A). This information reminds employees of TCATA policy statement, and of their nondiscrimination responsibilities in their daily work and duties. All employees of TCATA are provided a copy of the plan and are required to sign an Acknowledgement of Receipt (see Appendix B).

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

III. Subcontractors and Vendors

All subcontractors and vendors who receive payments from TCATA 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 contracts shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

IV. 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 TCATA Title VI Plan, copies of Title VI complaints or lawsuits and related documentation, records of correspondence to and from complainants, and Title VI investigations.

V. Title VI Complaint Procedures

The complainant may file a signed, written complaint up to one hundred and eighty (180) 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 or by e-mail with TCATA at the following address:

Twin Cities Area Transportation Authority
275 E. Wall Street
Benton Harbor, MI 49022
(269) 927-2268
office@tcatabus.org; Attn. Title VI Coordinator

NOTE: TCATA 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 180 days from the alleged date of discrimination.

All complaints alleging discrimination based on race, color, or national origin in a

service or benefit provided by TCATA will be directly addressed by TCATA. TCATA shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Also, TCATA will make every effort to timely address complaints thoroughly.

A letter acknowledging receipt of complaint will be mailed within seven days (see 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.

TCATA 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 TCATA, 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.

Once sufficient information for investigating the complaint is received by TCATA, a written response will be drafted subject to review by the transit's attorney. If appropriate, TCATA'S attorney may administratively close the complaint. In this case, TCATA will notify the complainant of the action as soon as possible.

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

VI: Title VI Investigations, Complaints, and Lawsuits

Lawsuits, Complaints, or Investigations Alleging Discrimination

Type (Investigation, Lawsuit, Complaint)	Date	Summary of Complaint	Status	Action(s) Taken
Job Discrimination (Race)	May 17, 2022	42 U.S. Code § 2000e-2 - Unlawful employment practices	Closed	Settlement

VII. Four Factor Analysis

TCATA takes reasonable steps to ensure LEP persons meaningful access to our services or programs. While designed to be a flexible and fact-dependent standard, the starting point is an individualized assessment that balances the following four factors:

- The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee.
- the frequency with which LEP individuals meets the program.
- the nature and importance of the program, activity, or service provided by the program to people's lives; and
- the resources available to the grantee/recipient or TCATA, and costs.

Factor 1: Number/Proportion of LEP Persons in Service Area

- Include data from sources such as the US Census Bureau's Demographic and Housing Characteristics or American Community Survey
- Include a listing of the counts and percentages of LEP individuals present in your service area by language.
- Identify if any of the LEP languages reach the LEP threshold of 5%, or the Safe Harbor Threshold (1,000 persons).

TCATA examined the US Census report from 2020 and the Bureau's Demographic and Housing Characteristics and were able to determine that approximately **7.50%**, or **2955** people within TCATA's service area age 5 and older spoke a language other than English. Of the **2955** reporting they speak other languages than English, **582** or **19.70%** of those respondents and **1.48%** of total respondents speak English less than "very well." The **Spanish** language comprised the largest non-English speaking language group with **3.95% total respondents**. The other largest non-English speaking language group was the **Other Indo-European languages** category at **2.12%**.

Factor 2: Frequency of Contact with LEP Persons

- How frequently does your organization encounter LEP persons?
- Are you in contact with LEP persons within a specific language group, and that language is not identified in Factor One?
- Include information gathered from face-to-face meetings with LEP persons or from surveys of LEP persons.
- Include information gathered from interviews with TCATA staff who typically encounter LEP persons.
- Include information kept by your organization on past interactions with members of the public who are LEP.

Via verbally surveying drivers and dispatchers since 12-14-2023, TCATA has had **0** requests for interpreters and/or translated TCATA documents. The staff and drivers have had **little to no contact** with LEP individuals.

Factor 3: Nature and importance of the program, activity, or service provided by the program in people's lives

Access to the services provided by TCATA is critical to the lives of many residents in the service area. Many people depend on TCATA services for access to jobs and for access to essential community services like schools, shopping, and medical appointments. Because of the essential nature of the services and the importance of these programs in the lives of many of the region's residents, there is a need to ensure that language is not a barrier to access.

Factor 4: The resources available to TCATA and overall costs.

TCATA assessed the available resources that could be used for providing LEP assistance. This included identifying how much a professional interpreter and translation service would cost, and which documents would be the most valuable to be translated when the populations would support it.

After analyzing the four factors, TCATA does not feel that a formal LEP plan is necessary.

Limited English Proficiency (LEP) Plan

TCATA will use the following guidelines and resources to assist persons with limited English proficiency.

TCATA will have the Census Bureau's "I Speak Cards" available at the TCATA operations facility. Although staff may not be able to provide immediate translation assistance, we will utilize the cards to identify language needs.

If an interpreter is needed immediately, in person or on the telephone, staff will use the "I Speak Cards" to help determine what language assistance is needed. Staff shall then contact www.languageline.com for assistance. On the Language Line webpage, staff will select the **Need an Interpreter Now** link in the popup window and follow the directions to receive an access code.

Title VI policy and complaint Procedures are available on TCATA's webpage: www.mywaythere.org/titlevi.asp.

TCATA will educate our staff on the following procedures:

1. Understanding the Title VI policy and LEP responsibilities.
2. How to access language assistant services via www.languageline.com
3. Document language assistance requests
4. The procedure if a Title VI and/or LEP complaint is filed.

VIII. Public Participation Plan

The TCATA community and minority outreach plan is based on the following principles:

- Flexibility - The engagement process will accommodate participation in a variety of ways and be adjusted as needed.
- Inclusiveness – TCATA will proactively reach out to and engage low income, minority and LEP populations from the TCATA service area.
- Respect - All feedback will be given careful and respectful consideration.
- Initiative-taking and Timeliness - Participation methods will allow for early involvement and be ongoing.
- Clear, Focused and Understandable - Participation methods will have a clear purpose and use for the input and will be described in language that is easy to understand.
- Honest and Transparent - Information provided will be accurate, trustworthy, and complete.
- Responsiveness – TCATA will respond and incorporate appropriate public comments into transportation decisions.
- Accessibility – Meetings will be held in locations which are fully accessible and welcoming to all area residents, including, but not limited to, low-income and minority members of the public and in locations relevant to the topics being presented and discussed.

As an TCATA receiving federal financial assistance, TCATA has made the following community and minority outreach efforts since the last submission of a Title VI program:

- TCATA currently publishes hours of service and any changes in route schedules.
- TCATA’s Board holds meetings, at least monthly, that the public is invited to attend.
- The TCATA complaint procedure is available to the public at any time and is also available to the public via our website at www.mywaythere.org/titlevi.asp.

IX. Membership of Non-Elected Committees

TCATA will publicly advertise and post on our website to encourage minority participation on non-elected committees such as the LAC (Local Advisory Committee). Each of the following percentages include those who identify, at least part, with each ethnic category. For example, someone who identifies as both Caucasian and Asian American would have been added to each category once. The total number of each category was then divided by the service area’s total population of 42,473.

Body	Caucasian	Latino	African American	Asian American	Native American
Population	54.13%	5.76%	39.22%	2.39%	1.59%
Local Advisory Committee	20%	0%	80%	0%	0%

X. Equity Analysis

If TCATA constructs a facility, such as a vehicle storage facility, maintenance facility, operations center, or other building, it will do a Title VI equity analysis following the procedures listed below:

The TCATA shall complete a Title VI equity analysis during the planning stage regarding where a project is located or sited to ensure the location is selected without regard to race, color, or national origin.

When evaluating locations of facilities, agencies should give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result.

If TCATA determines that the location of the project will result in a disparate impact based on race, color, or national origin, TCATA may only locate the project in that location if there is a substantial legitimate justification for locating the project there, and where there are no alternative locations that would have a less disparate impact based on race, color, or national origin.

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 Twin Cities Area Transportation Authority 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 contact:

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

Appendix B Acknowledgement of Title VI Plan Receipt

I hereby acknowledge the receipt of Twin Cities Area Transportation Authority 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.

Employee signature

Print name

Date

Appendix C Twin Cities Area Transportation Authority - Title VI Complaint Form

Title VI of the 1964 Civil Rights Act requires 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.” If you feel you have been discriminated against in transit services, please provide the following information to assist us in processing your complaint.

Please print clearly:

Name: _____

Address: _____

City, State, Zip Code: _____

Telephone Number: _____ (home)

_____ (cell) _____ (message)

Are you filing this complaint on your own behalf? yes* no
*If yes to this question, please give that person’s information below.

Person discriminated against:

Address of person discriminated against:

City, State, Zip Code:

Please indicate why you believe the discrimination occurred:

- _____ race or color
- _____ national origin
- _____ income
- _____ other

What was the date of the alleged discrimination?

Where did the alleged discrimination take place?

Please describe the circumstances as you saw it:

Please list all witnesses' names and phone numbers:

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:

- Federal Agency _____
- Federal Court _____
- State Court _____
- State Agency _____
- Local Agency _____

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

Name: _____

Title: _____

Agency: _____

Address: _____

Telephone number: _____

What type of corrective action would you like to see taken?

Please attach any documents you have which support the allegation. Then date and sign this form and send to the Title VI Coordinator at:

Title VI Coordinator
Twin Cities Area Transportation Authority
275 E. Wall Street
Benton Harbor, MI 49022

Phone: (269) 927-2268
Fax: (269) 9272310
office@tcatabus.org; Attn. Title VI Coordinator

Your signature

Print name

Date

APPENDIX D Letter Acknowledging Receipt of Complaint

[Today's Date]

Ms. Jo Doe
1234 Main St.
Clarksville, Tennessee 37040

Dear Ms. Doe:

This letter is to acknowledge receipt of your complaint against Twin Cities Area Transportation Authority 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) 927-2268 or write to me at this address.

Sincerely,

Title VI Coordinator

Twin Cities Area Transportation Authority
275 E. Wall Street
Benton Harbor, MI 49022

Phone: (269) 927-2268
Fax: (269) 9272310
office@tcatabus.org Attn. Title VI Coordinator

APPENDIX E Letter Notifying Complainant the Complaint Is Substantiated

Today's Date

Ms. Jo Doe
1234 Main St.
Clarksville, Tennessee 37040

Dear Ms. Doe:

The matter referenced in your letter of **(DATE)** against Twin Cities Area Transportation Authority 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,

Title VI Coordinator

Twin Cities Area Transportation Authority
275 E. Wall Street
Benton Harbor, MI 49022

Phone: (269) 927-2268
Fax: (269) 9272310
office@tcatabus.org Attn. Title VI Coordinator

APPENDIX F Letter Notifying Complainant the Complaint Is Not Substantiated

Today's Date

Ms. Jo Doe
1234 Main St.
Clarksville, Tennessee 37040

Dear Ms. Doe:

The matter referenced in your complaint of _____ (**DATE**) against Twin Cities Area Transportation Authority (TCATA) 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.

TCATA has analyzed the materials and facts pertaining to your case for evidence of the authority'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 TCATA, 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,

Title VI Coordinator
Twin Cities Area Transportation Authority
275 E. Wall Street
Benton Harbor, MI 49022

Phone: (269) 927-2268
Fax: (269) 9272310
office@tcatabus.org Attn. Title VI Coordinator

APPENDIX G

Title VI Narrative Displayed in Revenue Vehicles and Facilities

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on 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).

Twin Cities Area Transportation Authority (TCATA) is committed to ensuring that no person is excluded from participation in or denied the benefits of its transit services based on 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 TCATA, or if you would like additional information about TCATA's Title VI obligations, you may contact our office at:

Title VI Coordinator

Twin Cities Area Transportation Authority
275 E. Wall Street
Benton Harbor, MI 49022

Phone: (269) 927-2268

Fax: (269) 9272310

office@tcatabus.org (Attn. Title VI Coordinator)

For a copy of TCATA's title VI plan and / or complaint forms, visit:
www.mywaythere.org/titlevi.asp