

VAN BUREN PUBLIC TRANSIT
VAN BUREN COUNTY MICHIGAN



Title VI Program
August 2020

Van Buren Public Transit Title VI Program

Date Adopted: _____

I. Program 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).

Van Buren Public Transit 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 program was developed to guide the Van Buren Public Transit in its administration and management of Title VI-related activities.

Title VI Coordinator Contact information

Tony Dacoba, Van Buren Public Transit, 610 David Walton Dr., Bangor, MI 49013
Phone: 269-427-7377 Fax: 269-427-5062 Email: dacobat@vanburencountymi.gov

II. Title VI Information Dissemination

Title VI information posters shall be prominently and publicly displayed in the Van Buren Public Transit facility and on their revenue vehicles. The name of the Title VI coordinator is available on the Van Buren Public Transit's website at <https://www.vanburencountymi.gov/DocumentCenter/View/1217/Title-VI-2020>. Additional information relating to non-discrimination obligation can be obtained from the Van Buren Public Transit Title VI Coordinator.

Title VI information shall be disseminated to Van Buren Public Transit employees annually via the Employee Education form (see Appendix A) in payroll or pay stub envelopes. This form reminds employees of the Van Buren Public Transit'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 Van Buren Public Transit's expectations to perform their duties accordingly.

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

III. Subcontracts and Vendors

All subcontractors and vendors who receive payments from Van Buren Public Transit 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 the of Van Buren Public Transit Title VI Program, copies of Title VI complaints or lawsuits and related documentation, and records of correspondence to and from complainants, and Title VI investigations.

V. Title VI Complaint Procedures

How does one file a Title VI Complaint?

The complainant may file a signed, written complaint up to one 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 with Van Buren Public Transit at the following address:

Van Buren Public Transit
610 David Walton Dr.
Bangor, MI 49013

NOTE: Van Buren Public Transit encourages all complainants to certify all mail sent through the U.S. Postal Service to 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.

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 Van Buren Public Transit will be directly addressed by Van Buren Public Transit. Van Buren Public Transit shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, Van Buren Public Transit shall make every effort to address all complaints in an expeditious and thorough manner.

A letter acknowledging receipt of a complaint will be mailed within seven business 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?

Van Buren Public Transit 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 Van Buren Public Transit, 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 Van Buren Public Transit, a written response will be drafted subject to review by the transit's attorney. If appropriate, Van Buren Public Transit's attorney may administratively close the complaint. In this case, Van Buren Public Transit 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

Van Buren Public Transit has not received or investigated any Title VI complaints from clients or passengers to date. Additionally, no lawsuits have ever been filed against Van Buren Public Transit for transit related activities pertaining to allegations of discrimination on the basis of race, color and/ or national origin.

VI. Limited English Proficiency (LEP) Four Factor Analysis Data

Four Factor Analyses

1. The number or proportion of LEP persons eligible in the VBPT service area who may be served or likely to encounter a VBPT program, activity, or service. The VBPT examined the US Census report from 2012 (none of the areas serviced by the VBPT were include in any of the Bureau's American Community Surveys) and was able to determine that approximately 9.7%, or 7,319 people within VBPT's service area age 5 and older spoke a language other than English.

2. The frequency with which LEP individuals come in contact with a VBPT program, activity, or service. The VBPT assesses the frequency at which staff and drivers have or could possibly have contact with LEP persons. This includes documenting phone inquiries and verbally surveying drivers. Since April 2008, the VBPT has had no requests for interpreters and zero requests for translated VBPT documents. 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 the VBPT to LEP community. There is no large geographic concentration of any one type of LEP individuals in the VBPT service area. The overwhelming majority of the population, 91.6% or 69,115, speak English as a first language. Therefore, there is a limited social, service, professional and leadership organization within the VBPT service area that focuses on outreach or membership of LEP individuals.

4. The resources available to the VBPT and overall costs. The VBPT 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 an as-needed basis
- Documents which would be the most valuable to be translated if and when the populations supports
- Taking an inventory of available organizations that the VBPT could partner with for outreach and translation efforts
- Level of staff training needed

Van Buren Membership of Committees by Race Using 2018 Census Data

Body	White	Black	American Indian	Asian	Pacific Islander	Two or more races	Latino	White Alone Non Latino
Van Buren County Population	89.2	6.0	2.0	0.5	0	3.8	11.7	80.8
Transit Board	83.3	16.6						
Local Advisory Council	100							

Van Buren Public Transit encourages participation of minorities on the local non-elected committees and councils through our community outreach efforts described below.

VII. Community Outreach

Community Outreach is a requirement of Title VI.

As an agency receiving federal financial assistance, we have made the following community outreach efforts:

Van Buren Public Transit has engaged the public in its planning and decision-making processes, as well as its marketing and outreach activities. Between 2007- 2020, the public was invited to participate in these activities:

Board Meetings. The Board of Commissioners holds monthly meetings and the public is invited to attend.

Customer Complaint Process. Citizens may call our Guest Services Department at 269-427-7921 to lodge a complaint or comment. All complaints/comments are distributed to the relevant manager who researches the complaint and responds back to the citizen. The Van Buren Public Transit complaint process was updated in 2009.

General Awareness. We conduct rider and general awareness surveys frequently. In 2018 a Transportation Summit/study was undertaken to garner information from the public regarding their perceptions of public transportation. Origin/Destination surveys and other public surveys are developed to assist Van Buren Public Transit in gathering information to develop new routes.

Bilingual Outreach. Van Buren Public Transit 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. Census Bureau’s “I speak Cards” (Appendix I) are located at the Customer Service window in the Transit Center and on buses at all times.

Van Buren County Board of Commissioners has appointed Members to Van Buren Transits Local Advisory Council based on representation of Seniors, Handicapped, disabled, low income, planning and education. VBC Board of Commissioners appoints Transit Committee members to represent communities and ethnicity. The board consists of 1 female, 6 males—one of African American race.

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.

VBT participates with MDOT administering our Disadvantaged Business Enterprise, which monitors subcontractors and vendors utilized by VBT.

VIII. Future Facility Construction

VBT is currently planning construction of expanded facilities and will comply with all Title VI requirements for current and future projects. We will perform an equity analysis following the NEPA process to ensure a location is selected without regard to race, color, or national origin while also determining the potential impact of the possible location on the local population.

IX. VBT Board Minutes

Please refer to appendix “J” for a copy of the most recent VBC Board of Commissioners minutes as relevant to the review and adoption of the Title VI Program.

X. VBT Public Participation Plan.

VBT outreach program (Public Participation Plan) includes, but is not limited to:

1. VBT Limited English Proficiency Plan. (available on request)
2. Great Start Collaborative
3. Senior Services of Van Buren County
4. Local Advisory Council (LAC)
5. Senior Expo participation
6. VBT Employees
7. VBT Committee

8. VBC Board of Commissioners

VBT has a comprehensive outreach plan for minorities and limited English speaking members of the community. Since 2014 we have become participating members of several organizations targeting our potential ridership. The search for effective vehicles for communication to our minority clientele is ongoing.

All VBT participants in the listed programs/activities have Title VI Program training, and act as advocates for the program as it relates to VBT activities.

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 Van Buren Public Transit 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 Tony Dacoba, Title VI Coordinator.

In all dealings with citizens, use courtesy titles such as Mr., Mrs., Ms., or Miss to address people without regard to race, color or national origin.

Appendix B Acknowledgement of Receipt of Title VI Program

I hereby acknowledge the receipt of the Van Buren Public Transit’s Title VI Program. I have read the program 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 4702.1.B.

Your signature

Print your name

Date

Appendix C 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 in order to assist us in processing your complaint and send it to:

Van Buren Public Transit
610 David Walton Dr.
Bangor, MI 49013

Please print clearly:

Name: _____

Address: _____

City, State, Zip Code: _____

Telephone Number: _____ (home) _____ (cell) _____ (message)

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 remember: _____

Please list any and all witnesses' names and phone numbers:

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:

Van Buren Public Transit
610 David Walton Dr.
Bangor, MI 49013

Your signature

Print your 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 the Van Buren Public Transit 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 269-427-7377, or write to me at 610 David Walton Dr. Bangor, MI 49013.

Sincerely,

Tony Dacoba
Van Buren Public Transit
Title VI Coordinator

Appendix E Letter Notifying Complainant that 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 the Van Buren Public Transit 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,

Tony Dacoba
Van Buren Public Transit
Title VI Coordinator

Appendix F Letter Notifying Complainant that 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 the Van Buren Public Transit 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.

Van Buren Public Transit has analyzed the materials and facts pertaining to your case for evidence of the city'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 Van Buren Public Transit, 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,
Tony Dacoba
Title VI Coordinator

Appendix G 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).

Van Buren Public Transit 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 4702.1.B. **If you feel you are being denied participation in or being denied benefits of the transit services provided by Van Buren Public Transit, or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, you may contact our office at: 610 David Walton Dr. Bangor, MI 49013**

For more information, visit our website at: www.vbco.org
Appendix H shows the Poster that is displayed as described above.

APPENDIX H (poster)

VAN BUREN PUBLIC TRANSIT TITLE VI NOTICE

Van Buren Public Transit 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 of the Civil Rights Act of 1964 and Federal Transit Administration (FTA) Circular 4702.1B. For additional information on Title VI or to file a complaint, contact:

Title VI Coordinator
Van Buren Public Transit
610 David Walton Drive
Bangor MI 49013
269-427-7921

<https://www.vanburencountymi.gov/558/Title-IV-Plan>

Appendix J

VBC Board of Commissioners meeting minutes of 7/20/2020 adopting the revised and updated Title VI Program are attached.

Van Buren County Board of Commissioners Regular Meeting July 20, 2020 Page 3 of 4

Item 11, Transit Committee Section A

Title VI Plan Revision. MDOT requested all Transit agencies to revise the current Title VI to meet new requirements. There are no changes in operations.

MOTION BY HANSON, SECOND BY DOROH. CARRIED.