

**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
REVISED BY: Transportation Director
REVISED DATE: July 27, 2023
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 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).

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 Allegan County Transportation in its administration and management of Title VI-related activities.

Title VI Coordinator Contact Information:

Allegan County Transportation
ATTN: Transportation Director
750 Airway Drive Allegan, MI 49010
(269) 686- 4529
transportation@allegancounty.org

Title VI Dissemination

Title VI information posters (see Appendix G) shall be prominently and publicly displayed in the Allegan County Transportation facility and on their revenue vehicles. The name of the Title VI coordinator is posted and available at 750 Airway Drive Allegan, MI and allegancounty.org/transportation under policies. Additional information relating to nondiscrimination obligation can be obtained from the Allegan County Transportation Title VI Coordinator.

Nondiscrimination information shall be disseminated to Allegan County Transportation employees annually (see Appendix A). This information reminds employees of Allegan County Transportation's policy statement, and of their nondiscrimination responsibilities in their daily work and duties. All employees of Allegan County Transportation 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 Allegan County Transportation 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 Allegan County Transportation 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.

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 Allegan County Transportation's Title VI Plan, copies of Title VI complaints or lawsuits and related documentation, 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 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 Allegan County Transportation at the following address:

Allegan County Transportation
ATTN: Transportation Director
750 Airway Drive

Allegan, MI 49010
PHONE: (269) 686- 4529
FAX: (269) 673-2190
transportation@allegancounty.org

NOTE: Allegan County Transportation 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.

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

A letter of 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.

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

Allegan County Transportation 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 Allegan County Transportation, 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 Allegan County Transportation from attempting to resolve issues and complaints that are unwritten.

Title VI Investigations, Complaints, and Lawsuits

Lawsuits, Complaints, or Investigations Alleging Discrimination

Type (Investigation, Lawsuit, Complaint)	
Date	
Summary of Complaint	
Status	
Action(s) Taken	

There are no records of Title VI complaints being filed with Allegan County Transportation.

Limited English Proficiency Plan

Four Factor Analysis

Allegan County Transportation is required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. While designed to be a flexible and fact-dependent standard, the starting point is an individualized assessment that balances the following four factors:

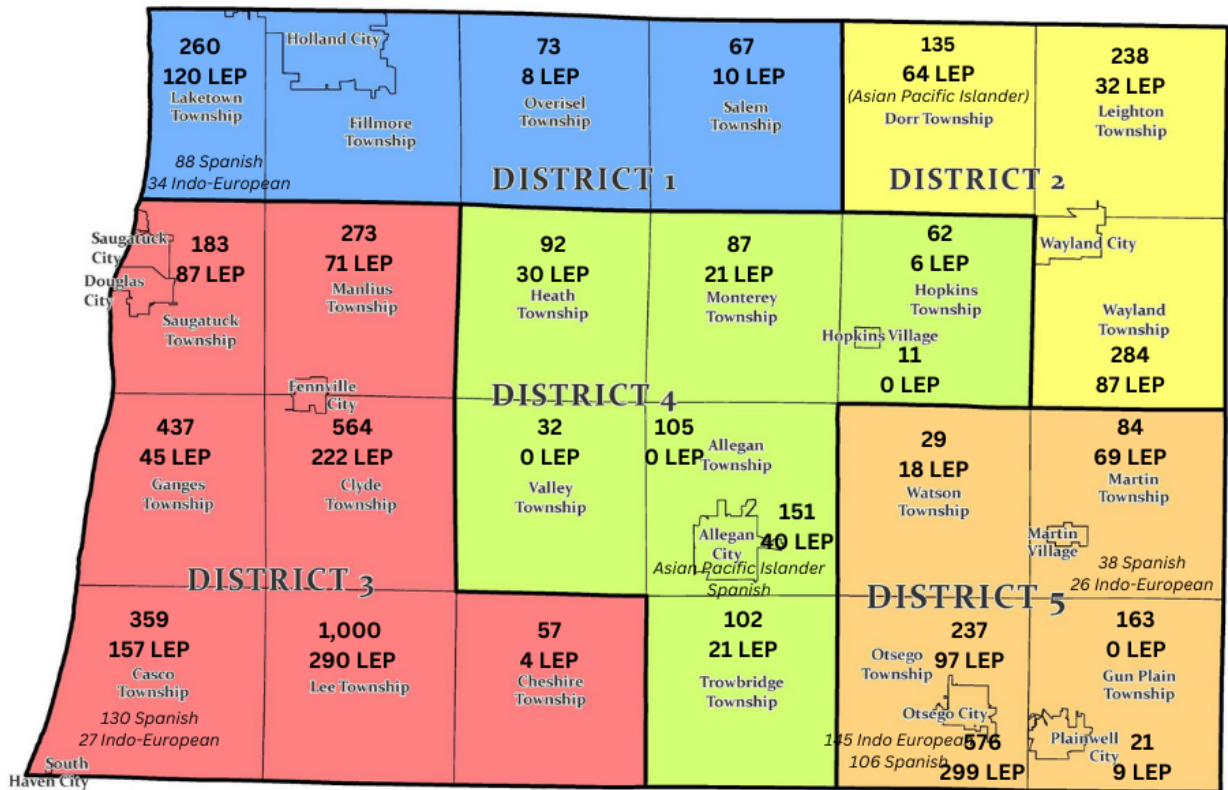
- The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee.
- The frequency with which LEP individuals meet the program.
- The nature and importance of the program, activity, or service provided by the program to people's lives; and
- The resources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

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

Allegan County Transportation examined the US Census report from 2020 and the American Community Survey from 2021, and was able to determine that approximately 6.47%, or 7,107 people within the Allegan County service area age 5 and older spoke a language other than English. Of the 7,107 reporting they speak other languages than English, 2,030, or 1.8 percent of total respondents speak English less than “very well”. The Spanish language comprised the largest non-English speaking language group with 4.9%. The other largest non-English speaking language group was the Indo-European language at

1.2%. In order to show LEP outreach is targeted towards the population living in the County, information was compiled for each Township and major city/hub locations within the Allegan County Transportation service area. This map indicates the number of individuals that speak another language other than English, and the number that have limited English proficiency (LEP), according to American Community Survey data.

2021: ACS 5-Year Estimates Data - Limited English Proficiency (LEP)



The data is based on "Language spoken at home.." The top number represents the number of survey respondents that speak a language other than English in their household; the second number represents those that speak English less than "very well"; this is the limited English proficiency (LEP) we are seeking to understand.

Factor 2: Frequency of Contact with LEP Persons

An analysis of rider data, in addition to an informal survey of agency staff, showed there are a low frequency of interactions with LEP individuals on a day-to-day basis. There are between 3-5 individuals being transported on a weekly basis that speak English less than "very well", and between 3-5 individuals that call in a month to inquire about Transportation. The individuals being transported on a recurring basis utilize third-party scheduling, meaning a human services agency such as Michigan Works or On Point (Community Mental Health) coordinates scheduling and translation services as needed. At

a frequency of no more than three times per month, an individual with limited English proficiency will ask a family member to call on their behalf to schedule a trip.

Based on the verbal surveying drivers and dispatchers since July 1, 2023, Allegan County Transportation has had less than five requests for interpreters and/or translated agency 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 Allegan County Transportation is critical to the lives of many residents in the service area. Many people depend on Allegan County Transportation services for access to jobs and for access to essential community services like shopping, wellness and behavioral health appointments, 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. In Allegan County, there is no large geographic concentration of any one type of LEP individuals within the transportation service area (the overwhelming majority of the population speak only English). Outreach efforts will continue to be made to ensure equal access to information on transportation resources for residents throughout the county.

Factor 4: The resources available to Allegan County Transportation and overall costs.

Allegan County Transportation 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, 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, Allegan County Transportation developed the following plan to minimize language barriers that may inhibit an individual utilizing public transportation. Below are guidelines staff at Allegan County Transportation will adhere to in order to maintain an accessible and barrier-free transportation system.

Limited English Proficiency (LEP) Plan

Allegan County Transportation will use the following guidelines and resources to assist persons with limited English proficiency.

Allegan County Transportation will have the Census Bureau’s “I Speak Cards” available at the Allegan County operations facility. These cards will also be printed and laminated, and will be kept inside each of the revenue vehicles in case drivers encounter a LEP individual.

Although staff may not be able to provide immediate translation assistance, the cards will be used to identify language needs.

Drivers will be trained on available resources to help bridge a communication gap when immediate assistance is needed. If a driver is pulled off the road and parked in a safe location, Google Translate can be accessed from any mobile device to assist in alleviating language barriers.

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 visit Google Translate and make best efforts to interpret an individual’s question or need, and formulate a sufficient response. Additionally, the County of Allegan utilizes a language translation service through the District Courts that could be available for the Transportation service area to subscribe to, should the need arise.

Allegan County Transportation will educate our staff on the following procedures:

1. Understanding the Title VI policy and LEP responsibilities.
2. How to access language assistant services
3. Document language assistance requests
4. The procedure if a Title VI and/or LEP complaint is filed.
5. Driver sensitivity training: annually, drivers complete a sensitivity training which reinforces the importance of understanding the diverse needs of the community served by Allegan County’s transportation program.

Customer Complaint Process - Citizens may call ACT’s call center at (269) 673-4229 or the Title VI coordinator at (269) 686-4529 to file 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.

Allegan County Transportation will add the Title VI policy and complaint Procedures to its website. The County website has a Google Translate plug-in available, so can translate plain text found on the website. To ensure accessibility of documents for individuals with limited English proficiency, efforts will be made to include the Title VI policy on the website in a rich-format versus PDF document to ensure it can be easily translated. Furthermore, printed materials outlining policies and procedures will be translated to Spanish and will be distributed to agency partners, and made available to the general public upon request.

Public Participation Plan

The Allegan County Transportation 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 – Allegan County Transportation will proactively reach out to and engage low income, minority and LEP populations from the Allegan County Transportation 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 – Allegan County Transportation 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 agency receiving federal financial assistance, Allegan County Transportation has made the following community and minority outreach efforts since the last submission of a Title VI program:

1. All printed marketing materials have been updated to include specific language surrounding the agency’s Title VI policy;
2. A Program Coordinator has been hired (April 2023), specifically to work more closely with human services agencies and individuals in the community that may benefit from public transportation;
3. Allegan County Transportation is represented in a working group under the Multi-Agency Collaborative Council. The intent of the focus group meetings is to strengthen efforts in implementing the Community Health Improvement Plan;
4. Allegan County participated in the 2022 Community Survey (through the U.S. Census Bureau) in order to better understand the needs of the community served by public transit; some questions were even geared towards better understanding transportation needs and barriers to access.
5. Service expansion at the beginning of 2022 was intended to increase transportation opportunities for individuals living in communities previously underserved by public transportation; since service expansion took effect on January 1, 2022, individuals living in more rural areas and off of major roadways are now able to schedule a trip with Allegan County Transportation. Service expansion aligned with the County’s overall goals in improving the quality of life for residents living within Allegan County.

Outreach Techniques

Allegan County Transportation 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 Allegan County Transportation will incorporate when and/or if the need arises for LEP outreach:

1. 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.
2. 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”.
3. Key print materials, including but limited to schedules and maps, will be translated and made available at 750 Airway Drive, on board vehicles and in communities when a specific and concentrated LEP population is identified.

Allegan County Transportation has engaged the public in its planning and decision-making processes, as well as its marketing and outreach activities. Service expansion was largely in response to feedback shared by individuals and partnering agencies that felt the transit program was too limited. Expanded service took into account the need to increase evening hours and availability of service on Saturdays – all in response to public feedback. In addition, Allegan County Transportation has remained committed to its mission to provide barrier-free travel, now offering curb to curb service anywhere within the county for any trip purpose – medical appointments, wellness, shopping and errands, and quality of life.

Allegan County Transportation submits 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.

Allegan County Transportation actively participated in the development of the following county human services – coordinated transportation services plan: Coordinated Mobility Plan: Prosperity Region 4. May 2016. Prepared by KFH Group, Inc. for MDOT & 211. As of March, 2023, the Southwest Regional Planning Commission is working with KFH Group to organize a series of focus group meetings. The next Coordinated Mobility Plan for Region 8 is expected to become available in 2024. Allegan County Transportation also meets quarterly with other transit agencies in the region to increase coordination activities, especially for groups underserved by public transit.

Allegan County Transportation currently publishes hours and days of service and any proposed changes go through a public input process prior to implementation. The Allegan County Board of Commissioners holds monthly meetings that the public is invited to attend. Public comment on any service area, including Transportation, is always

welcomed at the beginning of each regularly scheduled meeting. The County also has a survey available with open-ended questions, allowing members of the community to leave feedback at any time.

Allegan County Transportation has a complaint procedure that is available to the public at any time and is also available to the public via the County Website at allegancounty.org/transportation. The complaint procedure is an operating procedure that all new team members are trained on. All complaints received go through a thorough investigation process, with results reported quarterly to County leadership.

Membership of Non-Elected Committees

Annually, the Local Advisory Council meets in-person to discuss the transit program and identify opportunities for improvement.

Allegan County Transportation will publicly advertise and post on our website to encourage minority participation on non-elected committees such as the LAC (Local Advisory Committee). To ensure equal representation on the LAC, efforts will be made to engage with individuals and human services agencies to improve representation of LEP groups. To encourage participate in local LAC meetings, Allegan County Transportation offers transportation for in-person meetings, or the meeting is available in an online format.

Because, the majority of the population in Allegan County is White/Caucasian, with the second largest representation being Hispanic Latino, Allegan County Transportation has taken great measures in seeking out additional minority representation, including directly asking some minority persons who have attended meetings about participating in membership of the LAC; they declined participating.

Equity Analysis

If Allegan County Transportation 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:

Allegan County Transportation 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 Allegan County Transportation determines that the location of the project will result in a disparate impact based on race, color, or national origin, Allegan County Transportation

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 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 contact the Allegan County Transportation Director.

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 Receipt of Title VI Plan

I hereby acknowledge the receipt of Allegan County Transportation's 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 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

_____ 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:

Allegan County Transportation
ATTN: Transportation Director
750 Airway Drive
Allegan, MI 49010
PHONE: (269) 686- 4529
FAX: (269) 673-2190
transportation@allegancounty.org

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 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) 673 – 4229 or write to me at this address.

Sincerely,

Name
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 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 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 Allegan County Transportation 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.

Allegan County Transportation 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 Allegan County Transportation, 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 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).

Allegan County Transportation 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 Allegan County Transportation, or otherwise being discriminated against because of your race, color or national origin, you may contact our office at:**

Allegan County Transportation
ATTN: Title VI Coordinator
750 Airway Drive
Allegan, MI 49010
PHONE: (269) 686- 4529
FAX: (269) 673-2190
transportation@allegancounty.org

For more information, visit our website at allegancounty.org/transportation