

Title VI Program

Barry County Transit:

Date Adopted: _____

I. 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). This program was developed in accordance with (FTA C 4702.1B)

Barry County 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 Barry County Transit in its administration and management of Title VI-related activities.

Title VI Coordinator Contact information

Barbara Caris, 1216 W. State St., Hastings, MI 49058 (269)948-8098

II. Title VI Information Dissemination

Title VI information posters shall be prominently and publicly displayed in the Barry County Transit facility and on their revenue vehicles. Additional information relating to nondiscrimination obligation can be obtained from the Barry County Transit Title VI Coordinator.

Title VI information shall be disseminated to Barry County Transit employees annually during regular training for Drug and Alcohol.

During New Employee Orientation, new employees shall be informed of the provisions of Title VI, and the Barry County 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 Barry County 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 Barry County 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 to file a Title VI Complaint?

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 with Barry County Transit at the following address:

*Barry County Transit
Attn: Barbara Caris
1216 W. State St.
Hastings, MI 49058*

NOTE: Barry County Transit 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 Barry County Transit will be directly addressed by Barry County Transit. Barry County 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, Barry County Transit 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 (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?

Barry County 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 Barry County 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.

If an attorney is being retained:

Once sufficient information for investigating the complaint is received by Barry County Transit, a written response will be drafted subject to review by the transit's attorney. If appropriate, Barry County Transit's attorney may administratively close the complaint. In this case, Barry County 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

Current investigations, complaints and lawsuits

There are currently no investigations, complaints or lawsuits.

VI. Limited English Proficiency (LEP) Plan

Barry County reviewed the 2010 US census report and determined that 2.2% of the county’s population spoke a language other than English, of that number only a fraction spoke no English at all. Barry County Transit reviewed the frequency at which staff has had contact with LEP persons over the past 32 year history. It was found that staff has had no requests for interpreters or translated Transit documents. Barry County Transit does have current staff who are fluent in Spanish should the need ever arise.

VII. Community Outreach

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

Barry County Transit has engaged Local Advisory Council in its planning and decision-making processes, as well as its marketing and outreach activities. Between 2010-2014, the public was invited to participate in these activities:

Coordinated Public Transit-Human Services Transportation Plan (Coordinated Plan). Federal transit law, as amended by Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users of 2005), requires that projects selected for under the Elderly and Individuals with Disabilities Program (Section 5310), Job Access and Reverse Commute Program (Section 5316), and New Freedom Program (Section 5317) be derived from a coordinated plan.

Boards and Committees. The Board of Directors holds open monthly meetings and the public is invited to attend. The Transit Board is appointed annually by the Barry county Board of Commissioners and consists of two currently seated County Commissioners and one Member at Large interviewed and appointed by the full Board of Commissioners at a regular public meeting. Applicants for the Member at Large are sought through public notices placed in local newspapers. One member of the Local Advisory Council is jointly appointed by the Area agency on aging and the Transit board.

Table Depicting Membership of Committees, Councils, Broken Down by Race

Body	<u>Caucasian</u>	<u>Latino</u>	<u>African American</u>	<u>Asian American</u>	<u>Native American</u>
<u>Local Advisory Council</u>	<u>100%</u>				
<u>Transit Board</u>	<u>100%</u>				

Title VI Construction Equity

Barry County Transit will conduct a Title VI equity analysis during the planning stage of any facility construction project giving attention to where the project is sited to ensure the location is selected without regard to race, color or national origin.

Customer Complaint Process. Citizens may call our Dispatch Department at (269)948-8098 to lodge a complaint or comment. All complaints/comments are documented and then submitted to the Transportation Manager who researches the complaint and responds back to the citizen. Barry County Transit complaint process was updated in 2014.

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.

Service policy

Barry County Transit is a demand actuated transportation provider. We provide curb to curb service and assign vehicles to routes based upon fuel efficiency and rider counts.

Appendix A

Employee Annual Education Form

Title VI Program 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 Barry County 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 Barb Caris, Title VI Coordinator, or Joseph Bleam, Transportation Manager.

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 Barry County Transit’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.

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 sent it to:

Barbara Caris
Barry County Transit
1216 W. State St.
Hastings, MI 49058

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 saw it: _____

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:

Barry County Transit
Barbara Caris, Title VI Coordinator
1216 W. State St.
Hastings, MI 49058

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 Barry County 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)948-8098, or write to me at this address.

Sincerely,

Barbara Caris, Title VI Coordinator
1216 W. State St.
Hastings, MI 49058

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 Barry County Transit 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,

Barbara Caris
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 Barry County 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.

The Barry County Transit has analyzed the materials and facts pertaining to your case for evidence of the county'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 Barry County 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,

Barbara Caris
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).

Barry County 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. **If you feel you are being denied participation in or being denied benefits of the transit services provided by Barry County Transit, or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, you may contact our office at (269)948-8098.**