



Board Approval Needed

May 22, 2017

Approval for:

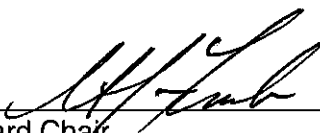
Title VI Plan and Limited English Proficiency Policy.

Explanation:

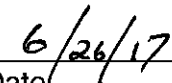
Title VI plan originally adopted August 26, 2009. This document updated according to Michigan Department of Transportation (MDOT) requirements and guidance.

Community Action established this program to guide the agency in its administration and management of Title VI transportation-related activities in compliance with Federal Transit Administration (FTA) Circular 4702.1B. Community Action is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transportation services on the basis of race, color, or national origin.

Approved: May 22, 2017



Board Chair



Date

**Community Action
Senior Transportation
Title VI Plan**

**Date Adopted: August 24, 2009
Date Revised: May 8, 2017 (draft)**

I. Title VI Program Statement

Community Action established this program to guide the agency in its administration and management of Title VI transportation-related activities in compliance with Federal Transit Administration (FTA) Circular 4702.1B. Community Action is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transportation services on the basis of race, color, or national origin.

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 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" (42 U.S.C. Section 2000d).

Title VI Coordinator Contact information

The Title VI Coordinator or designate will be required to submit the required compliance reporting as stated in Chapter III 1,4 of the FTA C 4702.1B General, Requirements and Guidelines.

Community Action
Attn: Director of Human Resources
175 Main St.
Battle Creek, MI 49014
Phone: (269) 441-1356
Fax: (269) 965-1152
_HR@caascm.org

II. Title VI Notice to the Public, including a list of locations where the notice is posted.

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

Title VI information shall be disseminated to Community Action Senior Transportation employees via the Employee Education form (see Appendix A) on an annual basis starting August 25, 2009. This form reminds employees of Community Action Senior Transportation's policy statement, and of their Title VI responsibilities in their daily work and duties.

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

All Senior Transportation employees shall be provided a copy of the Title VI Plan and are required to sign the Acknowledgement of Receipt (see Appendix B). This signed document will be placed in the employees personnel file.

III. Subcontracts and Vendors

All Senior Transportation subcontractors and vendors who receive payments from Community Action 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 Senior Transportation 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 Community Action Senior Transportation Title VI Plan, copies of Title VI complaints or lawsuits and related documentation, and records of correspondence to and from complainants, and Title VI investigations.

V. Title VI Complaint Procedures

How to file a Title VI Complaint

The complainant must file a signed, written complaint as soon as possible, but no later than one hundred and eighty (180) days from the date of the alleged discrimination. The complaint must include the following information to be considered valid:

- Complainant name, mailing address, and how to contact (i.e., telephone number, email address, etc.)
- How, when, where and why complainant believes he/she was discriminated against. Include the location, names and contact information of any witnesses.
- Other information that complainant deems significant

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

Director, Human Resources
Community Action
175 Main St.
Battle Creek, MI 49014

NOTE: Community Action encourages all complainants to certify all mail that is sent through the U.S. Postal Service.

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

A letter 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?

Once sufficient information for investigating the complaint is received by Community Action, a written response will be drafted, subject to review by the agency's attorney, if appropriate. Community Action will notify the complainant of the disposition of the complaint as soon as possible.

Community Action 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 will be advised of his or her right to 1) appeal within seven calendar days of receipt of the final written decision from Community Action, 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 office:

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. Limited English Proficiency (LEP)

Introduction

The purpose of this Limited English Proficiency section is to meet the requirements of Title VI of the Civil Rights Act of 1964 and implementing regulations and Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000).

Definition

A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English. Based on analysis of 2010 Census Data, Community Action's service area does not have a significant population of Limited English Proficiency residents in relation to statewide levels, so an LEP Plan should not be required. However, Community Action proposes the following framework for providing access to transportation activities and programs.

Community Action is a member of the Battle Creek City Transit's non-elected Local Coordination Committee (LCC) which reviews and allocates any specialized services funding for all program applications and confirms criteria is met for specialized services, 5310 dollars, etc., in addition LCC makes recommendations to the non-elected Local Advisory Council (LAC) meets to review and comment on the agency's accessibility plan, any updates that are made and provides final approval of the program applications. Below is the BCT Local Coordination Committee and Advisory Council census.

Race	LAC	LCC
Caucasian	3	8
African American	1	1
Latino	0	0
Asian American	0	0

Identifying Persons Who Need Language Assistance

Community Action will remind dispatchers and drivers on an annual basis to be aware of customers who may need assistance due to LEP, and on how to obtain translation assistance.

Language Assistance Measures

Community Action has or will implement the following LEP procedures.

- The Senior Transportation program will remind its dispatchers and drivers on an annual basis to immediately report whenever they become aware of a real or potential language issue.
- All Senior Transportation drivers will be provided with the "I Speak Cards" to assist in identifying the language being spoken.
- Senior Transportation drivers will call the Dispatch Center for further advice should they need interpreter services.
- Dispatchers and Transportation Coordinator will follow the Agency's LEP policy and procedures to obtain interpreter services, as needed.

Community Action Senior Transportation Staff Training

Community Action Senior Transportation staff will be provided with LEP information/procedures. This information will also be part of orientation process for new hires in the department. Training topics are listed below:

- Staff will be briefed on understanding the Title VI policy and LEP responsibilities;
- Drivers will be briefed on what language assistance services Community Action offers and how to utilize those services;
- Drivers will be trained in the use of LEP "I Speak Cards";
- Dispatchers and drivers will be trained in how to handle a Title VI and/or LEP complaint (See Appendix B).

Outreach Techniques

Key print materials will be translated into Spanish (the leading second language in the area) and made available along with other agency outreach.

Updating the LEP Framework

This LEP framework will be updated as needed.

VII. Community Outreach

Community Action Senior Transportation has engaged the public in its planning and decision-making processes, as well as its marketing and outreach activities. From 2005-2009, 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 (AFETEA-LU), 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. This plan is developed each year in conjunction with the area transportation Local Advisory Council.

Public Notice/Public Comment Period: Community Action submits an application for funding annually to the Michigan Department of Transportation, in conjunction with the City of Battle Creek, Michigan. The application requests funding for both capital and operating assistance. Part of the city's annual application is a public notice, including a 30-day public comment period.

Board Meetings: Community Action's Board of Directors holds monthly meetings and the public is welcome to attend.

Customer Non-Title VI Complaint Process: Clients/service users may call Community Action's Transportation Services at (269) 441-1332 to obtain procedures to lodge a complaint or comment about transportation in writing. All written complaints/comments are distributed to the relevant manager who researches the complaint and responds back to the citizen.

Community Needs Assessment: Each of Community Action's departments distributes periodic Community Needs Surveys to its clients and the public, including questions about transportation needs. These are compiled into a Community Needs Assessment to inform the agency and the community about the needs of its clients, and especially low-income people.

VIII. Equity Analysis

Community Action will conduct an equity analysis if future consideration is made to construct a facility for i.e. vehicles, maintenance and/or operations, as required by the Title VI guidelines.

Employee Annual Education Form

Title VI Policy

Per Federal Title VI, 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 Community Action's Senior Transportation department are expected to consider, respect, and observe this policy in their daily work and duties. If a citizen approaches an employee with a question or complaint regarding this, employees are to direct him or her to the Title VI Coordinator, who is Community Action's Human Resources Manager.

Employee Acknowledgement of Receipt of Title VI Plan

I hereby acknowledge the receipt of the Community Action Senior Transportation's Title VI Plan. I have read the plan and understand that no person is excluded from participation in, or denied the benefits of its transportation 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

Employee Name

Date

**Community Action Senior Transportation
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:

Human Resources Manager
Community Action
175 Main St.
Battle Creek, MI 49014

Please print clearly so that we can respond to your concerns. Attach additional pages if necessary.

Name: _____

Address: _____

City, State, Zip Code: _____

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

Person allegedly discriminated against: _____

Address of person allegedly discriminated against: _____

City, State, Zip Code: _____

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

Please indicate why you believe the discrimination occurred:

_____ race or color
_____ national origin

What was the date of the alleged discrimination? _____

Where did the alleged discrimination take place? _____

(Continued)

TITLE VI COMPLAINT FORM, P. 2

Please describe the circumstances as you saw it: _____

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

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

Human Resources
Community Action
175 Main St.
Battle Creek, MI 49014

Prepared by (if assistance was provided):

Complainant Signature

Signature

Printed Name

Printed Name

Date

Date Phone Number

**Community Action
Letter Acknowledging Receipt of Complaint**

(Date)

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

Dear Ms. Doe:

This letter is to acknowledge receipt of your complaint against Community Action 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) 965-7766, or write to me at this address.

Sincerely,

Title VI Coordinator
Human Resources Manager
Community Action

**Community Action
Letter Notifying Complainant that the Complaint Is Substantiated**

A substantiated claim will result in a letter to be sent to the complainant, authored by Community Action's attorney if appropriate.

**Community Action
Letter Notifying Complainant that the Complaint Is Not Substantiated**

(Date)

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

Dear Ms. Doe:

The matter referenced in your complaint of _____ (date) against Community Action alleging _____ has been investigated.

Title VI prohibits discrimination based on race, color, or national origin in any program receiving federal financial assistance. Regarding your complaint, the investigation indicated that alleged violations of Title VI of the Civil Rights Act of 1964 were not substantiated. Therefore this complaint is closed.

You have the right to 1) appeal within seven calendar days of receipt of this final written decision from Community Action, 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
Director of Human Resources
Community Action

APPENDIX G

Samples of Narrative to be included in Posters to be Displayed in 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).

Community Action 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.

If you feel you are being denied participation in or being denied benefits of the transportation services provided by Community Action, or otherwise being discriminated against, because of your race, color, or national origin, you may contact our office at

Human Resources Manager
Community Action
175 Main St.
Battle Creek, MI 49014
Phone: (269) 441-1356