

# **SJCTA Title VI Plan**

**Agency Name: St. Joseph County Transportation Authority (SJCTA)**

**Date Adopted: June 2, 2009**

## **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).

St. Joseph County Transportation Authority 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.A.

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

### **Title VI Coordinator Contact information**

Steven Yorks, Director St. Joseph County Transportation Authority, Three Rivers Mi, 49093 Ph.269-273-7808

## **II. Title VI Information Dissemination**

Title VI information posters shall be prominently and publicly displayed in the SJCTA facility and on their revenue vehicles. The name of the Title VI coordinator is available on the SJCTA website, at [www.sjcta.info](http://www.sjcta.info). Additional information relating to nondiscrimination obligation can be obtained from the SJCTA Title VI Coordinator.

Title VI information shall be disseminated to SJCTA employees annually via the Employee Education form (see Appendix A) in payroll envelopes. This form reminds employees of the SJCTA 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 SJCTA 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).

### **III. Subcontracts and Vendors**

All subcontractors and vendors who receive payments from SJCTA 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 SJCTA 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 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 SJCTA at the following address:

St. Joseph County Transportation Authority  
810 Webber Avenue  
Three Rivers MI, 49093

NOTE: SJCTA 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 SJCTA will be directly addressed by the SJCTA. SJCTA shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, SJCTA 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?**

SJCTA 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 SJCTA, 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 SJCTA, a written response will be drafted subject to review by the transit's attorney. If appropriate, An SJCTA attorney may administratively close the complaint. In this case, SJCTA 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. Limited English Proficiency (LEP) Plan**

1. The census of St. Joseph County shows that the count for usage could be about 2488 or about 4%. The majority of this population is in the City of Sturgis.

2. The number of LEP taking advantage of the Authority is a very low number and is mostly used by them for medical appointments.
3. Our service is a vital part for them especially for medical appointments.
4. We have a bilingual speaking dispatcher; a special brochure printed and available on our buses for help in understanding the service. We also attend the Latin festivals and functions in the area for the LEP population. The cost is relatively low, the dispatcher is not just for the LEP population and the brochures are ones the dispatcher developed.

## **VII. Community Outreach**

*Community Outreach is a requirement of Title VI. Recipients and sub-recipients shall seek out and consider the viewpoints of minority and low-income populations in the course of conducting public outreach. Recipients have wide latitude to determine what specific measures are most appropriate and should make this determination based on the composition of the affected population, the public involvement process, and the resources of the recipient.*

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

*SJCTA has engaged the public in its planning and decision-making processes, as well as its marketing and outreach activities. Between 2007-2009, the public was invited to participate in these activities:*

*Coordinated Pubic 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 (SAFETEA-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. Describe your plan development process which involved the public participation.*

*Transit Improvement Plan (TIP). The TIP is a fiscally constrained three-year planning document that addresses transportation projects and programs including: federal, state and local highways, transit, ridesharing, bike paths and pedestrian facilities. If an item we wish to purchase is not in the TIP, it cannot be funded. The TIP process includes public hearings and public comment periods.*

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

*Public Meetings. When new service is proposed information is disseminated to the neighborhoods affected and public meetings are scheduled.*

*Customer Complaint Process. Citizens may call the Transit Authority at 269.273.7808 to lodge a complaint or comment. All complaints/comments are input into a database and then distributed to the relevant manager who researches the complaint and responds back to the citizen. SJCTA complaint process was updated in 2007-2008.*

*General Awareness and Phone Surveys. We conduct onboard rider and general awareness surveys frequently. Origin/Destination surveys and other public surveys are developed to assist SJCTA in gathering information to develop new routes.*

*Bilingual Outreach. SJCTA dispatchers group provides Spanish-speaking guests with information on public transit services in Spanish. The management will assist with outreach programs and public meetings.*

*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.*

## **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 SJCTA 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 Steven Yorks, Director.

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 SJCTA'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 4702.1.A.

\_\_\_\_\_  
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:

St. Joseph County Transportation Authority  
810 Webber Avenue  
Three Rivers MI, 49093

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: \_\_\_\_\_

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

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

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

Steven Yorks, Director  
St. Joseph County Transportation Authority  
810 Webber Avenue  
Three Rivers MI, 49093  
Ph. 269.273.7808

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print you 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 SJCTA alleging

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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 269.273.7808, or write to me at this address.

St. Joseph County Transportation Authority  
810 Webber Avenue  
Three Rivers MI, 49093

Sincerely,

Steven Yorks, Executive Director and 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 SJCTA 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,

Steven Yorks  
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 SJCTA 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 SJCTA 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 SJCTA, 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,

Steven Yorks  
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).

Agency name 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.A. **If you feel you are being denied participation in or being denied benefits of the transit services provided by SJCTA, or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, you may contact our office at**

**Steven Yorks, Director**

**St. Joseph County Transportation Authority**

**810 Webber Avenue**

**Three Rivers MI, 49093**

**Ph. 269.273.7808**

For more information, visit our website at [www.sjcta.info](http://www.sjcta.info)