



Title VI Plan

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. 2000d).

BATA 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.

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

Title VI Coordinator Contact Information

Bay Area Transportation Authority
Eric Lingaur
Title VI Coordinator
3233 Cass Road
Traverse City, MI 49684
(231) 941-2324

II. Title VI Information Dissemination

Title VI information posters shall be prominently and publicly displayed in the BATA facilities, website, brochures, and on their revenue vehicles. (Appendix G) The name of the Title VI coordinator is available on the website, at www.bata.net. Additional information relating to nondiscrimination obligation can be obtained from the BATA Title VI Coordinator.

Title VI information shall be disseminated to BATA employees annually via the Employee Education form (see appendix A). This form reminds employees of the BATA 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 the Title VI, and the BATA's 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 BATA 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 acknowledgments of receipt from the employees indicating the receipt of the BATA 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 and Complaint Form

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 BATA at the following address:

BATA
Attn: Eric Lingaur
Title VI Coordinator
3223 Cass Road
Traverse City, MI 49684

NOTE: BATA encourages all complainants to certify all mail 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 BATA will be directly addressed by BATA. BATA shall also provide appropriate assistance to complaints, including those persons with disabilities, or who are limited in their ability to communicate English. Additionally, BATA 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?

BATA 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 BATA, 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 BATA, a written response will be drafted subject to review by the transit's attorney. If appropriate, BATA's attorney may administratively close the complaint. In this case, BATA 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. Four Factor Analysis

- 1.) The number or proportion of LEP persons eligible in the Grand Traverse and Leelanau County area to be served or likely to be encountered by the program or recipient. BATA has examined the 2010 Census report and was able to determine that in the Grand Traverse County area, 96% of the 86,986 residents speak English as

- their only language. An additional 4% speak another primary language and of that 4%, less than 1% speaks English less than “very well”. In the Leelanau County Area, 95% of the residents speak English as their only language. An additional 5% speak another primary language and of that 5%, only 1% speaks English less than “very well”. The Spanish language comprised the largest non-speaking language group with BATA’s service area with and less than 0.4% of that population speaks English less than “very well”.
- 2.) BATA assessed the frequency at which staff and drivers have or could possibly have contact with LEP persons, via verbal survey. We found that we have not had any requests for an interpreter or any of our printed material converted to a language other than English. The staff and drivers have had very little contact with LEP individuals.
 - 3.) The nature and importance of the program, activity, or service provided by BATA in people’s lives. There aren’t any large geographic concentrations of any one LEP population in Grand Traverse or Leelanau Counties. The overwhelming majority of the population or approximately 96% across the two county service area speaks English as their primary language. The remaining 4% has a very small population that speak English less than “very well” making communication relatively effortlessly amongst our riders and employees.
 - 4.) Due to the resources available to BATA and overall cost, BATA does not feel it is good use of financial resources to hire an interpreter at this time. Instead, BATA would prefer to invest in technology that that converts brochures to Spanish or services provided over the internet to translate in several different languages.

After analyzing the four factors, BATA does not feel that an LEP plan is needed at this time.

VII. Community Outreach

As an agency receiving federal financial assistance, we have made the following community outreach efforts since the last Title VI Program submission:

BATA engages the public in its planning and decision-making processes, as well as its marketing and outreach activities. Since 1985, the public has been invited to participate in these activities:

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. BATA utilizes different meeting sizes, formats and times to encourage community engagement.

Public Service Announcements. BATA uses PSAs as a way to communicate changes in service, public input meeting, press releases, and any other information that needs to reach the public. These PSAs are distributed to radio, television stations as well as traditional print media.

Website. All information regarding public meeting, program changes, service alerts, and any news worthy information is displayed on our website. The website has an email feature for the public to comment or ask questions on BATA activities.

Digital Displays. BATA has several digital displays in our lobby areas at Hall Street and Cass Road Transfer Stations to improve communication about events and input sessions with the public.

Public Assessments and Surveys. BATA conducts rider customer satisfactions surveys twice a year via print and online surveys. BATA also periodically conducts community needs assessments with both community stakeholder groups and individuals to help gather feedback to make improvements and plan for future service. The most recent community needs assessment was conducted over a six-month period in 2016.

BATA 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 and a review by the Local Advisory Committee.

VIII. Title VI Investigations, Complaints and Lawsuits

BATA has had no investigations, complaints or lawsuits pertaining to regulations in Title VI.

IX. Language Assistance Plan

Although we do not feel that an LEP plan is needed at this time, BATA will use the following guidelines to assist persons with limited English proficiency.

1. BATA will have the Census Bureau's "I Speak Cards" available at its transfer stations.
2. 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 contact www.languageine.com for assistance. On the Language Line webpage, staff will select the Need an Interpreter Now link and follow the directions to receive an access code.
3. BATA will educate its staff on the following procedures.
 - a. How to access language assistant services via www.languageine.com
 - b. Document language assistance requests

BATA will review the need for an LEP Plan if it is determined that there is an immediate need. Otherwise, it will be reviewed when the 2020 Census is published.

X. Membership of Non-Elected Committees

Body	Caucasian	Latino	African American	Asian American	Native American
Population Grand Traverse County	94.7%	2.2%	1.2%	0.7%	1.2%
Population Leelanau Co	93.1%	2.7%	0.3%	0.4%	3.5%
Local Advisory Counsel	100%				

BATA engages minority involvement in its Local Advisory Council by reaching out to a diverse group of community members and posting digital notices on its website to encourage participation.

XI. Title VI Equity Analysis

If BATA constructs a facility, such as a vehicle storage facility, maintenance facility, operation center, or any other facility covered under this regulation, it will comply with the equity analysis requirement.

- a) BATA shall complete a Title VI equity analysis during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color, or national origin.
- b) When evaluating locations of facilities, BATA shall give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result.
- c) If BATA determines that the location of the project will result in a disparate impact on the basis of race, color, or national origin, BATA will 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 on the basis of race, color, or national origin.

XII. Fixed Route Service Standards

Vehicle Load Standards

BATA's six (6) fixed routes that operate within the Traverse City area typically run at approximately 80% load capacity at any given time. Those buses consist of twenty-five (25) foot cutaway with ten (10) and two (2) seating capacity.

Vehicle Headway Standards

Service generally operates in the Traverse City area every fifteen (15, 30 to 60) minutes Monday through Friday from 6:00 am until 9:00pm. On Saturdays, the service operates every fifteen (15) to sixty (60) minutes from 9:00am until 9:00pm depending on the route. Sunday service operates every fifteen (15) to sixty (60) minutes from 9:00am until 8:00pm depending on the route.

Scheduling involves the consideration of a number of factors including: ridership productivity, density of transit dependent population and activities, availability of resources and transportation demand management.

On Time Performance Standards

Ninety (90) percent of BATA's transit fixed route vehicles will complete their established runs no more than one (1) minute early or five (5) minutes late in comparison to the established schedule/published timetables.

Service Availability Standards

BATA will distribute fixed route transit service as equally as possible among residential transit riders, hotels, attractions, and employers using public meetings to gather input on new routes or revisions to routes. BATA will review stop usage on a regular basis and make the necessary adjustment to serve the largest rider population base available.

XIII. Service Policies

Distribution of Transit Amenities

BATA distributes transit amenities that lend to comfort, convenience, and safety in the following ways:

- a) Seating is strategically placed in many locations along our fixed routes and at stop locations where demand response passengers are asked to transfer vehicles. The seating is provided in the form of more than 40 shelters, benches outside local businesses, and indoor/outdoor seating at our two transfer stations.
- b) BATA has two transfer stations that include indoor waiting rooms, comfortable seating, bathrooms, drinking fountains, vending machines, trash receptacles, recycling, digital display monitors, route brochures, ADA automated doors, wheelchair accessibility and service attendants. The outside waiting area is also ADA compliant and includes benches, bike racks, and signage for each bus route.
- c) BATA's more than 40 shelters are well identified with transit graphics and are distributed among the many fixed routes based on demand. The shelters are wheelchair accessible, provide a bench, system map information, stop information, brochures, many have trash receptacles and are glass to ensure safety through visibility. Our newest shelters have solar lighting for added security and comfort.
- d) Route and general transit information is distributed in the following ways:
 - Printed materials for each route and general policies are available at each transfer station, in shelters, and at popular destinations within the community such as libraries, hospitals, etc.
 - Bus stop signage is provided at each bus stop location along our fixed route system on a sign post or on the shelter.

- System wide maps can be found in BATA's shelters.
 - Digital displays in our two transfer station lobbies include route information and other pertinent passenger information such as policy changes or new programs.
 - BATA website (www.bata.net) is designed responsively for any mobile device and includes schedule information, route maps, hours of operation, policies, fares, contacts, education on public transit, and assistance on how to ride the bus.
 - Google Maps / Transit includes all BATA's fixed route information and can be accessed via BATA's Trip Planner tool on www.bata.net.
- e) All BATA facilities are one level and do not require the use of escalators or elevators.

Vehicle Assignment

BATA assigns vehicles to routes based on three factors. The first factor includes the age and condition of the vehicle. Newer vehicles are assigned to routes with the most mileage and are used more frequently than older vehicles. Older vehicles are assigned as spares or used on shorter routes to keep maintenance costs at a reasonable level. The second factor evaluates the type of bus and available seating. BATA assigns buses based on the demand of each route and seats/wheelchair slots available for each type of bus. The third factor takes the maneuverability of the bus and the route into consideration. Larger buses are hard to maneuver through small spaces, which can exclude some buses from specific routes.

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 BATA 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 BATA customer service to file a complaint.

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 BATA'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.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:

Provide address here

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:

BATA
Attention: Eric Lingaur
Title VI Coordinator
3233 Cass Road
Traverse City, MI 49684

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 BATA 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 _____, or write to me at this address.

Sincerely,

Title VI Coordinator
Bay Area Transportation Authority

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 BATA 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. You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

Title VI Coordinator
Bay Area Transportation Authority

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 BATA 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.

BATA has analyzed the materials and facts pertaining to your case for evidence of the city's failure to comply with any 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 BATA and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration at:

Federal Transit 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
Bay Area Transportation Authority

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).

BATA 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 BATA or otherwise being discriminated against because of your race, color, national origin, you may contact our Title VI Coordinator, 3233 Cass Road, Traverse City, MI 49684. Phone: (231) 941-2324**

For more information, visit our website at www.bata.net