

Charlevoix County Transportation Authority Title VI Plan

Charlevoix County Transportation Authority is a Transportation Authority system that operates car and passenger ferry service in Charlevoix County, Michigan between Ironton, MI and Eveline Twp, MI. Charlevoix County Transportation Authority (CCTA) maintains an open door policy and has developed the following Title VI Program in accordance with FTA C 4702.1B. In addition, the Title VI Coordinator for Charlevoix County Transportation Authority has developed and submitted a Title VI Program based on requirements set form in FTA C 4702. 1B, Chapter III-1, 4.

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).

Charlevoix County Transportation Authority is committed to ensuring that no person is excluded from participation in, or denied the benefits of its Transportation Authority services on the basis of race, color, or national origin, as protected by Title VI in Federal Transportation Authority Administration (FTA) Circular 4702.1.B.

This plan was developed to guide Charlevoix County Transportation Authority in its administration and management of Title VI-related activities.

Title VI Coordinator Contact information

Ryan Novotny, Transportation Coordinator
203 Antrim Street
Charlevoix, MI 49720
231-547-7244
rnovotny@cctransit.org

Title VI Information Dissemination

Title VI information posters shall be prominently and publicly displayed at Charlevoix County Transportation Authority Business Office (County Clerk's Office), on their revenue vehicle, brochures and their website: http://www.charlevoixcounty.org/ironton_ferry/index.php (Appendix G). Additional

information relating to nondiscrimination obligation can be obtained from the Charlevoix County Transportation Authority's Title VI Coordinator.

Title VI information, Appendix A, shall be disseminated to Charlevoix County Transportation Authority employees annually. This form reminds employees of the Charlevoix County Transportation Authority's 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 Charlevoix County Transportation Authority'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).

Dissemination of information is in accordance with FTA C 4702.1B, Chapter III-4. 5.

Subcontracts and Vendors

All subcontractors and vendors who receive payments from Charlevoix County Transportation Authority, 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 the Charlevoix County Transportation Authority's 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.

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 Charlevoix County Transportation Authority at the following address:

203 Antrim Street
Charlevoix, MI 49720

NOTE: Charlevoix County Transportation Authority 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.

(Complaint Process Guidance provided by: FTA C 4702.1B, Chapter III-5.6) In addition, FTA C 4702.1B, Chapter III-5, 7.)

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 Charlevoix County Transportation Authority will be directly addressed by Charlevoix County Transportation Authority. Charlevoix County Transportation Authority shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, Charlevoix County Transportation Authority 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?

Charlevoix County Transportation Authority 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 Charlevoix County Transportation Authority, 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 Transportation Authority Administration Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor – TCR
1200 New Jersey Ave., SE
Washington, DC 20590

Title VI Investigations, Complaints & Lawsuits

To date, Charlevoix County Transportation Authority has not received any Title VI complaints.

Four Factor Analysis:

The DOT guidance outlines four factors recipients should apply to the various kinds of contacts they have with the public to assess language needs for ensuring reasonable and meaningful access for LEP persons:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of CCTA.
2. The frequency with which LEP individuals come in contact with CCTA.
3. The nature and importance of the program, activity, or service provided by CCTA to the LEP Community.
4. The resources available to CCTA and the overall cost.

The greater the number or proportion of eligible LEP persons; the greater the frequency with which they have contact with a program, activity, or service; and the greater the importance of that program, activity, or service, the more likely enhanced language services will be needed. Smaller recipients with more limited budgets are typically not expected to provide the same level of language service as larger recipients with larger budgets. The intent of DOT's guidance is to suggest a balance that ensures meaningful access by LEP persons to critical services while not imposing undue burdens on small organizations and local governments.

A summary of the results of the CCTA's four-factor analysis is contained in the following section.

FACTOR 1: THE PROPORTION, NUMBER, AND DISTRIBUTION OF LEP PERSONS

The U.S. Census Bureau (2007-2011 American Community Survey) has a range of four classifications of how well persons speak English. The classifications used are “very well,” “well,” “not very well,” and “not at all.” For the CCTAA’s planning purposes, we are considering people that speak English less than “very well” as Limited English Proficient persons.

Table 1: Population 5 Years Old & Older Speaking a Language Other than English at Home, with any change from the last plan update noted in parenthesis.

	Population	Speak a Language Other than English at Home	Speak English “Less Than Very Well” at Home
Charlevoix County	24,792	894 (3.6%)	193 (.78%)

Of the 24,782 people 5 years old and older within the Charlevoix County Transportation Authority service area, 894 people, 3.6% of the total population speak a language other than English at home.

Table 2: Among the Languages Spoken at Home, the Proportion of Population 5 Years Old or Older Speaking English Less Than “Very Well” in Charlevoix County is .8% of the total population.

	Spanish, speaking English less than “very well.”	Other Indo-European, speaking English less than “very well.”	Asian & Pacific Islander, speaking English less than “very well.”	Other Languages, speaking English less than “very well”.
Charlevoix County	100 (.4%)	48 (.2%)	15 (.1%)	30 (.2%)

FACTOR 2: THE FREQUENCY WITH WHICH LEP INDIVIDUALS COME INTO CONTACT WITH CCTA

There is no history on the frequency of contact with LEP individuals. As part of its Limited English Proficiency Plan, CCTA will work with staff to recognize, identify, and record the frequency with which persons identified as specific LEP come into contact with CCTA staff. Possible contact points include but are not limited to: Community marketing events, telephone inquiries, service center walk-in visits, day-to-day bus route operations, or written or verbal inquiries or outreach, formal or informal, from related local groups and organizations. Based upon findings and occurrences, including ongoing demographic trends, CCTA will routinely evaluate the need and feasibility of providing print information and/or direct language assistance in specific languages other than English as part of its LEP program reviews.

FACTOR 3: THE NATURE AND IMPORTANCE OF THE PROGRAM, ACTIVITY, OR SERVICE PROVIDED BY CCTA TO THE LEP COMMUNITY

Without a conscious effort from federal recipients to make available adequate and necessary information to all persons, some populations may not have fair and equal access to important, perhaps life-saving services. CCTA recognizes that access to public transportation is crucial to many populations within the community, regardless of background. As a provider of public transportation for Charlevoix County, CCTA does not provide direct emergency services. However, Charlevoix County Transportation Authority does understand its role within the community and operates in full agreement with the U.S. Department of Transportation's Limited English Proficiency Guidance Section recognizing that the inability of an LEP person to effectively utilize public Transportation Authority (due to a language barrier) could in fact adversely affect his or her ability to obtain quality health care, child care, education, or access to employment opportunities within the service area.

FACTOR 4: THE RESOURCES AVAILABLE TO CHARLEVOIX COUNTY TRANSPORTATION AUTHORITY

Because the LEP population in the service area does not represent a single yet significant proportion group of individuals, CCTA current does not have any of the agency's documents translated to other languages. However, CCTA maintains Language Identification Flashcards on the ferry as well as in the business office. Additionally, Dispatchers and other staff will have access to other resources such as toll-free numbers for translation assistance. At this time, no further language assistance is planned; demographic trends and frequency of contact will be monitored, and incorporated into the Charlevoix County Transportation Authority LEP Plan review process.

IDENTIFYING LEP INDIVIDUALS WHO NEED LANGUAGE ASSISTANCE

To help identify and record the primary language of a Limited English Proficiency individual, CCTA staff will make use of a language identification listing during any such initial encounters, and to report the encounter directly to the Transportation Authority system's Title VI Officer.

The official listing to be utilized by Charlevoix County Transportation Authority, the 2004 Census Test Language Identification Flashcard, has been developed by the U.S. Census Bureau and contains a check box with the phrase "Mark this box if you read or speak (name of each language)" listed in 38 different languages. The flashcard is used by governmental and nongovernmental agencies to identify the primary language of LEP individual during face-to-face contacts. The Language Identification Flashcard has been made available at the front desk of the CCTA Business Office and on the Transportation Authority vessel.

CCTA staff will also be instructed to utilize the Language Identification Flashcard and report any contacts made during other instances where LEP contact may occur, such as at public meetings, workshops, or community marketing events and shows. Through the use of such cards, CCTA will be better able to record any contact with an LEP individual.

PROVIDING LANGUAGE ASSISTANCE MEASURES

As part of the LEP Plan, should it be determined that there is a need for translation of "vital" documents (those documents deemed necessary to understanding the Transportation Authority system's policies and safety measures, and for utilizing all available services), CCTA will utilize the following organization for language interpretation services at no cost to Limited English Proficiency individuals:

Service such as Google Translate and other translation programs online will be accessed and used for printed material. Other resources such as AAA Translation or Language Line will be used when needed.

TRAINING OF STAFF

Members of the Charlevoix County Transportation Authority staff will be made aware of their obligations to provide meaningful access to information and services for Limited English Proficiency individuals, and will be properly trained. (Appendix A)

Limited English Proficiency (LEP) Plan

The actions that the recipient may be expected to take to meet its LEP obligations depend upon the results of the four factor analysis including the services the recipient offers, the community the recipient serves, the resources the recipient possesses, and the costs of various language service options. Guidance indicates that all organizations would ensure nondiscrimination by taking reasonable steps to ensure meaningful access for persons who are LEP.

As part of its Title VI update, (guidance from Chap. III-6, 9. Requirement to Provide Meaningful Access to LEP Persons; DOT LEP Guidance at FTA Title VI website at <http://www.fta.dot.gov/civilrights/12328.html>; Appendix M of FTA C4702.1B) the Charlevoix County Transportation Authority (CCTA) has developed the following Limited English Proficiency Plan. The plan's contents are consistent with the guidance on an effective language implementation plan expressed in Section VII of the U.S. Department of Transportation's Policy Guidance Concerning Recipients' responsibilities to Limited English Proficient (LEP) Persons.

The following plan explains to the Transportation Authority agency staff the need to undertake language assistance activities including the following activities that are recommended in the DOT LEP Guidance on an implementation plan.

The U.S. Department of Justice, Civil Rights Division has developed a set of elements that may be helpful in designing an LEP policy or plan. These elements include:

1. Identifying LEP individuals who need language assistance.
2. Providing language assistance measures.
3. Training staff.
4. Providing notice to LEP persons of the availability of language assistance.
5. Monitoring and updating the LEP Plan.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, the training of staff, how to notify LEP persons that assistance is available, and information for future plan updates.

PROVIDING NOTICE TO LEP PERSONS OF THE AVAILABILITY OF LANGUAGE ASSISTANCE AND 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 referenced in FTA C 4702.1B, Chapter III-5, 8.

Charlevoix County Transportation Authority makes an effort encourage participation from all sectors of the population in all Transportation Authority activities and has had the following efforts since the last Title VI plan submission. The agency participates in community activities to provide awareness to the Transportation Authority programs. Outreach is an ongoing process and through the activities noted above and other outreach efforts, CCTA is able to provide information regarding all Transportation Authority services including language assistance.

In addition to public events and expos, we also make an effort to communicate to the public through a variety of public forums and meetings that are open to the public. These meetings include but are not limited to:

Charlevoix County Transportation Authority Board Meeting – Monthly meetings to review all operational and financial information for the Transportation Authority.

Charlevoix County Board of Commissioners –A representative from the Board of Commissioners is appointed to the Transportation Authority Board as a member. This representative provides information on Transportation Authority activity to the County’s Board of Commissioners. County Board of Commissioner Meetings are open to the public and twice a month.

Annual Application – CCTA submits to the Michigan Department of Transportation an annual application for both capital and operating funds. The application process requires that a Public Notice be published and that Transportation Authority includes a 30-day public comment period.

Comments and Complaints – Citizens may call our Business Office to lodge a complaint or make comment. Communications are documented and management researches and responds accordingly.

MONITORING AND UPDATING THE LEP PLAN

The Charlevoix County Transportation Authority’s Limited English Proficiency Plan has been designed to be flexible and can be easily updated as needed.

Membership of Non-Elected Committees

The agency’s board is appointed by the Charlevoix County Board of Commissioners and the Charlevoix County Road Commission. The three person board consists of a representative from the public, a County Commissioner and a Road Commission Board member.

Charlevoix County & Committee Demographics	Caucasian/White 95.7%	African-American .4%	Asian & Pacific Islander .4%	American Indian/Native Alaskan 1.6%	Other or Not Disclosed 1.9%
Local Advisory Committee					100%
Transportation Authority Oversight Committee	100%				

<http://quickfacts.census.gov/qfd/states/26/26029.html>

Title VI Equity Analysis

The procedures outlined in Title VI Program and referenced in FTA C 4702.1B will be adhered to for facility construction projects.

If CCTA constructs a facility such as a storage facility, maintenance facility or operations facility, the following will be adhered to:

- a. The recipient 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, recipients should give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result.
- c. If the recipient determines that the location of the project will result in a disparate impact on the basis of race, color, or national origin, the recipient 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 on the basis of race, color, or national origin.

Appendix A Employee Annual Education Form

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 Charlevoix County Transportation Authority 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 Ryan Novotny, Title VI Coordinator.

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 Charlevoix County Transportation Authority'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 Transportation Authority services on the basis of race, color, or national origin, as protected by Title VI in Federal Transportation Authority Administration (FTA) Circular 4702.1.B.

Your signature

Print you 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 Transportation Authority services, please provide the following information in order to assist us in processing your complaint and sent it to:

Charlevoix County Transportation Authority
203 Antrim Street
Charlevoix, MI 49720

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:

Ryan Novotny
Charlevoix County Transportation Authority
203 Antrim Street
Charlevoix, MI 49720

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 Charlevoix County
Transportation Authority 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 231-582-6900, or write to me at this address.

Sincerely,

Ryan Novotny
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 Charlevoix County Transportation Authority 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,

Ryan Novotny
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
Charlevoix County Transportation Authority 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.

Charlevoix County Transportation Authority has analyzed the materials and facts pertaining to your case for evidence of the agency'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 Charlevoix County Transportation Authority, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the Federal Transportation Authority Administration at

Federal Transportation Authority 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,

Ryan Novotny, 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).

Charlevoix County Transportation Authority is committed to ensuring that no person is excluded from participation in, or denied the benefits of its Transportation Authority services on the basis of race, color, or national origin, as protected by Title VI in Federal Transportation Authority Administration (FTA) Circular 4702.1.B. **If you feel you are being denied participation in or being denied benefits of the Transportation Authority services provided by Charlevoix County Transportation Authority, or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, you may contact our office at 203 Antrim Street, Charlevoix, MI 49720.**

For more information visit our website at http://www.charlevoixcounty.org/ironton_ferry/index.php