

## **MECOSTA OSCEOLA TRANSIT AUTHORITY TITLE VI PLAN**

### **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 USC Section 2000d).

Mecosta Osceola Transit Authority (MOTA) is committed to ensuring that no person is excluded from participation in, or denied the benefits of, transit services on the basis of race, color, or national origin, as protected by Title VI of the Civil Rights Act of 1964 as published in Federal Transit Administration (FTA) Circular 4702.1B.

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

### **TITLE VI COORDINATOR INFORMATION:**

The Title VI Coordinator contact information for MOTA is:

Mecosta Osceola Transit Authority  
Title VI Coordinator  
18710 16 Mile Road  
POB 1116  
Big Rapids MI 49307  
(231) 796-4896

### **TITLE VI INFORMATION DISSEMINATION:**

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

Title VI information shall be disseminated to MOTA employees annually via the attached Employee Education form in payroll envelopes. This form reminds employees of MOTA’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 MOTA’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 attached Acknowledgement of Receipt.

**SUBCONTRACTORS AND VENDORS:**

All subcontractors and vendors who receive payments from MOTA 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 MOTA 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 COMPLAINTS, INVESTIGATIONS, AND/OR LAWSUITS:**

MOTA has not received a Title VI complaint or lawsuit since its inception in 2005. None of MOTA's predecessor agencies has received a Title VI complaint or lawsuit since the inception of the first predecessor agency in 1978. No Title VI investigations have been conducted.

**TITLE VI COMPLAINT PROCEDURES:***How to file a Title VI Complaint*

The complainant may file a signed, written complaint up to one hundred eighty (180) days from the date of the alleged discrimination. The complaint should include the following information:

- The complainant's name, mailing address, telephone number, and how to contact the complainant.
- How, when, where and why the complainant believes the complainant was discriminated against, including the location, names and contact information of any witnesses.
- Any other information deemed by the complainant to be significant.

The attached Title VI Complaint Form may be used to submit the complaint information. The complaint may be filed in writing with MOTA at the following address:

Mecosta Osceola Transit Authority  
Title VI Coordinator  
18710 16 Mile Road  
POB 1116  
Big Rapids MI 49307

MOTA encourages all complainants to certify all mail that is sent through the United States 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 one hundred eighty (180) days from the date of the alleged 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 MOTA will be directly addressed by MOTA. MOTA shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, MOTA 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 (7) days; sample letters are attached. 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?*

MOTA will send a final written response letter to the complainant; sample letters are attached. In the letter notifying the complainant that the complaint is not substantiated, the complainant is also advised of the complainant's legal right to appeal within seven (7) calendar days of receipt of the final written decision from MOTA, and/or file a complaint externally with the United States Department of Transportation and/or the FTA. Every effort will be made to respond to Title VI complaints within sixty (60) working days of receipt of such complaints.

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, 5<sup>th</sup> Floor – TCR  
1200 New Jersey Avenue SE  
Washington DC 20590

**LIMITED ENGLISH PROFICIENCY (LEP) PLAN:**

The MOTA LEP Plan is based on a four factor analysis.

*Determine the number or proportion of LEP persons eligible in the MOTA service area who may be served by MOTA or are likely to encounter a MOTA service.* According to the 2010 United States Census and the 2007-2011 American Community Survey 5-Year Estimates (the latest census information available), people who speak English less than "very well" comprise 3.3% of the Michigan population, 0.8% of the Mecosta County population, and 1.2% of the Osceola County population. The number of people who speak English less than "very well" are 304,222 out of 9,316,801 in Michigan, 337 out of 40,580 in Mecosta County, and 258 out of 22,158 in Osceola County.

*Determine the frequency with which LEP persons come in contact with the program.* MOTA has assessed the frequency with which staff have had, or could potentially have had, contact with LEP persons, including documenting any requests received in person or by phone. Since 1978, MOTA has received no requests for interpreters and also no requests for translated MOTA documents. Staff members have had no contact with LEP individuals while on the job.

*Determine the importance of the program, activity, or service to the lives of people.* The MOTA service area has no concentration of any persons other than English speaking persons. English speaking persons comprise 99.2% of the Mecosta County population and 98.8% of the Osceola County population. The need for a program at MOTA focusing on LEP persons has not been documented.

*Determine the resources available to MOTA and the overall costs.* MOTA has assessed the available resources that could be used for providing LEP assistance. This included identifying the costs for providing a professional interpreter and translation service on an as-needed basis, which documents would most likely need to be translated, taking an inventory of available organizations that MOTA could partner with for outreach and translation efforts, and what level of staff training would be needed. The most likely partnering organization is Ferris State University. Language Identification Flashcards are available as needed.

Based on the analysis of these four factors, MOTA has determined that a LEP plan is not necessary at this time. MOTA will continue to monitor the need for a LEP plan, and will implement such a plan if future needs deem it to be appropriate.

#### **PUBLIC PARTICIPATION PLAN:**

As an agency receiving Federal financial assistance, MOTA has made the following efforts to increase public participation:

*Coordinated Public Transit-Human Services Transportation Plan (coordinated plan)*  
Federal transit law, as amended by the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21), requires that projects selected for funding be derived from a coordinated plan.

MOTA has partnered with the Mecosta County Commission on Aging and the Osceola County Commission on Aging to form a Local Advisory Council (LAC). The LAC meets annually, or more frequently as the need arises, to identify unmet transportation needs and propose strategies for meeting these needs. The LAC currently has ten members, one of which represents a racial minority, or 10% of the makeup of the LAC. When the last Title VI Plan was approved by MOTA in 2009, there was no minority representation on the LAC.

Members of the LAC are appointed in cooperation with the directors of the two Commissions on Aging with a focus on constituencies that are traditionally underserved,

including minority and LEP communities, individuals with disabilities, senior citizens, low-income populations, and others.

#### *Board Meetings*

The MOTA Board of Directors holds monthly meetings at a time and location that is convenient and accessible for minority and LEP communities. 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.

### **COMMUNITY OUTREACH METHODS:**

MOTA routinely coordinates with community and faith-based organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to constituencies that are traditionally underserved, including minority and LEP communities, individuals with disabilities, senior citizens, low-income populations, and others.

### **COMMUNITY OUTREACH EFFORTS:**

As an agency receiving Federal financial assistance, MOTA has made the following community outreach efforts:

#### *Customer Complaint Process*

Citizens may call MOTA at (231) 796-4896 to lodge a complaint or comment. All complaints are distributed to the Executive Director, who researches the complaint and responds back to the citizen.

#### *General Awareness and Surveys*

MOTA conducted an onboard passenger survey in August 2006, coinciding with a Level of Need study conducted by the West Michigan Regional Planning Commission and funded by the US Department of Transportation. MOTA also tracks incoming calls for service to identify transportation needs and trends within and beyond the service area.

#### *Annual Application Process*

MOTA submits an application for funding to the Michigan Department of Transportation annually. The application requests funding for both capital and operating assistance. The annual application includes a public notice, which includes a thirty (30) day public comment period.

#### *Area Meetings and Organizations*

MOTA actively participates in various local organizations and groups. These include the Mecosta-Osceola Great Start Collaborative, the Mecosta-Osceola Human Services Collaborative Body, the Mecosta-Osceola Housing Continuum of Care, the Mecosta-Osceola Project Connect, the Mecosta-Osceola Poverty Reduction Initiative, and the Mecosta-Osceola Human Resource Association. In addition, MOTA actively participates

in all four local Chambers of Commerce and meets with various local townships from time to time.

**TITLE VI EQUITY ANALYSIS:**

At this time, MOTA is not planning on any facility construction. Should MOTA undertake a facility construction project, MOTA will comply with the Title VI Equity Analysis requirements, as follows:

MOTA 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. MOTA shall engage in outreach to persons potentially impacted by the siting of facilities. The Title VI Equity Analysis will compare the equity impacts of various siting alternatives, and the analysis will occur before the selection of the preferred site.

When evaluating locations of facilities, MOTA will give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result. The analysis will be done at the census tract or block group where appropriate to ensure that proper perspective is given to localized impacts.

If MOTA determines that the location of the project will result in a disparate impact on the basis of race, color, or national origin, MOTA 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. MOTA must show how both tests are met; in order to make this showing, MOTA will consider and analyze alternatives to determine whether those alternatives would have less of a disparate impact on the basis of race, color, or national origin, and then implement the least discriminatory alternative.

Adopted by the Mecosta Osceola Transit Authority Board of Directors December 19, 2013