



## Board Adopted Policy

|                                    |                               |
|------------------------------------|-------------------------------|
| Policy Title: <b>Title VI Plan</b> |                               |
| Effective Date: 06/01/2012         | Review Cycle: Three (3) Years |
| Board Approval Date: 06/01/2012    | Review Date:                  |
| Review Date: 2/20/2014             | Review Date:                  |
| Review Date: 6/21/2017             | Review Date:                  |

I. Application: Authority wide

II. Intent: 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).

The Benzie 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.B.

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

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

Chad Hollenbeck  
14150 US Hwy. 31  
Beulah, MI 49617  
[Chad@benziebus.net](mailto:Chad@benziebus.net)  
(231)227-1022

### III. Procedure:

**Title VI Information Dissemination:** Title VI information posters shall be prominently and publicly displayed in the Benzie Transportation Authority facility, brochures, and on their revenue vehicles. (Appendix G) The name of the Title VI coordinator is available on the



Benzie Transportation Authority's website, at [www.benziebus.com](http://www.benziebus.com). Additional information relating to nondiscrimination obligation can be obtained from the Benzie Transportation Authority Title VI Coordinator.

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

Subcontracts and Vendors:

All subcontractors and vendors who receive payments from The Benzie 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 Benzie 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:

- 1) Your name, mailing address, and how to contact you (i.e., telephone number, email address, etc.)
- 2) How, when, where and why you believe you were discriminated against. Include the location, names and contact information of any witnesses.



- 3) 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 The Benzie Transportation Authority at the following address:

The Benzie Transportation Authority  
14150 U.S. Highway 31  
Beulah, Michigan 49617

NOTE: The Benzie 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.

What happens to the complaint once it is submitted?

All complaints alleging discrimination based on race, color or national origin in a service or benefit provided by The Benzie Transportation Authority will be directly addressed by The Benzie 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, The Benzie 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?

The Benzie 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 The Benzie 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.



Once sufficient information for investigating the complaint is received by The Benzie Transportation Authority, a written response will be drafted subject to review by the transit's attorney. If appropriate, The Benzie Transportation Authority attorney may administratively close the complaint. In this case, The Benzie Transportation Authority 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

Title VI investigations, complaints, and lawsuits

The Benzie Transportation Authority has never had any Title VI investigations, complaints, or lawsuits.

Four Factor Analysis:

1. The number or proportion of LEP persons eligible in the Benzie Transportation Authority service area who may be served or likely to encounter a Benzie Transportation Authority program, activity, or service.

The Benzie Transportation Authority examined the US Census report from 2010 and the Bureau's American Community Survey and was able to determine that approximately 3.3%, or 555 people within the Benzie Transportation Authority service area age 5 and older spoke a language other than English. Of the 555 reporting they speak other languages than English, 115 or 0.7% of respondents speak English less than "very well". The Spanish language comprised the largest non-English speaking language group with 1.5%. The other largest non-English speaking language group was Indo-European languages at 1.4%.

2. The Benzie Transportation Authority assessed the frequency at which staff and drivers have or could possibly have contact with LEP persons via verbally surveying drivers and dispatchers, since January 2, 2007 the Benzie Transportation Authority has not had any requests for interpreters and/or translated Benzie Transportation Authority documents. The staff and drivers have had very little to no contact with LEP individuals.



3. The nature and importance of the program, activity, or service provided by the Benzie Transportation Authority in people's lives.

There aren't any large geographic concentrations of any one type of LEP individuals in the Benzie Transportation Authority service area. The overwhelming majority of the population, 96.7% or 16,079 speak only English.

Therefore, there is a lack of any social service professional and leadership organizations within the Benzie Transportation Authority service area that focuses on outreach or membership of LEP individuals.

4. The resources available to the Benzie Transportation Authority and overall costs.

The Benzie Transportation Authority assessed the available resources that could be used for providing LEP assistance. This included identifying how much a professional interpreter and translation service would cost, and which documents would be the most valuable to be translated if and when the populations would support it.

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

### Public Participation Plan

The Benzie Transportation Authority will use the most recent census information to identify targeted minorities within the service area and identify specifically what minority populations exist within the BTA service area. The Benzie Transportation Authority will identify the appropriate locations to disseminate information to the identified populations (e.g., church, neighborhood gathering space) to seek comment, interest in new service or service revisions and/or extensions.

### Limited English Proficiency (LEP) Plan

Although we do not feel that a LEP plan is needed at this time, the Benzie Transportation Authority will use the following guidelines to assist persons with limited English proficiency

1. The Benzie Transportation Authority will have the Census Bureau's "I Speak Cards" available at the Benzie Transportation Authority Operations building. Although staff may not be able to provide immediate translation assistance, we will utilize the cards to identify language needs.



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.languageline.com](http://www.languageline.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. The Benzie Transportation Authority will add to our webpage the Title VI Policy and Complaint Procedures.
4. The Benzie Transportation Authority will educate our staff on the following procedures.
  - a. Understanding the Title VI Policy and LEP responsibilities;
  - b. How to access language assistant services via [www.languageline.com](http://www.languageline.com)
  - c. Document language assistance requests
  - d. The procedure if a Title VI and/or LEP complaint is filed.

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

#### Community Outreach

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

- Employees participate in the Adopt-a-Highway program sponsored by the Michigan Department of Transportation.
- Engage the public in its planning and decision-making processes, as well as its marketing and outreach activities.
- Submit annually to the Michigan Department of Transportation 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.
- Monthly participation in the Benzie County Human Services Collaborative
- Hours of service and any changes in route schedules are published on the Benzie Bus website and on printed material.
- The Benzie Transportation Authority Board of Directors holds Bi-monthly meetings that are open to the public



- Managers attend village and township meetings when there are service/route changes
- KFH Group was hired in 2014 to conduct a transit assessment, resulting in the Benzie Bus Transit Development Plan which was published in February 2015
- The Mobility Manager regularly visits local assisted living homes, senior centers, and schools in order to determine unmet needs and educate promote services
- The Mobility Manager participates in various expos throughout the year
- A community visioning session was conducted in January 2017
- Rider and Non-rider surveys are conducted annually

The Benzie Transportation Authority has Complaint Procedure that is available to the public at any time and is also available to the public via our website [www.benziebus.com](http://www.benziebus.com).

### Membership of Non-Elected Committees

The Benzie Transportation Authority will publicly advertise and post on our website to encourage minority participation on this committee.

| Body             | Caucasian | Hispanic or Latino | African American | Asian | American Indian |
|------------------|-----------|--------------------|------------------|-------|-----------------|
| Population       | 96.1%     | 2.3%               | 0.6%             | 0.3%  | 1.6%            |
| Access Committee | 100%      |                    |                  |       |                 |

### Equity Analysis

If the Benzie Transportation Authority constructs a facility, such as a vehicle storage facility, maintenance facility, operations center, etc. It will do a Title VI equity analysis following the procedures listed below:



- 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**

#### **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 Benzie 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 contact;

Chad Hollenbeck  
Interim Executive Director  
Title VI Coordinator

In all dealings with citizens, use courtesy titles (i.e. Mr., Mrs., Ms., or Miss) to respectfully 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 Benzie 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 transit 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

\_\_\_\_\_  
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:

Chad Hollenbeck  
Title VI Coordinator  
The Benzie Transportation Authority  
14150 Highway US 131  
Beulah, Michigan 49617

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:

Chad Hollenbeck, Interim Executive Director  
14150 Highway US 131  
Beulah, Michigan 49617

---

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 the Benzie 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 231-325-3000, or write to me at this address.

Sincerely,

Chad Hollenbeck  
Interim Executive Director  
The Benzie Transportation Authority  
14150 Highway US 131  
Beulah, Michigan 49617



## 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 Benzie 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,

Chad Hollenbeck  
Interim Executive Director  
The Benzie Transportation Authority  
14150 Highway US 131  
Beulah, Michigan 49617



## 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 Benzie 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.

The Benzie Transportation Authority has analyzed the materials and facts pertaining to your case for evidence of the authority'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 The Benzie Transportation Authority, 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,

Chad Hollenbeck  
Interim Executive Director  
Title VI Coordinator  
The Benzie 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).

The Benzie 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.B. **If you feel you are being denied participation in or being denied benefits of the transit services provided by The Benzie Transportation Authority, or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, you may contact our office at 14150 US Highway 31, Beulah, Michigan, 49617.**

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