



Title VI Plan: 2023-2025

Updated: October 2022



RTA

**REGIONAL
TRANSIT AUTHORITY
OF SOUTHEAST MICHIGAN**

Information found in this document can be provided in an alternative format upon request. Please contact the Regional Transit Authority at 313-402-1020 to speak to a representative or e-mail info@rtamichigan.org. The RTA will do its best to provide the requested alternative format within a reasonable time.



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SECTION A: INTRODUCTION

The Regional Transit Authority (the “RTA”) for Southeast Michigan was created through state legislation on December 19, 2012 (MI P.A. 387, 2012). The RTA service area comprises the counties of Macomb, Oakland, Washtenaw, and Wayne. The mission of the RTA is to manage and secure transportation resources that significantly enhance mobility options, to improve quality of life for the residents and to increase economic viability of the four-county area and the city of Detroit.

The Federal Transit Administration’s Title VI circular (FTA C 4702.1B) requires that “no person in the United States 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.” National origin includes those individuals that are limited-English proficient. As such, the RTA is obligated to comply with these requirements for all programs, policies, transit service and activities. FTA requires that RTA document this compliance by submitting a Title VI Program to their FTA Regional Civil Rights Officer (RCRO) once every three years. The Title VI Program must be approved by the RTA Board of Directors who is responsible for policy decisions prior to the submission of the program to FTA.

The RTA does not operate any transit services. Therefore, it is only responsible for to follow the “General Requirements” set forth in Chapter III FTA C 47002.1B. Since the RTA does not operate transit service, it is not required to report on any additional requirements within Chapter IV (collect/report data, evaluate service and fare equity changes, and monitor transit service) as described in Chapter IV. Only transit providers that operate fifty or more fixed route vehicles in peak service AND are in a UZA of 200,000 or more in population are required to meet these additional requirements.

The Title VI Officer is responsible for ensuring implementation of the Title VI plan. The Officer will be responsible for the overall management of the day-to-day administration of the Title VI Plan. The current information for this individual is as follows:

Harmony Lloyd, Chief Operating Officer /Title VI Officer
Regional Transit Authority of Southeast Michigan
1001 Woodward Avenue, Suite 1400
Detroit, MI 48226
Phone: (313) 402-1020
Email: hlloyd@rtamichigan.org

The Title VI Officer is responsible for Title VI compliance and is assigned the responsibility for implementing, monitoring, and ensuring RTA's compliance with the Title VI regulations. The Title VI responsibilities are as follows:

- Maintain knowledge of Title VI requirements.
- Attend training on Title VI and other nondiscrimination authorities when offered, and when feasible, by FTA or any other regulatory agency.
- Disseminate Title VI information to the public including in languages other than English, when necessary.
- Develop a process to collect data related to race, gender, and national origin of service area population to ensure low income, minorities, and other underserved groups are included and not discriminated against.
- Implement procedures for the prompt processing of Title VI complaints.
- Investigate and/or resolve Title VI complaints.

Overview of General RTA Activities

The purpose of the RTA is to coordinate the activities of the existing transit agencies within its jurisdiction and secure funding to improve and enhance public transportation within the four-county area and the city of Detroit. Functionally, the RTA is responsible for developing and updating a Regional Master Transit Plan, engaging in coordinated planning activities with the existing transit providers, partnering on service improvements with the existing transit providers, administering regional programs, and programming a portion of the state and federal transportation funds that are apportioned to the Detroit and Ann Arbor urbanized areas.

The RTA's activities are largely interdependent with several other organizations operating within southeast Michigan, as listed below. The RTA endeavors to work with these organizations to coordinate public information and engagement. In the case of SEMCOG, the RTA is reliant on its public outreach process to support the annual 5307 program of projects (POP). That process is described in Appendix B of this document.

- Ann Arbor Area Transportation Authority (AAATA)
- Detroit Department of Transportation (DDOT)
- Detroit Transit Corporation (DTC) (aka People Mover)
- M-1 RAIL (operator of the QLINE)
- Michigan Department of Transportation (MDOT)
- Southeast Michigan Council of Governments (SEMCOG)
- Suburban Mobility Authority for Regional Transportation (SMART)
- Washtenaw Area Transportation Study (WATS)



RTA Governance

The RTA is governed by a ten-member board with two representatives from each of the participating counties, one representative from the City of Detroit, and one non-voting member appointed by the governor who serves as the chair. The purpose of these committees is to set the direction of the RTA through policy making, budget considerations, and coordination of existing transit services.

SECTION B: REQUIREMENT TO PREPARE AND SUBMIT A TITLE VI PROGRAM

The RTA is required to submit an updated Title VI program every three years. This report covers Fiscal Year 2023 through Fiscal Year 2025.

RTA's Title VI submission contains the following:

- Title VI notice to the public
- Instructions to the public on how to file a Title VI complaint
- List of transportation related Title VI investigations, complaints, or lawsuits
- Public Participation Plan
- LAP Plan- Language Assistance Plan for Persons with Limited English Proficiency
- Table of Non-Elected Planning Boards, Advisory Councils or Committees
- Monitoring Subrecipients
- RTA Title VI Program Approval

This report was reviewed and approved by the RTA Board of Directors on November 17, 2022.



SECTION C: NOTICE TO THE PUBLIC

The RTA has developed a public notice to inform customers of their rights under 49 CFR Section 21.9(d), which is posted on the RTA's web site as well at the locations identified below:

Location Name	Address	City
Main Office	1001 Woodward, Suite 1400	Detroit

The public notice states the following:

The Regional Transit Authority of Southeast Michigan (RTA) is committed to ensuring that no person is excluded from participation in or denied the benefits of its programs and services on the basis of race, color, and national origin in accordance with Title VI of the Civil Rights Act of 1964.

For information about the RTA's non-discrimination obligations, or to file a complaint if you believe you have been subjected to unlawful discrimination, please contact the RTA by mail at the Regional Transit Authority of Southeast Michigan, 1001 Woodward, Suite 1400, Detroit, MI 48226; or by email at TitleVI@rtamichigan.org.

For translation assistance, call 313-402-1020.

Para asistencia de traducción, llame 313-402-1020.

للترجمة 1020-402-313 للمساعدة

SECTION D: COMPLAINT PROCEDURES

RTA has in place a Title VI Complaint Procedure, which outlines a process for local disposition of Title VI complaints and is consistent with guidelines found in Chapter VII of the Federal Transit Administration Circular 4702.1A, dated May 13, 2007. If a person believes that RTA's federally funded programs have violated their civil rights on the basis of race, color, or national origin they may file a written complaint by following the procedure outlined below:

Filing

Any person who believes that he or she or any specific class of persons has been subjected to discrimination or retaliation prohibited by Civil Rights authorities, based upon race, color, and/or national origin may file a written complaint to RTA's Title VI Officer. A formal complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant. The complaint must meet the following requirements:

- Complaints must be in writing and signed by the complainant(s) or his/her/their representative, and will include the complainant's name, address, and telephone number
- Complaints must include the date of the alleged act(s) of discrimination (date when the complainant(s) became aware of the alleged discrimination; or the date on which the conduct was discontinued or the latest instance of the conduct.
- Complaint must present a detailed description of the issues, including names, job titles, and addresses of those individuals perceived as parties in the action complained against. - Complaint must be completed in the RTA Complaint form, which is attached as Appendix A, and on the RTA website (www.rtamichigan.org).
- In the case where assistance is requested filing a Title VI complaint customers may contact RTA offices by phone (313) 402-1020, come in person to RTA offices, or file through our website [About – RTA of Southeast Michigan \(rtamichigan.org\)](http://www.rtamichigan.org)

Signed complaints should be mailed to:

Title VI Officer

Regional Transit Authority of Southeast Michigan

1001 Woodward Avenue, Suite 1400

Detroit, MI 48226

Note: If a Title VI complaint is received on a Michigan Department of Transportation (MDOT) related contract against RTA, MDOT will be responsible for conducting the investigation of the complaint. Upon receipt of a complaint filed against RTA, the complaint and any pertinent information will be immediately forwarded to the MDOT, Office of Civil Rights Programs.

Receipt and Acceptance

Upon receipt of the complaint, the Title VI Officer will determine its jurisdiction, and need for additional information.

In order to be accepted, a complaint must meet the following criteria:

- The complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant.
- The allegation(s) must involve a covered basis such as race, color, and/or national origin.
- The allegation(s) must involve a program or activity that receives Federal financial assistance.

Dismissal

A complaint may be recommended for dismissal for the following reasons:

- The complainant requests withdrawal of the complaint.
- The complainant fails to respond to repeated requests for additional information needed to process the complaint.
- The complainant cannot be located after reasonable attempts to contact the complainant.

Investigation of Complaints

Upon receipt of the complaint, RTA's General Manager, or designee, shall appoint one or more staff, as appropriate, to evaluate and investigate the complaint, in consultation with RTA legal counsel. If necessary, the Complainant shall meet with the staff to further explain his or her complaint. The staff shall complete their review no later than sixty calendar days after the receipt of the complaint. If more time is required, the General Manager, or designee, shall notify the Complainant of the estimated timeframe for completing the review. Upon completion of the review, staff shall make a recommendation regarding the merit of the complaint and whether remedial actions are available to provide redress. If the General Manager, or designee, concurs, he or she shall issue the written response to the Complainant.

Submission of Complaint to the Federal Transit Administration

If the Complainant is dissatisfied with the resolution of the complaint, he or she may also submit a written complaint within 60 days after the alleged date of discrimination to the Federal Transit Administration for further investigation.

FTA Office of Civil Rights
1200 New Jersey Avenue SE
Washington, DC 20590

SECTION E: INVESTIGATIONS, COMPLAINTS, AND LAWSUITS

In accordance with 49 CFR 21.9(b), RTA must record and report any investigations, complaints, or lawsuits involving allegations of discrimination. The records of these events shall include the date the investigation, lawsuit, or complaint was filed; a summary of the allegations; the status of the investigation, lawsuit, or complaint; and actions taken by the RTA in response; and final findings related to the investigation, lawsuit, or complaint. The records for the previous three (3) years shall be included in the Title VI Plan when it is submitted to the FTA.

The RTA has had no Title VI complaints between October 2019 and September 2022.

SECTION F: PUBLIC PARTICIPATION PLAN

Purpose of the Public Participation Plan

This plan specifies the RTA's underlying goals as well as strategies and techniques to be considered and employed in achieving the goals of the public participation process.

- Define the tools the RTA uses to provide the public access to information on its programs and projects.
- Define the tools RTA uses to receive input into its programs and projects.
- Define measures of effectiveness for RTA's public engagement.

The RTA does not directly provide transit services, but it may provide funding to existing transit providers to augment service. Therefore, the RTA will collaborate with the existing providers to ensure that they are following all the appropriate Title VI processes that govern major service changes and fare equity.

Environmental Justice Populations

Based on regional totals developed by SEMCOG, minority persons make up 30.8 percent of the region's total population. In addition, 13.2 percent of households in the region are living at or below the poverty level. For both minority populations and low-income households, 2020 U.S. Census block groups where the percentage population of either group meets or exceeds the regional average are identified as EJ block groups.

Because of the importance of public involvement, RTA will endeavor to meet with representatives from various EJ populations and encourage involvement in the planning process. Specific actions taken by RTA to reach out to EJ populations include placing advertisements in various news publications reaching African American, Asian-American, Native American, and Hispanic persons and low-income residents and focusing efforts to meet with and present information to these various groups. Information is also disseminated through transit providers, local block clubs, libraries, and various grass roots organizations.

Techniques for Public Information Access

The RTA will use a variety of methods to educate and inform the public. Holding public meetings is an essential part of the PPP. Therefore, the RTA endeavors to ensure that all venues are accessible and in close vicinity to major bus routes for ease in travel. The methods will include:

- Providing information at RTA's standing Committee and Board meetings
- Holding additional public meetings/hearings at convenient and accessible locations and times

- Making public information available in electronically accessible format and means, such as social media, Website (www.rtamichigan.com), press releases, and E-Blast notices
- With the permission of the transit providers, posting information through Rider Alerts, interior bus, and train signage, and stop and station signage

Techniques for Garnering Public Input

The RTA will use a variety of methods to garner public input. The methods will include:

- Verbal public comments at the RTA Board meetings, and additional public meetings
- Written comments at RTA Board meetings, and additional public meetings; through RTA general email, or project specific email
 - Verbal comments by RTA general phone, or project specific phone
 - Social Media discussions and dedicated surveys
 - General-public, or targeted stakeholder surveys
 - Charrette-style discussions
 - Virtual meetings

Tools for Measuring Effectiveness

As part of future updates to this policy, the RTA will evaluate its public involvement process, ensuring that the RTA is effective in facilitating full and open access to the regional planning process for all citizens. This requirement will be done in the form of an evaluation that identifies the following:

- Public meeting dates versus actual meetings held
- Public meetings: locations, promotion, number of comments generated (if requested at the meeting)
- Number of additional comments received and the means of receipt at official public hearings
- If applicable, the RTA will supplement this report with more detailed reports on large-scale public outreach efforts (e.g., the Regional Master Transit Plan)

Role of the Southeast Michigan Council of Governments (SEMCOG)

The Southeast Michigan Council of Governments (SEMCOG) is designated by the Federal government as the Metropolitan Planning Organization (MPO) for the southeast region of the state of Michigan. SEMCOG is responsible for coordinating transportation planning activities within the MPO boundary which includes all of Wayne, Oakland, Macomb, and Washtenaw counties. SEMCOG works with Federal and local governments, state departments of transportation, transit agencies, area stakeholders, and customers to ensure that the plans and projects developed enhance the region toward achieving consistent quality-of-life measures that are beneficial to all.

The public is included in the planning process through informational meetings, public hearings, community meetings, surveys and/or one-on-ones. As stated, the RTA coordinates efforts with SEMCOG to solicit public response on major projects, as well as the annual funded program of projects. SEMCOG incorporates RTA projects into the Transportation Improvement Program (TIP) and the Regional Transportation Plan (RTP). Via SEMCOG's various committee meetings, participants review, discuss, comment, and recommend actions relevant to transportation planning on transit projects. In addition to notices, SEMCOG publicizes the final program of projects and provides notice of scheduled meetings. Public comment is ongoing and is received via public hearings, letters, phone calls, e-mails, and verbally.

Federal legislation requires MPOs to produce documents that govern the regional transportation investments and planning activities, including the development of the Unified Planning Work Program, the Long-Range Transportation Plan, the Transportation Improvement Program, and the Public Participation Plan.

Summary of Outreach from October 2019 through September 2022

Coordinated Human Services Transportation Plan (OnHand Study)

Note: State funded

September 2019 – August 2020

Engagement activities included:

- Technical Working Group
- Stakeholder Interviews
- User Survey

Technical Working Group

The OnHand project was guided by a Technical Working Group comprised of stakeholders from each transit agency within the OnHand's four-county region, as well as regional governments (the Southeast Michigan Council of Governments (SEMCOG), WATS, RTA), and other organizations. The TWG met eight times over the course of this project to guide the research process and ground truth the project team's findings.

Stakeholder Interviews

In the early phase of this project (Fall 2019), the OnHand project team conducted in-person and phone interviews with representatives from fixed-route transit agencies, local and community transit providers, non-profit agencies, and other social service organizations. The study team also made a series of presentations to the Detroit Local Advisory Council (LAC) and Washtenaw Technical Coordinating Council (TCC). Stakeholders shared valuable insights rooted in first-hand experience about what is needed to improve human services transportation.

User Survey

In Winter 2019-2020, the OnHand project team launched a survey to understand transportation patterns, needs, challenges and barriers, especially related to ADA paratransit and demand response services. TWG members and other human and social service industry stakeholders helped distribute the survey to collect over 1,100 responses, including over seven hundred responses from people representing OnHand target populations (e.g., older adults, people with disabilities, and low-income individuals).

Detroit to Ann Arbor Express Bus Service (D2A2)

January 2020 – February 2020

Engagement activities:

- Public Hearing

Public Hearing

RTA held two formal public hearings on January 8, 2020 (Detroit and Ann Arbor) to receive public comments on the new pilot express bus service connecting Detroit and Ann Arbor. To ensure people had access hearing was hosted at Wayne County Community College Downtown Campus which is centrally located near public transportation and is in Detroit, a majority minority community.

Mobility Oriented Development Study

February 2020 – October 2020

Engagement activities included:

- Stakeholder and Focus Area Workshops

Stakeholder and Focus Area Workshops

The Mobility Oriented Development study engagement was focused on stakeholders like planning and community development staff, government agencies involved in development and housing, and other technical experts. The process included seven focused stakeholder workshops with a focus on communities in each corridor (Woodward and Ann Arbor/Detroit Rail). RTA also conducted two topic workshops for all stakeholders (Affordable Housing and Mobility Hubs). . To ensure people had access hearing was hosted at Wayne County Community College Downtown Campus which is centrally located near public transportation and is in Detroit, a majority minority community.

Regional Master Transit Plan

May 2021 – September 2021

Engagement activities included:

- Virtual Open Houses
- Listening Sessions
- Ridership Engagement

Virtual Open Houses

Nine open house meetings – held virtually due to COVID-19 – allowed RTA to share information with metro Detroit residents and gather input on what individuals view as future public transit needs. Each county hosted two virtual events, and another event was staged in the city of Detroit to ensure minority and low-income populations were heard.

Listening Sessions

Fifteen small group listening sessions were held to hear from specific groups about their unique needs and priorities for public transit. Participation varied widely among organizations, but more than two hundred people participated across all listening sessions. The small-group setting was more comfortable for many participants and encouraged them to ask questions and engage with others.

Ridership Engagement

A dedicated effort to hear from transit riders was made during the public engagement phase. Riders were invited to take a brief survey – available in English, Spanish and Arabic – about their expectations for regional transit in the future and today. Riders were encouraged to complete the survey via six hundred in-bus ads on SMART buses and by volunteers asking for participation at 10 transit hubs during five days in August.

SECTION G: LANGUAGE ASSISTANCE PLAN

LANGUAGE ASSISTANCE PLAN (LAP) FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)

Introduction

The purpose of this plan is to document RTA’s strategy to serve Limited English Proficient (LEP) persons in accordance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166. An LEP person is one who does not speak English as their primary language and who has limited ability to read, write, or understand English. Title VI prohibits discrimination on the basis of race, color, or national origin under any program that receives federal financial assistance. Executive Order 13166 titled “Improving Access to Services for Persons with Limited English Proficiency”, defines national origin discrimination to include different treatment based upon a person’s inability to speak, read, write, or understand English. Under these provisions, RTA is required to take reasonable steps to ensure meaningful access for LEP persons to RTA programs and services.

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

In developing the plan, RTA undertook a U.S. Department of Transportation four factor LEP analysis which considers the following: 1) the number or proportion of LEP persons in the RTA service area who may be served by or encounter a RTA program, activity or service; 2) the frequency with which LEP individuals come in contact with a RTA program, activity, or service; 3) the importance of the program, activity or service provided by RTA to the LEP population; and 4) the resources available to RTA and overall costs to provide LEP assistance. A brief description of these considerations is provided in the following section.

Four Factor Analysis

Factor 1: Proportion, Numbers and Distribution of LEP Persons

The RTA service area includes all of Macomb, Oakland, Washtenaw, and Wayne Counties. Per the 2021 American Community Survey, there are 4,049,175 persons of five years and older within the RTA service area. 82,658, 2%, speak English “not well”, or “not at all”. See table below for a breakdown by county:

AGE BY LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER						
	Macomb County, Michigan	Oakland County, Michigan	Washtenaw County, Michigan	Wayne County, Michigan	Total	Percentage
Label	Estimate	Estimate	Estimate	Estimate		
Total Over age 5:	830,334	1,204,503	352,079	1,662,259	4,049,175	
"Not Well"	15,473	12,105	2,527	32,317	62,422	1.54%
"Not well at all"	4,993	2,908	1,327	11,008	20,236	0.50%
% (per county)	2.5%	1.2%	1.1%	2.6%		
Total					82,658	2.04%

The RTA also analyzed the different languages spoken within the service area to determine which were most likely to be encountered within the service area. The RTA used the Detailed Household Language by Household Limited English-Speaking Status: American Community Survey 2021 to get a more detailed survey of languages. See the table below for a breakdown of the top ten most common languages spoken throughout the region by county:

DETAILED HOUSEHOLD LANGUAGE BY HOUSEHOLD LIMITED ENGLISH-SPEAKING STATUS						
	Macomb County, Michigan	Oakland County, Michigan	Washtenaw County, Michigan	Wayne County, Michigan	Total	Percentage
Label	Estimate	Estimate	Estimate	Estimate		
Total Over age 5:	830,334	1,204,503	352,079	1,662,259	4,049,175	
Total:	358,011	530,383	149,133	695,038	1,732,565	
English only	303,946	439,358	123,615	591,383	1,458,302	
Spanish:	6,855	15,845	5,385	28,546	56,631	1.40%
Arabic:	9,957	8,630	1,783	34,704	55,074	1.36%
Russian, Polish, or other Slavic languages:	6,599	7,461	1,764	5,146	20,970	0.52%
Chinese (incl. Mandarin, Cantonese):	1,582	7,901	4,690	3,223	17,396	0.43%
German or other West Germanic languages:	1,680	4,580	1,207	1,898	9,365	0.23%
French, Haitian, or Cajun:	1,303	2,426	825	2,300	6,854	0.17%
Korean:	817	3,181	1,856	636	6,490	0.16%
Tagalog (incl. Filipino):	1,833	1,821	386	1,492	5,532	0.14%
Vietnamese:	884	1,001	314	1,449	3,648	0.09%

Based on this analysis, RTA determined that it is likely that staff will encounter individuals that speak English, Spanish, and/or Arabic. It is less likely that staff will encounter individuals that speak other languages listed in the above table as they represent less than 1% of the overall population.

Factor 2: Frequency of Contact with LEP Individuals

RTA informally surveyed its employees, SEMCOG Title VI coordinators, and RTA-affiliated transit providers (DDOT, SMART, AAATA, and DTC) on the nature and frequency of their contact with LEP persons while performing daily job functions and anticipates that further interaction with LEP persons is limited. However, the RTA office is publicly accessible, and numerous public engagement events are part of the public transit planning processes. Programs, services, and activities that have potential impact for LEP persons include, but are not limited to:

- Public involvement and public engagement meetings/hearings for transit projects affecting LEP communities or individuals.
- Federal funding sub-recipients (transit providers).
- Internet access: Websites must be accessible to LEP persons.
- Phone communications: notices/greetings in languages other than English.

Factor 3: Nature and Importance of the Program, Activity, or Service to LEP

The RTA is responsible for completing a Regional Master Transit Plan, planning, and coordinating public transportation in the four-county region, including the City of Detroit. The nature of the RTA’s planning activities is especially important to LEP communities. Given the number of LEP individuals in the region, we will ensure reasonable accessibility to all our programs, services, and activities consistent with DOT Guidance.

Factor 4: Resources Available to RTA and Overall Cost

U.S. Department of Transportation Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons published in the Federal Register: December 14, 2005 (Volume 70, Number 239) states:

“A recipient’s level of resources and the costs imposed may have an impact on the nature of the steps it should take in providing meaningful access for LEP persons. Smaller recipients with more limited budgets are not expected to provide the same level of language services as larger recipients with larger budgets. In addition, “reasonable steps” may cease to be reasonable where the costs imposed substantially exceed the benefits. Recipients should carefully explore the most cost-effective means of delivering competent and accurate language services before limiting services due to resource concerns.”

Based on this guidance, RTA has reviewed its resources and deemed that, upon request, it will translate vital documents into the language requested to ensure accessibility. At a minimum

RTA's Title VI Notice to the public , Complaint Procedures, Complaint Forms, Notice of Denials, LAP policy, and complaint forms will be available in English, Spanish, and Arabic.

RTA-funded planning activities have funds dedicated for interpreter services at public meetings and translation of documents. Contractor and subcontractor activities are also covered under these resources. The RTA will provide translation and interpreter services if given sufficient notice.

Safe Harbor Stipulation

Federal law provides a "Safe Harbor" situation so that recipients can ensure with greater certainty that they comply with their obligation to provide written translations in languages other than English. A "Safe Harbor" means that if a recipient provides written translation in certain circumstances, such action will be considered compelling evidence of compliance with the recipient's written-translation obligations under Title VI. RTA defines an interpreter as "a person who translates spoken language orally," as opposed to a translator, who translates written language or who transfers the meaning of written text from one language into another. The person who translates orally is not a translator, but an interpreter. RTA will, upon request, make an interpreter available, in circumstances where written translations are not required.

Failure to provide written translations under the circumstances does not mean there is non-compliance but provides a guide for recipients that would like greater certainty of compliance than can be provided by an RTA.

Definition - Vital Document: The RTA will consider the following documentation as vital unless otherwise requested by the public:

A document, record or file that is necessary to create, recreate or organize operations and survival of an organization. It shall include but not be limited to:

- Consent and complaint forms
- Notice of denials, losses, or decreases in benefits or services
- Notice of person's rights under Title VI

Compelling evidence of compliance with the recipient's written translation obligations under "Safe Harbor" includes providing written translations of vital documents for each eligible LEP language group that constitutes five percent or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally.

This "Safe Harbor" provision applies to the translation of written documents only. It does not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and reasonable.

The languages that trigger the Safe Harbor threshold are: Spanish and Arabic. Thus, RTA will translate upon request all vital documents which include, but are not limited to, complaint forms, complaint procedures, and all public meeting notices. The RTA has Identification Language Cards and Translation Services (interpreters) available on-demand. On average, written translation requests of vital documents will be made available within five to seven business days.

Providing Notice to LEP Persons

U.S. DOT LEP guidance says:

Once an agency has decided, based on the four factors, that it will provide language service, it is important that the recipient notify LEP persons of services available free of charge. Recipients should provide this notice in languages LEP persons would understand.

The guidance provides several examples of notification including:

1. Signage in languages that an LEP individual would understand when free language assistance is available with advance notice.
2. Stating in outreach documents that free language services are available from the agency.
3. Working with community-based organizations and other stakeholders to inform LEP individuals of the recipient's services, including the availability of language assistance services.

Statements in languages that an LEP individual would understand will be placed in public information and public notices informing LEP individuals that those requiring language assistance and/or special accommodations will be provided the requested service free of charge, with reasonable advance notice to the RTA.

Options and Proposed Actions

Options

Federal fund recipients have two (2) ways to provide language services: oral interpretation either in person or via telephone interpretation service, and written translation. The correct mix should be based on what is both necessary and reasonable considering the four-factor analysis.

Considering the size of the RTA planning area, the concentration of LEP individuals in the service area, and RTA's financial resources, it is necessary to limit language aid to the most basic and cost-effective services. Other than the previously mentioned vital documents, if there are additional language assistance measures required for LEP individuals, RTA shall proceed with interpretation options to meet all requests for those language groups to ensure equal access, while also complying with LEP regulations.

Proposed Actions

RTA definition: Interpreter is “a person who translates spoken language orally,” as opposed to a translator, who translates written language or who transfers the meaning of written text from one language into another. The person who translates orally is not a translator, but an interpreter.

- Notify the public that interpreter services are available upon request, with seven-day advanced notice
- With advanced notice of seven calendar days, RTA will provide interpreter services at public meetings, including language translation and signage for the hearing impaired.
- RTA will utilize the Translators Resource List as provided by MDOT for translation services and verbal interpretation
- The Census Bureau “I-speak” Language Identification Card will be distributed to all employees that may potentially encounter LEP individuals.
- Once the LEP individual’s language has been identified, an agency from the Translators Resource List will be contacted to provide interpretation services.
- RTA’s Title VI webpage will be published in English, Spanish, and Arabic.
- Publications of RTA’s Title VI Complaint Form and Title VI Plan will be made available on RTA’s website in English, Spanish, and Arabic, as well as other languages upon request.
- Translation of other vital RTA documents will be made available upon request.
- In the event that an RTA employee encounters a LEP individual, they will follow the procedure listed below:

Office Encounter:

1. Provide an I-speak language identification card to determine the language spoken of the LEP individual.
2. Once the foreign language is determined, provide information to the Title VI coordinator who will contact an interpreter from MDOT’s Translators Resource List.
3. If the need is for a document to be translated, the Title VI Officer will have the document translated and provided to the requestor as soon as possible.

In Writing:

1. Once a letter has been received it will be immediately forwarded to the Title VI Officer.
2. The Title VI Officer will contact a translator from the MDOT’s Translators Resource List to determine the specifics of the letter request information.
3. The Title VI Officer will work with the selected agency to provide the requested service to the individual in a timely manner.

Over the Phone:

1. If someone calls into RTA’s office speaking another language, every attempt will be made to keep that individual on the line until an interpreter can be

conferenced into the line and, if possible, determine the language spoken of the caller.

2. Once the language spoken by the caller has been identified, RTA will proceed with providing the requested assistance to the LEP individual.

LEP Complaint Procedures

Complaints of discrimination involving LEP, Title VI, and related statutes will be investigated using the Title VI complaint procedures and form described in the Title VI Plan.

Monitoring and Updating the LEP Plan

This plan is subject to revision based on the changes in demographics as reported by the Census and any Environmental Justice (EJ) analysis done by the RTA or SEMCOG. It is viewed as a work in progress and will be updated every three years, and reviewed annually. RTA will also use self-reported information from public meeting sign-in sheets during LEP Plan updates. The LAP will be examined and updated based on the following:

- How the needs of LEP persons have been addressed
- Whether local language assistance programs have been effective and sufficient to meet the needs of LEP persons
- Whether RTA's financial resources are sufficient to fund language assistance resources
- Whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.

RTA Staff Training

RTA staff will receive training on the requirements for providing meaningful access to services for LEP persons. RTA employees will be trained or made aware of the Title VI and LAP policies and complaint procedures through regular staff training. Key staff with the higher potential to interact with LEP persons will receive in-depth training on their roles and responsibilities related to LEP persons.

LEP Plan Access

A copy of the LAP document can be requested at RTA's central office during normal business hours and RTA will make the plan available on the website at www.rtamichigan.org. Any person or agency may also request a copy by contacting:

Regional Transit Authority of Southeast Michigan
1001 Woodward Avenue, Suite 1400
Detroit, MI 48226
313-402-1020

SECTION H: ADVISORY BOARDS

The RTA has two advisory committees to assist in the decision making and development of the organization. The Public Transportation Provider’s Advisory Council consists of each transit provider that falls under the jurisdiction of the RTA. Their purpose is to discuss opportunities for coordination and evaluate the impacts of decisions being made by the RTA on their respective organizations. A Citizens Advisory Committee (CAC) was formed as part of the development of the Board of Directors by-laws to ensure that the public is represented across the jurisdiction of the RTA and that advocates for ADA, elderly, faith-based, business, civic leadership and transit riders would have the opportunity to provide the RTA with feedback.

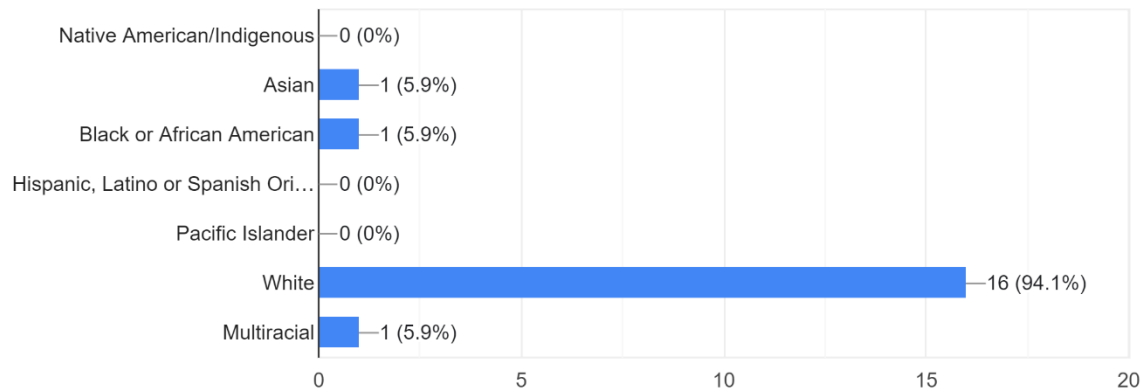
Membership of Non-Elected Committees and Councils

The only transit-related, non-elected planning board, advisory council, or committee for which the Regional Transit Authority of Southeast Michigan selects the members is the Citizen Advisory Committee (CAC). The Citizen Advisory Committee shall consist of public transit region residents and shall be composed of senior citizens or persons with disabilities, and two users of public transportation from each : Oakland, Macomb, Wayne and Washtenaw counties. The CAC advises the RTA Board of Directors on issues of concern to people with disabilities and senior citizens. Meetings occur every other month and are open to anyone who wishes to attend, and all who attend are encouraged to participate. CAC membership is conferred on anyone who attends more than one meeting. The table below presents the minority representation on committees and councils selected out of the thirty members asked about demographics, seventeen completed the questionnaire.

The table below presents the minority representation on committees and councils selected by RTA CAC.

Which category best describes you? Please select all that apply

17 responses



SECTION I: SUBRECIPIENT MANAGEMENT

Providing Assistance

To ensure that all subrecipients comply with Title VI regulations, RTA provides its subrecipients with sample notices and procedures for tracking Title VI complaints. RTA will also provide its subrecipients demographic information and any other information pertinent to Title VI upon request.

Monitoring Subrecipients

The RTA requires all subrecipients to sign an agreement that ensures that they comply with Title VI regulations. In addition, the Title VI Coordinator monitors the performance of subrecipients annually. The subrecipient monitoring process is summarized below.

- Ensure that project agreements with subrecipients contain all required federal clauses. - Request subrecipients provide us with a copy of a Title VI plan.
- File copy of agreement/contract and Title VI plan, if available, with RTA.

RTA of Southeast Michigan monitored compliance to the Title VI requirements for three subrecipients since 2020. RTA subrecipients included:

- Ann Arbor Area Transportation Authority (AATA)
- Area Agency on Aging 1-B (AAA1- B)
- M1-Rail



There have been no Title VI complaints, investigations, or lawsuits for RTA subrecipients over the past three years. RTA uses the attached questionnaire as part of the monitoring program. (Appendix B)



SECTION J: RTA TITLE VI PROGRAM APPROVAL

This report was reviewed and approved by the RTA Board of Directors on November 17, 2022.



APPENDICES

Appendix A	RTA Discrimination Complaint Form
Appendix B	Questionnaire



Appendix A: RTA Discrimination Complaint Form

Title VI of the 1964 Civil Rights and related nondiscrimination statutes and regulations require that no person in the United States shall on the grounds of race, color or national origin be excluded in participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

The following information is necessary to assist us in processing your complaint. Should you require any assistance in completing this form, please let us know.

Complete and return this form to: Regional Transit Authority of Southeast Michigan COO: Harmony Lloyd, Title VI Officer, 1001 Woodward Avenue, Suite 1400 Detroit, MI 48226

RTA DISCRIMINATION COMPLAINT FORM

Last Name	First Name	Male Female	Other: <input type="text"/>
Mailing Address	City/State	Zip	
Home Telephone	Other Telephone	E-mail Address	
Do you wish to remain anonymous? Yes No			
Alleged Discrimination: Race Color National Origin			
Race of Complainant: Black, White Hispanic Asian American Indigenous Alaska Native Pacific Islander Other _____			
How were you discriminated against? Please explain your complaint as clearly as possible. Include how other persons were treated differently. Use additional sheet(s), if necessary. Attach supporting documents if available.			

Date and place of the alleged discriminatory action(s). Please include the earliest date of discrimination and the most recent date(s) of discrimination.

The law prohibits intimidation or retaliation against anyone because they have either acted, or participated in action, to secure rights protected by the laws. **If you feel that you have been retaliated against, separate from the discrimination alleged above,** please explain the circumstances below. Describe the action you took which you believe was the cause for the alleged retaliation.

Name(s) of individual(s) responsible for the discriminatory action(s).

Name(s) of person(s) who may be contacted for additional information to support or clarify your complaint. (Attach additional sheets, if necessary).

Appendix B: Questionnaire

Subrecipients of Federal funds are required to complete an annual desk review questionnaire as part of RTA’s risk-based subrecipient monitoring procedure. You may find several topics are not applicable to your agency for FY22; please enter n/a. Please enter your responses into the light blue highlighted cells and return to hlloyd@rtamichigan.org along with copies of any agency plans and policies that have changed. RTA will review your responses and may request additional documentation or schedule a meeting/site visit as needed.

Section 1

Agency Information

Q. Please provide your organizations name.

Q. Please provide a staff contact for federally funded projects

Section 2

Legal/Lobbying

Federal Requirement: Subrecipients are prohibited from using appropriated Federal funds to lobby for Federal funds. If the subrecipient uses local funds to lobby for transit purposes, subrecipients must file OMB Standard Form LLL quarterly.

Q. Did your organization pay for lobbying activities during the reporting period?

Q. If yes, what type of funds were used?

Section 3
Financial Management and Capacity

Federal Requirement: Subrecipients must have financial management systems that meet standards for financial reporting, accounting records, internal control, budget control, allowable cost, source documentation, and cash management. Requirements for use of indirect cost when reimbursement is sought from a federal award program must be met.

Q.: Describe your organization’s financial management systems, especially the method of accounting, how financial reports are prepared, and systems for internal control and cash management.



Q.: Does your organization use Federal funds to pay for indirect operating costs? (If yes, someone from the RTA will contact you to review the calculation method.)



Section 4
Satisfactory Continuing Control

Federal Requirement: Subrecipients must use FTA-funded property for project purposes

Q. What vehicles, equipment, and property has your agency acquired with the assistance of FTA funds (e.g., Section 5310/5311), and how are these items being used in accordance with their intended project purpose?



Q: Has your agency used any FTA-funded property for purposes other than purposes identified in a grant contract or subrecipient agreement?



**Section 5
Maintenance**

Federal Requirement: Subrecipients that use FTA assistance to purchase assets must have maintenance programs for those assets. Such assets must be maintained in good condition and good operating order.

Q: Does your organization have a maintenance program for FTA-funded assets? (If yes, please ensure a copy has been provided to the RTA .)

Q: Does the program address maintenance of wheelchair lifts and other accessibility features?

Q: Is your organization following your program for preventive maintenance inspections? (Please attach any relevant documentation.)

Q: Are your organization's FTA-funded assets under warranty, and are warranty claims pursued?

**Section 6
Title VI (Civil Rights Act of 1964)**

Federal Requirement: Subrecipients must ensure that no person, on the basis of race, color, or national origin, be excluded from participating in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal funds. All transit services and related benefits must be distributed in an equitable manner.

Q: Does your organization have a Title VI program in place? (If yes, please ensure your current Title VI Plan has been provided to the RTA.)

Q: If yes, have the Language Assistance Plan, complaint procedures, and/or public participation procedures been implemented as described?

Q: How does your organization notify the public of its rights under Title VI?



Q: Has your organization received any discrimination complaints in the past three years, FY2019-2022? (If yes, please describe the nature of the complaint and the outcome and attach any relevant documentation.)



Section 7
Americans with Disabilities Act (ADA)

Federal Requirement: Subrecipients must comply with ADA. No entity shall discriminate against an individual with a disability in connection with the provision of public transportation service. Subrecipients must track, resolve, and respond to ADA-related complaints. All new bus vehicles purchased or leased for use in fixed-route service by public entities must be accessible. Used bus vehicles must be made accessible for use to the maximum extent feasible. Vehicles used in contracted fixed-route service must be accessible. Vehicles used in demand-responsive service must be accessible unless equivalent service is provided. Newly constructed and altered facilities must meet US DOT accessibility requirements. Service must comply with the US DOT ADA regulations and be accessible to and usable by persons with disabilities.

Q: How does your agency track, resolve, respond to, and retain records of ADA-related complaints?



Q: Has your organization received any ADA-related complaints in the past three years, FY2019-2022? (If yes, please describe the nature of the complaint and the outcome and attach any relevant documentation.)



Q: Are public transportation facilities constructed or altered during the reporting period accessible to and usable by individuals with disabilities?



Q: Describe how your organization follows ADA provision of service requirements (e.g., lift/ramp availability, priority seating, stop identification, employee training, accessible information formats, reasonable modification requests).

Section 8

Equal Employment Opportunity (EEO)

Federal Requirement: A full EEO program must be submitted to the RTA if your organization employs 100 or more transit-related employees and requests or receives capital or operating assistance > \$1 million in a fiscal year, or requests or receives planning assistance > \$250,000 in a fiscal year. An abbreviated program must be submitted to the RTA if your organization employs 50-99 transit-related employees and requests or receives capital or operating assistance in excess of \$1 million in a fiscal year, or requests or receives planning assistance in excess of \$250,000 in a fiscal year.

Q: Is your organization required to submit an EEO program based on the thresholds above? (If yes, please ensure it has been submitted to the RTA.)

Section 9

Drug and Alcohol Program

Federal Requirement: Subrecipients must have a board-adopted anti-drug and alcohol misuse policy. Subrecipients are required to provide at least 60 minutes of drug and alcohol training for covered employees and at least 120 minutes of training for supervisors and other officers authorized by the employer to make reasonable suspicion determinations. Subrecipients must obtain previous drug and alcohol testing program records from prior employers for employees performing safety-sensitive functions and must retain drug and alcohol testing program records for all covered employees in a secure location with controlled access. Medical Review Officers, substance abuse professionals, breath alcohol technicians, and collectors in the drug and alcohol program must have required certifications.

Q: Does your agency have a board-adopted drug and alcohol misuse policy? (If yes, please ensure it has been submitted to the RTA.)

Q: Does the policy include the following elements: proof of policy adoption by governing body, identification of D&A program contact, employee categories subject to testing, prohibited behavior, testing circumstances, consequences for refusing tests/positive tests with alcohol concentrations of 0.04 or greater, consequences for positive tests with alcohol concentrations of 0.02 or higher but lower than 0.04?



Q: Does your organization provide the minimum required trainings and reasonable suspicion testing?



Q: Does your organization obtain drug and alcohol testing records from prior employers, and are records stored in a secure location with controlled access?



Q: Do all medical review officers, substance abuse professionals, breath alcohol technicians, and collectors in the drug and alcohol testing program have the required qualifications, and are the qualifications records kept on file by your agency?



Section 10

Additional Requirements

Please indicate below if the following service types are applicable to your agency, and someone from the RTA will reach out to you for additional information.

Q: Does your organization operate School Bus or School Tripper service?



Q: Does your organization operate Charter Bus service?



Q: Does your organization provide ADA Complementary Paratransit (required of public transit agencies operating fixed routes)?



Section 11
Conclusion

Q: Do you have any questions, concerns, or additional information to share regarding your agency's compliance with Federal requirements and capacity to carry out Federally funded projects?



Q: Will you be sending any attachments with your response or as a follow-up? (If so, please summarize the contents so files can be collated.)

