



Title VI Plan

September 2019



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.

Title VI Plan Revision Log		
Revision Name:	Adopted On:	Update Notes:
2016-2019 Title VI Plan	September 20, 2018	
2020 – 2022 Update	September 19, 2019	

Signed: 
Title: General Manager
Date: 9/19/19

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I. INTRODUCTION

A new 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 is comprised of 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 r 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 whom 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 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 50 or more fixed route vehicles in peak service AND are in a UZA of 200,000 or more in population are required to 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:

Matt Webb, General Manager/Title VI Officer
Regional Transit Authority of Southeast Michigan
1001 Woodward Avenue, Suite 1400
Detroit, MI 48226
Phone: (313) 402-1020
Email: mwebb@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.

A. 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)
- Southeast Michigan Council of Governments (SEMCOG)
- Suburban Mobility Authority for Regional Transportation (SMART)
- Michigan Department of Transportation (MDOT)
- Washtenaw Area Transportation Study (WATS)

B. 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 RTA Board includes the following sub-committees Executive and Policy Committee, Finance and Budget Committee, and the Planning and Service Coordination Committee. The purpose of these committees is to set the direction of the RTA through policy making, budget considerations, and coordination of existing transit services.

II. 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 2020 through Fiscal Year 2022.

RTA’s Title VI submission contains the following:

- Title VI notice to the public (Section II – NOTICE TO THE PUBLIC)

- Instructions to the public on how to file a Title VI complaint (Section III – COMPLAINT PROCEDURES; see Appendix A for a copy of the COMPLAINT FORM)
- List of transportation related Title VI investigations, complaints, or lawsuits (Section IV – INVESTIGATIONS, COMPLAINTS, AND LAWSUITS)
- Public Participation Plan (Appendix B – PUBLIC PARTICIPATION PLAN)
- LEP Plan (Appendix C - LANGUAGE ASSISTANCE PLAN FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY)
- Table of Non-Elected Planning Boards, Advisory Councils or Committees (Section V – ADVISORY BOARDS)
- Subrecipients Comply with Title VI (Section VI – SUB-RECIPIENT MANGAGEMENT)
- Facility Construction (n/a – The RTA does not construct facilities)
- Additional Information for a Fixed Route Transit Provider (n/a – The RTA is not a fixed route transit provider)

This report was reviewed and approved by the RTA Board of Directors on September 19, 2019.

III. 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.

للمساعدة 313-402-1020 للترجمة

如需翻译协助 · 请致电 313-402-1020

번역 도움을 받으시려면 313-402-1020번으로 전화하십시오

IV. 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, sex, age, national origin, or disability may file a written complaint to RTA's Title VI Program Coordinator. 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).
- 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).

Signed complaints should be mailed to:
 Title VI Coordinator
 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 Program Coordinator 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, sex, age, national origin, or disability.
- 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 60 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.

Appeals:

If FTA concludes that the respondent is in compliance with laws/regulations and the complainant disagrees, the complainant may, if dissatisfied, file an action in the appropriate U.S. District Court.

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

V. 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 2016 and September 2019**.

VI. VI. 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 Director’s 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

input to the RTA decision-making . Appointments to the CAC are done in the accordance with the RTA's enabling legislation.

VII. SUB-RECIPIENT MANAGEMENT

A. Providing Assistance

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

B. Monitoring Sub-Recipients

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

- Ensure that project agreements with sub-recipients contain all required federal clauses.
- Request sub-recipients provide us with a copy of a Title VI plan.
- File copy of agreement/contract and Title VI plan, if available, with RTA.
- On an annual basis, send a letter to sub-recipient requesting a copy of A-133 audit report or other financial documentation, if the sub-recipient received less than \$500,000 in federal funding from all sources.
- Review financial paperwork and communicate information to sub-recipient.

VIII. Appendix A

RTA DISCRIMINATION COMPLAINT FORM

Last Name	First Name	<input type="checkbox"/> Male <input type="checkbox"/> Female
Mailing Address	City/State	Zip
Home Telephone	Other Telephone	E-mail Address
Do you wish to remain anonymous? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Alleged Discrimination: <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Age <input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Sex/Gender		
Race of Complainant: <input type="checkbox"/> Black <input type="checkbox"/> White <input type="checkbox"/> Hispanic <input type="checkbox"/> Asian American <input type="checkbox"/> American Indian <input type="checkbox"/> Alaska Native <input type="checkbox"/> Pacific Islander <input type="checkbox"/> 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 taken action, 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).		

IX. Appendix B

PUBLIC PARTICIPATION PLAN

A. 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 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 work with the existing providers to ensure that they are following all the appropriate Title VI processes that govern major service changes and fare equity.

B. Environmental Justice Populations

Based on regional totals developed by SEMCOG, minority persons make up 27 percent of the region's total population. In addition, 10 percent of households in the region are living at or below the poverty level. For both minority populations and low-income households, 2010 U.S. Census block groups where the percentage population of either group meets or exceeds the regional average are identified as EJ block groups. SEMCOG indicates that region wide, 12 percent of total land area is home to a significant EJ population.

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.

C. 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 endeavor 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

D. 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 standing Committee and Board meetings, and additional public meetings

- Written comments at RTA standing Committee and 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

E. 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:

- Scheduled standard Committee and Board meeting dates versus actual meetings held
- Public meetings: locations, promotion, attendance, number of comments generated (if requested at the meeting)
- Number of additional comments received and the means of receipt
- 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)

F. 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 enhances 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.

G. Summary of Outreach from October 2016 through September 2019

Reflex Service Enhancements (2016 and 2018): As part of the service roll-out for this pilot program, RTA, SMART, and DDOT collaborated on the public hearings to establish the Reflex service. The agencies held a series of four meeting (two workshops, two formal hearings) to inform the public about the new service. The meetings were held in transit-accessible locations along both corridors in geographically diffuse areas (i.e. one in Detroit, one in the suburbs). SMART held its own public hearings to conclude

the Reflex service on Gratiot Avenue and start the FAST service. SMART held a series of five formal hearings. The RTA and DDOT collaborated on public hearings to conclude the Reflex service on Woodward Avenue. RTA and DDOT held a series of four meetings – three formal hearings and a workshop. All of the meetings were held in transit-accessible locations along both corridors in geographically diffuse areas. The providers also completed a Title VI service equity analysis for service start and conclusion as the pilot service transitioned to both SMART and DDOT core line of services.

Connect Southeast Michigan Plan Engagement (2018):

RTA Board Members, RTA staff, consultants and CAC members had an open community conversation on the draft Connect Southeast Regional Plan from April to July 2018. These conversations took place all across the region in rural parts of northern Macomb (Richmond/Lennox) and Oakland Counties, to southern and western Wayne County, multiple meetings in the urbanized core of our region, including Detroit, Livonia, Novi, Mount Clemens, to Ann Arbor in Washtenaw County, to Lansing to Mackinac Island as part of the Detroit Regional Chamber’s Policy Conference.

In total, the RTA has presented the draft CSM plan in over 40 different sessions during this time span. This number does not factor in the additional meetings and educational sessions put on by our region’s business leaders, philanthropic community, or transit advocates. The RTA enacted an engagement program that included the following strategies: public meetings, stakeholder surveys, website, social media, and direct media. The engagement period lasted from April 19, 2018 through July 19, 2018. The results of the engagement were presented to the RTA Board during the June and July meetings. The engagement included the following strategies and activities:

Community Meetings: Hosted eight community meetings, at least one in each RTA jurisdiction.

- Wednesday, April 25 – Oakland – Birmingham Public Library (5:30 – 7:30 PM)
- Thursday, April 26 – Detroit – Detroit Historical Museum (5:30 – 7:30 PM)
- Monday, April 30 -- Wayne – Schoolcraft College, Livonia (5:30 – 7:30 PM)
- Wednesday, May 2 – Rochester Community House, Rochester (5:30 – 7:30 PM)
- Wednesday, May 2 – Washtenaw – Ann Arbor Public Library (5:30 – 7:30 PM)
- Wednesday, May 2 – Oakland – Rochester Hills Community Center (5:30-7:30 PM)
- Thursday, May 3 – Macomb – Mt. Clemens Public Library (5:30 – 7:30 PM)
- Wednesday, July 18 – Washtenaw – Chelsea Silver Maples (7:00 – 8:30PM)

Stakeholder presentations: Held numerous presentations on the plan at stakeholder meetings including service organizations, chamber of commerce events, and other special interest/advocacy meetings.

Media Relations: Conducted a media relations campaign that focused on major and community outlets. This included editorial board meetings, media events, and interviews.

Social Media: Conducted a social media campaign to promote community meetings, drive traffic to the RTA website, and collect direct feedback through surveys. This included a partner outreach effort to make sure engagement opportunities are shared among several social media accounts.

Website: Update the RTA website to have more robust information about the CSM. This included an extensive frequently asked questions component.

Engagement Survey: Developed a survey that was used on social media, direct email to the RTA email list, and through stakeholder email lists to obtain feedback on the draft CSM plan.

Newsletter: Developed a tabloid style newsletter that was used as collateral at public meetings and as a piece to be shared at libraries and other community institutions.

Mobility Vision for Southeast Michigan (2019):

The RTA enacted an engagement program that included the following strategies: public meetings, stakeholder surveys, website, and social media. The engagement period lasted from June 2019 through September 2019. RTA Board Members, RTA staff, and consultants held open houses to get feedback on the Mobility Vision for Southeast Michigan. These open houses took place in four locations throughout the region (Macomb, Oakland, Washtenaw, and Wayne counties).

Social Media: Conducted a social media campaign to promote community meetings, drive traffic to the RTA website, and collect direct feedback through surveys. This included a partner outreach effort to make sure engagement opportunities are shared among several social media accounts.

Website: Update the RTA website to have more robust information about the updated plan. This included an extensive frequently asked questions component.

Engagement Survey: Developed a survey that was used on social media, direct email to the RTA email list, and through stakeholder email lists to obtain feedback on the draft plan.

X. Appendix C

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

A. 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 plan 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.

B. 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 2016 American Community Survey, there are 3,970,912 persons of 5 and older within the RTA service area. 86,434, 2.2%, speak English “not well”, or “not at all”. See table below for a breakdown by county:

Proficiency Level	Macomb	Oakland	Washtenaw	Wayne	Total
Total (over 5)	812,174	1,167,085	339,514	1,652,139	3,970,912
"Not well"	15,189	16,658	4,117	29,778	65,742
"Not at all"	5,241	4,238	1,421	9,792	20,692

The RTA also analyzed the different language spoken within the service area to determine which were most likely to be encountered within the service area. The RTA used the Detailed Languages Spoken at Home and Ability to Speak English for the Population 5 Years and Over: 2009-2013 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:

Language	Macomb	Oakland	Washtenaw	Wayne	Total	%
English Only	688,971	984,596	282,705	1,474,251	3,430,523	86.64%
Spanish	11,055	28,525	8,825	64,395	112,800	2.85%
Arabic	14,212	17,774	3,805	65,001	100,792	2.55%
Syriac	12,315	10,395	70	445	23,225	0.59%
Chinese	1,950	10,363	5,365	4,480	22,158	0.56%
Polish	7,448	5,530	536	5,648	19,162	0.48%
Bengali	2,370	4,449	460	8,405	15,684	0.40%
Italian	8,850	198	548	4,348	13,944	0.35%
French	2,065	4,789	1,612	5,402	13,868	0.35%
Albanian	9,495	90	155	3,330	13,070	0.33%
Tagalog	4,253	3,544	920	3,630	12,347	0.31%

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. The RTA also reviewed the LAPs for AAATA, SMART, and DDOT and determined that adding Chinese and Korean would provide additional coverage for the RTA LAP.

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 very important to LEP communities. Given the number of LEP individuals in the region, we will ensure reasonable accessibility to all of 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, we will translate vital documents into the language requested to ensure accessibility. At a minimum RTA’s Title VI policy, LEP 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 sub-contractor activities are also covered under these resources. The RTA will provide translation and interpreter services if given sufficient notice.

C. 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 strong 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 rather provides a guide for recipients that would like greater certainty of compliance than can be provided by a

fact-intensive, four-factor analysis. For example, even if a Safe Harbor is not used, if written translation of a certain document(s) would be so burdensome as to defeat the legitimate objectives of its program, it is not necessary. Other ways of providing meaningful access, such as effective oral interpretation of certain vital documents, might be acceptable under such circumstances.

Strong 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.

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
- Intake and application forms
- Written notices of rights
- Notice of denials, losses, or decreases in benefits or services
- Notice of person’s rights under Title VI

The languages that trigger the Safe Harbor threshold are: Spanish and Arabic. Thus, RTA will translate upon request all vital documents which include, but 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.

D. 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 advanced 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 in light of 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.

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.

Proposed Actions

- 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 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 coordinator 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 Coordinator.
2. The Title VI Coordinator will contact a translator from the MDOT’s Translators Resource List to determine the specifics of the letter request information.
3. The Title VI Coordinator 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.

E. 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.

F. 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 as needed, but at a minimum every three years. RTA will also use self-reported information from public meeting sign-in sheets during LEP Plan updates. The LEP 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.

G. 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 LEP 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.

H. LEP Plan Access

A copy of the LEP plan document can be requested at RTA's main 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:

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1001 Woodward Avenue, Suite 1400
Detroit, MI 48226
313-402-1020