

# Title VI Program and Procedures

Kalamazoo Metro Transit

2015

**Table of Contents**

SECTION 1	Title VI Program, Public Notice, Complaint Determination & Records of Complaints	<b>2</b>
SECTION 2	Public Instructions for Filing a Complaint	<b>5</b>
SECTION 3	Title VI Complaint Process Overview	<b>5</b>
SECTION 4	Title VI Investigation Determination and Resolution Strategies, Pending Cases	<b>7</b>
SECTION 5	Limited English Proficiency Plan (LEP)	<b>8</b>
SECTION 6	Public Participation & Dissemination of the Title VI/LEP Plan	<b>16</b>
SECTION 7	Title VI Minority Representation on Non-Electric Boards & Councils	<b>17</b>
SECTION 8	Internal Equity Evaluation of Fare & Service Changes	<b>19</b>
SECTION 9	Service Standards; Vehicle Load, Headway, On-Time Performance, & Availability	<b>25</b>
SECTION 10	Service Policies: Vehicle Assignment & Transit Amenities	<b>28</b>
SECTION 11	Environmental Justice Policy Guidance for FTA Recipients	<b>31</b>
APPENDIX A	Title VI Correspondence Letters	<b>38</b>
APPENDIX B	Community Organizations Serving LEP Populations	<b>45</b>
APPENDIX C	Instructions for LEP Language Interpretation Assistance	<b>48</b>
APPENDIX D	Policy regarding the Use of Interpreters/Translators	<b>49</b>
APPENDIX E	List of Bilingual Staff	<b>50</b>
APPENDIX F	LEP Documentation Form	<b>51</b>
APPENDIX G	Title VI Public Notice	<b>52</b>
APPENDIX H	Title VI Program Complaint Form	<b>53</b>
APPENDIX I	Notice Displayed on All Service Vehicles	<b>55</b>
APPENDIX J	Title VI Transit-Related Investigations, Lawsuits, & Complaints	<b>56</b>
APPENDIX K	Authority Board Review & Approval of Title VI Program	<b>57</b>
APPENDIX L	Environmental Justice Program Notice	<b>58</b>
APPENDIX M	Example of Maps and Data Used	<b>60</b>
APPENDIX N	Public Input Process Timeline	<b>61</b>

## **Section 1: Title VI Program, Public Notice, Complaint Determination & Records of Complaints**

Kalamazoo Metro Transit serves as the federal recipient of Section 5307 funds for the Kalamazoo County area. As a recipient of federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related Title VI statutes, Metro Transit assures that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied benefits thereof, or otherwise be subjected to discrimination under any Metro Transit programs or activities. These prohibitions extend to all programs funded in whole or in part from federal financial assistance and are subject to Title VI requirements.

This policy is intended to establish a procedure under which complaints alleging discrimination in Metro Transit provisions, services, or activities can be made by persons who are not Metro Transit employees.

### **Title VI Program Objectives**

The procedures described and outlined within the following pages of the Title VI Program will enable Kalamazoo Metro Transit to:

- Ensure that the level and quality of public transit service is provided in a nondiscriminatory manner;
- Promote full and fair participation in public transportation decision-making without regard to race, color, or national origin;
- Ensure meaningful access to transit-related programs and activities by persons with limited English proficiency.

### **Requirement to Provide Additional Information**

The Federal Transit Administration may request, at its discretion, information other than that required by Circular FTA C 4702.1B (October 1, 2012) in order for FTA to investigate complaints of discrimination or to resolve concerns about possible noncompliance with DOT's Title VI regulations.

NOTE: Any person who believes Kalamazoo Metro Transit or any entity who receives federal financial assistance from or through Metro Transit (i.e. sub-contractors or sub-grantees) has subjected them or any specific class of individuals to unlawful discrimination is encouraged to file a complaint of discrimination.

## **Title VI Public Notice**

Kalamazoo Metro Transit has created a public notice that it complies with Title VI, including instructions to the public on how to file a discrimination complaint. The public notice is available in English and Spanish languages. A notice is posted on Metro Transit's website, and is posted at the Kalamazoo Transportation Center. The public notice (Appendix I) is posted on all Metro Transit and Metro County Connect buses. Title VI brochures are stocked at the Metro Transit offices and at the Kalamazoo Transportation Center and on-board fixed route buses where literature holders are available.

The Title VI statement and policy are reviewed annually with Metro Transit staff as part of the LEP training session.

## **Title VI Complaint Determination & Records of Complaints**

Any Title VI complaints received by Kalamazoo Metro Transit will be investigated and will follow the sequence of steps detailed in the section Title VI Complaint Process Overview later outlined in this document. A Title VI master data file will be maintained.

The Title VI master data file includes such key information as:

- Basic information about the complaint such as –
  - When it was filed
  - Who filed it
  - Who it was against
  - Where the incident occurred
  - Any identified witnesses
- A description of the nature of the alleged discriminatory action
- Notes/Status of the investigation
- Findings of the investigation

Kalamazoo Metro Transit will follow timelines set forth in guidance from the Department of Transportation for processing Title VI discrimination complaints. Forms are available to the public upon request and are shown in Appendix H.

## **When to File**

A complaint of discrimination must be filed within 180 calendar days of the alleged act of discrimination, or discovery thereof—or where there has been a continuing course of conduct, the date on which the conduct was discontinued. Filing means a written complaint must be postmarked before the expiration of the 180-day period. The filing date is the day the compliant form is completed, signed and mailed. The complaint form and consent/release

form (Appendix H) must be dated and signed for acceptance. Complaints received more than 180 days after the alleged discrimination will not be processed and will be returned to the complainant with a letter explaining why the complaint could not be processed and alternative agencies to which a report may be made.

### **Where to File**

In order to be processed, signed original complaint forms must be mailed or hand delivered to:

Title VI Complaint  
Kalamazoo Metro Transit  
530 N. Rose  
Kalamazoo, MI 49007

Upon request, reasonable accommodations will be made for persons who are unable to complete the complaint form due to disability or limited English proficiency. A complaint may also be filed by a representative on behalf of a complaint. Persons not satisfied with the findings of Metro Transit may seek remedy from other applicable state or federal agencies.

### **Required Elements of a Complaint**

In order to be processed, a complaint must be in writing and contain the following:

- Name(s), and addresses(s) and business(es)/organization(s) of person(s) who allegedly discriminated.
- Date of alleged discrimination.
- Basis of complaint (i.e. race, color, or national origin).

### **Incomplete Complaints**

Upon initial review, the Title VI Specialist will ensure that the form is complete and that any initial supporting documentation is provided. Should deficiencies be found, the Title VI Specialist will notify the complainant within 10 working days. If reasonable efforts to reach the complainant are unsuccessful or the complainant does not respond within the time period specified in the request (30 days), the recipient may close the complainant's file. The complainant may resubmit the complaint provided it is filed within the original 180-day period.

Should the complaint be closed due to lack of required information, Metro Transit will notify the complainant at their last known address. In the event the complainant submits the missing information after the file has been closed, the complaint may be re-opened provided it has not been more than 180 days since the date of the alleged discriminatory action.

## Section 2: Public Instructions for Filing a Complaint

The following instructions are provided to the public on-board all public use Metro Transit vehicles (Appendix I) and are provided on the organizational website: [www.kmetrco.com](http://www.kmetrco.com) under the *About Metro* section alongside the Title VI Complaint Form.

*If you feel a violation of the nondiscrimination requirements of Title VI of the Civil Rights Act of 1964 has occurred, please do the following:*

*The Federal Transit Administration (FTA) recommends that Title VI complaints be filed first with Kalamazoo Metro Transit. If you are unsatisfied with our resolution, you may file a complaint with FTA or the US Secretary of Transportation. All complaints must be filed in writing and will receive a written response.*

*To file a complaint in writing, direct the information to: Kalamazoo Metro Transit, Attn: Title VI Compliance, 530 N. Rose St., Kalamazoo, MI 49007.*

*Please include: Your name, address and telephone number; how, when and why you believe you were discriminated against; as much background information as possible; the date, time of day, names of individuals involved, bus number or route number (if possible).*

## Section 3: Internal Procedures for Processing Complaints

### Title VI Complaint Process Overview

The following describes how a discrimination complaint is handled once received by Metro Transit. This overview is also posted on the organizational website: [www.kmetro.com](http://www.kmetro.com) under the *About Metro* section, alongside the Title VI Complaint Form.

1. A complaint is received by Kalamazoo Metro Transit:

Complaints must be in writing and signed by the complainant or their designated representative. If the complainant is unable to complete the form in writing due to disability or limited English proficiency, upon request reasonable accommodations will be made to ensure the complaint is received and processed in a timely manner. Complainants wishing to file a complaint who do not have access to the internet nor ability to pick up a form will be mailed a form for the complainant to complete. The complainant will be notified if the complaint form is incomplete and asked to furnish the missing information.

2. Complaint is logged into tracking database:

Completed complaint forms will be logged into the complaint tracking database; basic data will be maintained on each complaint received.

3. Review complaint:

Metro Transit's Title VI Specialist will complete an initial review of the complaint. The purpose of the review is to determine if the complaint meets the basic criteria. Criteria required for a complete complaint—

- Basis of alleged discrimination (i.e. race, color, or national origin).
- Determination of timeliness will also be made to ensure that the complaint was filed within the last 180 day time requirement.

4. Initial written notice to complainant:

Within 10 working days of the receipt of the complaint, Metro Transit will send notice to the complainant confirming receipt of the complaint; if needed the notice will request additional information, notify complainant that the activity is not related to a Metro Transit program or activity, or does not meet deadline requirements. Conclusions made in step three will determine the appropriate response to the complaint. Examples of response letters are located in the Appendix A of the Title VI Plan. If any additional information is needed from the complainant, it will be communicated at this point in the process.

5. Investigation of the complaint:

The Title VI Specialist will confer with the Director to determine the most appropriate fact finding process to ensure that all available information is collected in effort to reach the most informed conclusion and resolution of the complaint. The type of investigation techniques used may vary depending on the nature and circumstances of the alleged discrimination. An investigation may include but is not limited to:

- Internal meetings with Metro Transit staff and legal counsel.
- Consultation with state and federal agencies.
- Interview(s) of complaint(s).
- Review of documentation.
- Interview and review of documentation with other agencies involved.
- Review of technical analysis methods.
- Review of demographic data.

6. Determination of investigation

An investigation must be completed within 60 days of receiving the complete complaint, unless facts and circumstances warrant otherwise. A determination will be made based on information obtained. The Title VI Specialist, Director, and/or designee will render an action recommendation, including formal and/or informal resolution strategies in a findings report.

7. Notification of determination

Within 10 days of completion of an investigation, the complainant must be notified by the Title VI Specialist of the final decision. The notification will advise the complainant of his/her appeal rights with state and federal agencies if dissatisfied with the final decision. A copy of this letter, along with a report of the findings, will be forwarded to the Michigan Department of Transportation and Federal Transit Administration for informational purposes only.

#### **Section 4: Title VI Investigation Determination & Resolution Strategies, Pending Cases**

Should an investigation conclude or indicate that Metro Transit acted in violation of a complainant's Title VI rights—whether directly or indirectly—corrective actions will be taken by Metro Transit, for individual employees and/or Metro Transit as a whole, including appropriate efforts to educate, train, monitor, re-evaluate policy, and/or, if warranted, administration of disciplinary measures.

##### **Title VI Complaint Form**

A sample of the Title VI complaint form is shown in Appendix H. A Spanish-language version of the Title VI form is available upon request from Metro Transit staff members.

##### **Title VI Investigations, Complaints, Lawsuits**

To date, Metro Transit has not recorded any Title VI investigations, nor has it received any complaints or lawsuits since the last update of this plan. A form (Appendix J) is prepared for recording summary information, complaint basis, status of investigations, and any important notes pertaining to an incident.

## Section 5: Limited English Proficiency Plan

### Introduction

On August 11, 2000, the President signed Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency.” The Executive Order requires Federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them. It is expected that agency plans will provide for such meaningful access consistent with, and without unduly burdening, the fundamental mission of the agency. The Executive Order also requires that the Federal agencies work to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies and governments, private and non-profit entities, and sub-recipients.

Federally assisted recipients are required to make reasonable efforts to provide language assistance to ensure meaningful access for LEP persons to the recipient’s programs and activities. To do this, the recipient should:

1. Conduct the four-factor analysis.
2. Develop a Language Access Plan (LAP).
3. Provide appropriate language assistance.

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

As part of its Title VI Plan, Kalamazoo Metro transit has developed the following Limited English Proficiency Plan. The plan’s contents are consistent with the guidance on an effective language implementation plan expressed in Section VII of the U.S. Department of Transportation’s Policy Guidance Concerning Recipients’ responsibilities to Limited English Proficient (LEP) Persons [Federal Register: December 14, 2005} (Volume 10, Number 239).

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

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

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

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

#### **Four Factor Analyses**

The DOT guidance outlines four factors recipients should apply to the various kinds of contacts they have with the public to assess language needs and decide what reasonable steps they should take to ensure meaningful access for LEP persons.

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

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

After completing the above four-factor analysis, recipients can determine the appropriate "mix" of LEP services required. Recipients have two main 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. For instance, a public service provider in a largely Hispanic neighborhood may need immediate oral interpreters available and decide to hire full-time bilingual staff. In contrast, there may be circumstances where the importance and nature of the activity and number of proportion and frequency of contact with LEP persons may be low and the costs and resources needed to provide language services may be high in which pre-arranged language services for the particular service may not be necessary. The languages spoken by the LEP individuals with whom the recipient has frequent contact often determine the languages into which documents will need to be translated and the types of interpreters that can be provided.

More detail on the points discussed above and information on other considerations are found in the Department of Transportation issued Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons, Federal Register, December 14, 2005 (Volume 70, Number 239).

### **Factor 1: The Proportion, Number, and Distribution of LEP Persons**

The U.S. Census Bureau American FactFinder has a range of four classifications of how well persons speak English. The classifications used are "very well," "well," "not very well," and "not at all." For Metro Transit's planning purposes, we are considering people that speak English less than "very well" as Limited English Proficient persons.

Table 1: Population 5 Years Old & Older Speaking a Language Other than English at Home.

	<b>Population 5 years old &amp; older</b>	<b>Speak a Language Other than English at Home</b>	<b>Percent Speaking a Language Other than English at Home</b>
<b>Kalamazoo County</b>	235,327	16,522	7%

Of the people 5 years old and older within the Kalamazoo Metro Transit service area (covering all of Kalamazoo County), 2.88% speak Spanish at home; 1.94% of people speak an Indo-European language at home, such as Armenian, Bengali, French, German, Russian, Swedish, and others; 1.30% speak an Asian and Pacific Island language at home, such as Chinese, Japanese, Laotian, Vietnamese, and others.

Table 2:

The Proportion of Population 5 Years Old or Older Speaking English Less than "Very Well."

Kalamazoo County	Population 5 years old & older Speaking a Language Other Than English at Home	Percent Speaking English less than "Very Well"
Spanish or Spanish Creole	6,788	2.88%
Other Indo-European Languages	4,584	1.94%
Asian and Pacific Island Languages	3,071	1.30%
Other Languages	2,079	0.88%

### **Factor 2: The Frequency with which LEP Individuals come into contact with the Program**

An established and growing Latino/Spanish-speaking community resides within the Kalamazoo Metro Transit service area. There are several stores and publications available to members of the community in which the primary spoken language is Spanish.

Kalamazoo Metro Transit has in the past and continues to advertise in Spanish language newspapers and publications with information provided regarding public transportation in Spanish as a way to reach out to the primarily Spanish-speaking community about their public transportation options.

Kalamazoo Metro Transit is creating a Spanish section of its website as a tool for those people in the service area of Kalamazoo County to use to access scheduling and fare information.

As part of its Limited English Proficiency Plan, Kalamazoo Metro Transit will work with staff to recognize, identify, and record the frequency with which persons identified as specific Other Indo-European language-speaking LEPs come into contact with Metro Transit staff. Possible contact points include but are not limited to: Community marketing events, telephone inquiries, transportation center walk-in visits, day-to-day bus route operations, or written or verbal inquiries or outreach, formal or informal, from related local groups and organizations. Based upon findings and occurrences, including ongoing demographic trends, Kalamazoo Metro Transit will routinely evaluate the need and feasibility of providing print information and/or direct language assistance in specific languages other than English and Spanish as part of its LEP program reviews.

### **Factor 3: The Nature and Importance of the Program, Activity, or Service Provided by the Recipient to the LEP Community**

Without a conscious effort from federal recipients to make available adequate and necessary information to all persons, some populations may not have fair and equal access to important, perhaps life-saving services. Metro Transit recognized that access to public transportation is crucial to many populations within the community in situations that potentially have serious or life-threatening implications on an LEP individual, especially compared to services such as health, emergency transportation, utilities, fire/police protection, and other emergency services.

Kalamazoo Metro Transit does understand its role within the community and operates in full agreement with the U.S. Department of Transportation's Limited English Proficiency Guidance Section V (4) recognizing that the inability of an LEP person to effectively utilize public transit (due to a large barrier) could in fact adversely affect his or her ability to obtain quality health care, child care, education, or access to employment opportunities within the service area.

Based on the demonstrated needs of members of the Spanish-Speaking community within the Kalamazoo County service area and the staff at Metro Transit, several steps have already been made to help accommodate the Spanish-speaking population. Steps are already in place for upgrading the informational website to include a Spanish language section. A new "how to" brochure is currently being created in English along with plans to also provide a Spanish language version of the brochure.

### **Kalamazoo-Area Community Organizations Serving Limited English Proficiency (LEP) Individuals**

It is the mission of Kalamazoo Metro Transit to provide the community with public transportation services that are dependable, convenient, safe, cost effective, and accessible for all. A listing (see Appendix A) identifies organizations Metro Transit has either partnered with in the past or has contacted seeking input on its LEP Plan and its overall service in general. Copies of the Plan will be submitted annually to each organization for both awareness purposes and to open the plan as well as to public feedback – all to better serve the community as a whole.

### **Factor 4: The Resources Available to the Recipient and the Overall Cost**

Although current resources remain limited, Kalamazoo Metro Transit does continue to provide Spanish language bus schedules and brochures, and an option for Spanish interpretation of its

informational website at [www.kmetro.com](http://www.kmetro.com). Availability of Spanish language “vital” documents is currently being expanded. Because the remaining LEP population in the service area does not currently represent a single yet significant proportion group of individuals, no further language assistance is planned at this time; demographic trends and frequency of contact will be monitored and incorporated into the Kalamazoo Metro Transit LEP Plan review process.

### **Identifying LEP Individuals Who Need Language Assistance**

To help identify and record the primary language of a Limited English Proficiency individual speaking a language other than Spanish, Metro Transit staff will make use of a language identification list during any such initial encounters, and to report the encounter directly to the transit system’s Marketing Coordinator.

The official listing to be utilized by Metro Transit, the 2004 Census Tract Language Identification Flashcard, has been developed by the U.S. Census Bureau and contains a check box with the phrase “Mark this box if you read or speak (name of each language)” listed in 38 different languages. The flashcard is used by governmental and non-governmental agencies to identify the primary language of LEP individuals during face-to-face contacts. The Language Identification Flashcard has been made available at the Customer Service counter at the Kalamazoo Transportation Center.

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

### **Providing Language Assistance Measures**

Spanish-language assistance will be provided for LEP individuals through the translation of key or “vital” documents and materials, as well as through oral language when necessary and when possible. Translation of all Metro Transit materials is not possible due to cost restrictions and secondary population levels that do not warrant such measures.

Plans are already underway at Metro Transit to design a “vital” information section of the transit system’s website in Spanish language. Similarly, as a new “how to” brochure is being created for the system, it is also planned to be provided in a Spanish version.

The transit system's website offers a Spanish-translation version through the use of Google Translate language translation software via link on the website home page. Beyond this scope, AAA Translation (see below) can be contacted to provide professional language translation services in more than 150 languages.

As part of the Limited English Proficiency Plan, "vital" documents (those documents deemed necessary to understanding the transit system's policies and safety measures, and for utilizing all available services) have been identified and translated into Spanish. Examples of these include the demand-response No-Show Policy, Title VI policies, Half-Fare eligibility forms, and ADA Applications.

Documents that are routinely mailed and deemed "vital" by the Metro Transit system will contain a statement in Spanish notifying the reader to request a Spanish-language version of the document. All written requests will be directed to the Metro Transit Marketing Coordinator where the document will be translated either through external or internal sources, if necessary. A professional response or action can be determined and a translation made back into the original language for return to the original LEP individual.

Since 2008, Metro Transit has recorded zero (0) contacts with Limited English Proficiency individuals other than Spanish-speaking. Kalamazoo Metro Transit has selected and will continue to provide for language interpretation services on an as-needed basis from AAA Translation at no cost to Limited English Proficiency individuals.

Contact information for AAA Translation is:  
17295 Chesterfield Airport Road, Suite 200  
Chesterfield, MO 63005  
(888) 263-0481  
[www.aaatranslation.com](http://www.aaatranslation.com)

### **Training of Staff**

Members of the Kalamazoo Metro Transit staff will be made aware of their obligations to provide meaningful access to information and services for Limited English Proficiency individuals, and will be properly trained. Metro Transit will provide and LEP review for current employees on an annual basis and will include LEP training as part of the new employee orientation process.

Management staff will also be made aware of the processes in place so they can reinforce its importance and ensure its implementation by staff.

Staff training will include, but is not limited to the following:

- Understanding the Title VI LEP responsibilities
- Background on LEP populations within the service area
- Description of the type of language assistance Metro Transit currently provides
- Use of the LEP language identification flashcards
- How to use the AAA Translation language assistance service
- Documentation of LEP language assistance requests
- How to handle a complaint

In key areas, step-by-step instructions (See Appendix B) have been outlined, and as part of training, will be distributed to all transit system Customer Service and Coach Operator staff in event contact is received from an LEP person in need of interpretation services.

A policy outlining the responsibilities of all transit system employees in the use of interpreters included in Appendix C, and a listing of all bilingual staff is shown in Appendix D.

### **Providing Notice to LEP Persons of Availability of Language Assistance**

Metro Transit has established the following methods to inform Spanish-speaking LEP individuals, supporting organizations, as well as the general public, of available no-fee LEP services.

- An English/Spanish sign (see sample in Appendix F) has been incorporated into the Title VI statement and has been posted inside the common areas of the Kalamazoo Transportation Center. The notice will also allow for LEPs traveling between cities to learn of language interpretation services. The Kalamazoo Transportation Center also serves Amtrak passengers and inter-city bus lines. In the past, Metro Transit staff has assisted Spanish-speaking LEPs using transportation other than our own and will continue to do so when needed.
- A phrase in English/Spanish has been added to master copies of bus schedules and will be included in future printing of these schedules reminding passengers of the availability of language services offered by Metro Transit, free of charge.
- When requested in advance, Metro Transit will have present at least one Spanish-speaking member of the staff at any public meeting intended for educational purposes or for gathering community input. Spanish-speaking staff will be on-hand to serve LEPs during community marketing events and shows, when possible, especially given scenarios

where demographics point to a higher probability of participation by Spanish-speaking LEPs.

- A notice has been posted on Metro Transit’s website [www.kmetro.com](http://www.kmetro.com) under the “Contact Us” section notifying users of the availability of language assistance at no cost to the user. The notice has been posted in both English and Spanish.
- On an annual basis Metro Transit will mail/email copies of its LEP Plan and seek input from local organizations who serve the LEP population (list shown in Appendix A), while at the same time notifying them of available language services offered by the transit system.

Current budget and staff limitations do not allow for the implementation of all available notification techniques. However, Metro Transit will consider additional notification options in the future, especially those suggested within the LEP community.

### **Monitoring and Updating the LEP Plan**

Metro Transit’s Limited English Proficiency Plan has been designed to be flexible and can easily be updated as needed. At a minimum, the LEP plan will be evaluated and updated on an annual basis.

Each update will include but will not be limited to a review of the following information:

- Feedback and frequency from documentation/recorded LEP encounters.
- Establishing whether or not LEP needs have been met through existing assistance.
- Nature and importance of activities to LEP persons.
- Evaluating local population/demographic changes, particularly among LEPs.
- Feedback from passengers and community organizations.
- A review of whether any complaints have been received.
- Availability of resources and the costs imposed.

## **Section 6: Public Participation & Dissemination of the Title VI Plan**

As noted previously, the Metro Transit Title VI/LEP Plan is posted on the website [www.kmetro.com](http://www.kmetro.com). For individuals without internet services, the Kalamazoo Public Library offers web access free-of-charge. Following updates, the LEP Plan will be emailed to local community organizations serving LEP individuals (Appendix B).

The Plan will be available upon request in hard copy at the Kalamazoo Transportation Center. Requests will also be fulfilled via mail or sent electronically in .pdf format over email.

Questions or comments regarding the Title VI or LEP plans should be directed to:

Kelly Vander Kley, Title VI Program Specialist  
Kalamazoo Metro Transit  
530 N. Rose Street  
Kalamazoo, MI 49007  
Phone: 269.337.8479  
Email: [vanderkleyk@kalamazoocity.org](mailto:vanderkleyk@kalamazoocity.org)

## **Section 7: Title VI Minority Representation Non-Elected Boards and Councils**

The non-elected boards and councils are representative of the community. Efforts are made to include representation that is reflective of those living within Kalamazoo County.

The following procedures are in place for selecting representation for the Local Advisory Committee of the Kalamazoo Transit Authority Board:

### **Section 1 - Appointment**

The members of the LAC shall be those individuals appointed by the Board, pursuant to the Board's Bylaws. Any vacancy in membership on the LAC shall be filled as provided in the Board's Bylaws.

### **Section 2 – Representation**

Representation on the LAC shall be comprised of four (4) members representing the disabled community; three (3) members representing the senior community; six (6) members representing the jurisdictions served by Kalamazoo Metro Transit System fixed-route services – the City of Kalamazoo, City of Portage, Comstock Township, Kalamazoo Township, Oshtemo Township, and the City of Parchment; one (1) member representing Kalamazoo County; and one (1) member representing rural Kalamazoo County.

### **Section 3 - Term of Office**

The term of office of an LAC member shall be three (3) years. Board members may not be elected to more than two (2) consecutive terms. Members whose terms of office

have expired will continue to hold office until a successor has been appointed. Terms of office for the initial appointments to the LAC will expire on January 31, 1995.

Members representing Jurisdictions served by Kalamazoo Metro Transit will be exempt from the term limits set forth in this section.

#### **Section 4 - Removal from Office**

Members of the LAC may be removed only by the Board.

#### **BACKGROUND**

The demand-response program needs to comply with ACT 51, PUBLIC ACTS 1951 AS AMENDED, part of the Michigan Transportation Law. This Act governs state funding for the program and establishes criteria for a local advisory council. The local advisory council must have at least 50% membership representing persons with disabilities and persons 65 years of age or older. At least one member, or the equivalent of 12%, must also be jointly approved with the Area Agency on Aging.

The local advisory council must review and approve an accessibility plan for submission to the state for approval. The LAC currently approves the accessibility plan for Metro Van each year and the Care-A-Van program will be added to the overall accessibility plan.

The ADA Local Advisory Committee Bylaws, Section II, concerning representation need to be amended to reflect the change in membership required for the program. Under the Bylaws, the Transit Authority Board may amend, alter, change, add to, or repeal by affirmative vote of a majority of the members of the entire Board at any regular or special meeting, provided notice of the intention to amend has been included in the call.

New representative positions will be filled following the ADA LAC Member Nomination Process for final recommendation to the Transit Authority Board.

The table below references, respectively, the proportion of non-elected planning boards and councils consisting of public representation with that of service-area demographic characteristics:

African	Asian	Caucasian	Latino	Native	Other*
---------	-------	-----------	--------	--------	--------

	American	American		American		
<b>Service Area Population</b>	11.2%	2.6%	78.9%	4.5%	0.5%	3.3%
<b>Authority Board</b>	28.6%	0%	71.4%	0%	0%	0%
<b>Local Advisory Council</b>	50%	0%	50%	0%	0%	0%

*Representation was effective for FY 2014 – both the Authority Board and the Local Advisory Committee were in the process of filling vacancies at the time this document was prepared.*

*Source: U.S. Census Bureau at <http://quickfacts.census.gov/qfd/states/26/26077.html> 2013 data.*

*\*Those identifying as Native Hawaiian and Other Pacific Islander, Some Other Race, or Two or More Races.*

Efforts will continue to encourage the participation of minorities on Metro Transit committees. Recruiting efforts planned or used in the past to fill open or newly-created board or council seats include:

- Public notice of board or committee vacancies, particularly in media used more heavily by minorities.
- Recruiting ads onboard buses or via social media, encouraging minority representation.
- Outreach to local chapters of minority service organizations.
- Personal inquiry (verbal or written) among informal networks, business partners, or transit users.
- Allowing additional time for vacancies to remain open, to allow time to get the word out.
- Maintaining/expanding the atmosphere of representation among drivers and other staff within the workplace.

## **Section : Internal Equity Evaluation of Fare and Service Changes**

Kalamazoo Metro Transit – as part of its compliance with 49 CFR Section 21.5(b)(2), 49 CFR Section 21.5(b)(7) and Appendix C to 49 CFR Part 21 – shall evaluate significant system-wide service and fare changes and proposed improvements at the planning and programming stages to determine whether those changes have a discriminatory impact or are outside the threshold for findings of disparate impact and disproportionate burden for service changes.

**For service changes, this requirement applies to “major service changes” only, as defined by Kalamazoo Metro Transit as a service change that will result in a net loss or gain of at least five percent (5%) of total service miles.**

Adverse effects of a major service change to the existing system are borne disproportionately by protected populations or riders when either (a) the difference between the affected service's protected ridership share and the overall system's protected ridership share is equal to or greater than 5%, or (b) the difference between the percent change in travel times for protected populations or riders is equal to or greater than 5% when compared to the percent change in travel time for non-protected populations or riders. New fare structures will be considered to have a disproportionate impact when the applicable difference is equal to or greater than 5%.

Kalamazoo Metro Transit has in place the following internal procedure designed to evaluate the impacts of "major service changes" and/or fare changes:

In determining whether this procedure applies to a specific reduction, Kalamazoo Metro Transit shall calculate and compare the total current service miles for seven (7) calendar days to the proposed estimated total service miles to be provided for a seven (7) calendar day period after reduced service would be implemented.

1. Assessment of the effects of the proposed fare or service change on minority and low-income populations.
  - a. Route Changes: For proposed major service changes that would reduce or expand frequency of service or add or eliminate routes, and for general references purposes related to other projects, Kalamazoo Metro Transit has on file the latest available U.S. Census demographic maps – including Kalamazoo County – that show the spatial distribution of the following demographic info (Appendix A):
    - i. Percent of Population Who Are African American
    - ii. Percent of Population who are Asian
    - iii. Percent of Population who are Hispanic/Latino

During internal review planning stages, this data will be analyzed, recreated, redrawn, or overlaid along with any proposed service enhancements or reductions to show an overall impact on minority and low-income communities.

- b. Span of Service: For proposed changes that would reduce or increase hours and days of service, Kalamazoo Metro Transit will analyze any available information generated from ridership surveys that indicates whether minority and low-income riders are more likely to use the service during the hours and/or days that would be eliminated or added.
        - c. Fare Changes: For proposed changes that would increase fares on certain transit modes or by fare payment type or payment media, Kalamazoo Metro Transit will analyze any available information generated from ridership surveys indicating whether minority and low-income riders are more likely to use the mode of service, payment type, or payment media that would be subject to the fare increase.
2. Assessment of the alternatives available for people affected by the fare increase or major service change.
  - a. Service Changes: For proposed service changes, Kalamazoo Metro Transit will analyze what, if any, modes of transit or transit routes are available for people affected by the service expansions or reductions. This analysis will compare the travel time/cost of the current route with the travel time/cost to the ride alternatives.
  - b. Fare Changes: For proposed fare changes, Kalamazoo Metro Transit will analyze what, if any, alternative transit modes, fare payment types, or fare payment media are available for people affected by the fare change. The analysis will compare the fares paid under the change with fares paid through other available alternatives.
3. Determine which, if any, of the proposals under consideration would have a disproportionately high and adverse effect on minority and low-income populations. Kalamazoo Metro Transit can implement a fare increase or major service reduction that would have disproportionately high and adverse effects and provided that Kalamazoo Metro Transit demonstrates that the action meets a substantial need that is in the public interest and that alternatives would have more severe adverse effects than the preferred alternative.

4. Upon determining whether this procedure applies to a specific service reduction, the process for soliciting and considering public comment before raising fares or implementing a major service reduction area as follows:
  - a. Metro Transit passengers will be notified of a proposed fare increase or major service reduction not less than forty-five (45) days before such changes are scheduled to take place. Such notification will take place by display of information on the modesty panel or similar location on each bus on a posting of at least 8.5"x11". The posting will include the proposed change, the proposed date of the change, and will provide passengers with the opportunity to provide written comment and/or to request a public hearing. The address to which written comment can be sent will be included in the notice. The deadline for written comment or request for public hearing will be included in the posting. Finally, the posting will include the date at which the Transit Authority Board of Directors will consider the proposed fare increase or major schedule reduction, inviting the public to attend.
  - b. All Metro County Connect riders who are ADA certified will be notified of a proposed fare increase or major service reduction not less than forty-five (45) days before proposed changes are scheduled to take place will be notified in writing and by mail delivery of Metro Transit's proposed fare increase or major service reduction. A copy of the posting placed on each of the buses, in a size of at least 8.5"x11" is considered to be appropriate notification, but any format which provides all of the information provided to line haul passengers (as included from Item "a" above) can be substituted if desired.
  - c. All agencies with which Metro Transit has contractual arrangement for provision of public transportation service (as of January, 2015 – only Western Michigan University) will receive written notification of a proposed fare increase or major service reduction not less than forty five (45) days before such changes are schedule to take place. Notice to governmental jurisdictions will include a request to provide notice to the public during their next regularly scheduled meeting which includes the proposed change, the proposed date of the change, and offer the public the opportunity to provide written comment and/or to request a public hearing, and the address to which such written comment should be submitted. The request for public

notice will also include the date at which the Board of Directors will consider the proposed fare increase or major service reduction, inviting the public to attend.

Agencies with which Metro transit has contractual arrangement for provision of public transportation services will also be invited to provide written comment and/or to request a public hearing in regard to the proposed fare increase or major service reduction.

- d. Notice to governmental jurisdictions where services are provided will include a request to provide notice to the public during their next regularly scheduled meeting which includes the proposed change, the proposed date of the change, and offer the public the opportunity to provide written comment and/or to request a public hearing, and the address to which such written comment should be submitted. The request for public notice will also include the date at which the Authority Board will consider the proposed fare increase or major service reduction, inviting the public to attend.
- e. A public notice will be placed in the *Kalamazoo Gazette* not less than thirty (30) days before such changes are scheduled to take place. Such notification will include the proposed change, the proposed date of the change, and will provide the public with the opportunity to comment and/or to request a public hearing. The public notice will include the address at which written comment or request for public hearing will be received, and a deadline for receipt of such written request. In addition, the public will be invited to attend the Transit Authority Board meetings as appropriate when the proposed fare increase or major service reduction is considered for approval.
- f. Upon completion of the public comment period, Kalamazoo Metro Transit staff will 1) determine whether a request for a public hearing has been made; and 2) compile all correspondence received regarding the proposed fare increase and/or major service reduction.
  - i. If a written request for public hearing is received, Kalamazoo Metro transit will submit a request to the authority board to schedule and hold a public hearing at the earliest possible date, but not less than fourteen (14) calendar days after such public hearing date has been

established by the authority board, nor before the date of the next regularly scheduled board meeting.

- ii. Copies of the written comment regarding the fare increase and/or major service reduction will be prepared for presentation to the board at the date and time stated in public notices as described above, along with specific information regarding the proposed fare increase and/or proposed major service reduction.
- g. When requested in writing and in conformance with public notices, the Transit Authority Board will schedule a formal public hearing to discuss a fare increase and/or major service reduction at its next regularly scheduled meeting, for a date not less than fourteen (14) calendar days after such public hearing date has been established by the Transit Authority Board of Directors.
- h. The Authority Board will review and consider written comment regarding the proposed fare increase and/or major service reductions at the time and place published in the public information notices distributed as outlined in this procedure. The Authority Board will also offer the opportunity for public comment at the place in the agenda where the proposed fare increase and/or major service reduction is discussed.
- i. Upon receipt of all public comment and all written comment, the Authority Board will consider all public comment at a public hearing, if requested by the public. If no public hearing is requested by the public, Kalamazoo Metro Transit will request that the Authority Board consider and accept a fare increase and/or major service reduction. Approval of the proposed fare increase and/or major service reduction by the Authority Board will be considered final approval of the proposal.

### **Finding a Disparate Impact**

Should Metro Transit find that minority populations or riders experience disproportionate impacts from the proposed change, Metro Transit should take steps to avoid, minimize, or mitigate disparate impacts. If the additional steps do not mitigate the potential disparate impacts on minority populations, pursuant to FTA Circular 4702.1B, Kalamazoo Metro Transit may proceed with the proposed major service or fare change only if Metro Transit can show that:

- A substantial legitimate justification for the proposed major service or fare change exists and,
- There are no alternatives serving the same legitimate objectives that would have a less disproportionate impact on minority populations.

### **Finding a Disparate Burden**

Should Metro Transit find that low-income populations or riders experience disproportionate impacts from proposed major service or fare changes, pursuant to FTA Circular 4702.1B, Metro Transit should take steps to avoid, minimize, or mitigate impacts where practicable. Metro Transit shall also describe alternatives available to low-income populations affected by service or fare changes.

### **Cumulative Impacts**

The cumulative impacts of similar, major service changes or similar fare changes occurring during a three-year Title VI reporting period will be analyzed as part of an equity analysis.

## **Section 9: Service Standards – Vehicle Load, Headway, On-Time Performance, & Availability**

The Federal Transit Administration requires all fixed-route public transportation providers to develop quantitative standards for each transportation mode: vehicle load, vehicle headway, on-time performance, and service availability. Individual public transportation providers set these standards; therefore, these standards will apply to each individual agency rather than across the entire industry.

Kalamazoo Metro Transit has adopted system-wide service standards for its fixed route and demand-response services. These standards – summarized below – were developed and implemented to better help Kalamazoo Metro Transit in its goal of achieving equity among all transit customers in service design and operations decisions.

### **Vehicle Load Standards**

Load factor is generally expressed as the ratio of passengers to the number of seats on a vehicle, relative to the vehicle's maximum load point. For example, a 1.0 load factor means that every seat on a 40-foot bus is occupied; and a load factor of 1.3 means that every seat on the bus is full and the number of standees equals 30% of the number of seats on the bus, or approximately 12 standees.

Factors used to determine maximum load factors on Metro Transit vehicles include the following:

- Current and expected fixed-route ridership counts
- Expected standing time during the hourly fixed route headways
- The number of passenger entry/exit doors available per service vehicle category
- Internal movement for boarding/alighting passengers, particularly with single-door vehicles.

For Kalamazoo Metro Transit, the average of all loads during a peak or off-peak operation should not exceed vehicles' achievable capacities, which are 40 passengers for a 35' Gillig low floor bus and 52 passengers for a 40' low floor bus.

The data is additionally expressed in tabular format below:

Fixed Route Vehicle Type	Seated	Standing	Total	Maximum Load Factor
35' Gillig Low Floor	31	9	40	1.3
35' Gillig Low Floor Hybrid Electric	32	9	41	1.3
40' Gillig Low Floor	40	12	52	1.3

### Vehicle Headway Standards

Vehicle Headway is defined as the measurement of time between buses on a transit line. At Kalamazoo Metro Transit, service operates on 20 routes with 9 routes every 60 minutes (50-55 minutes on-route, 5-10 minutes transfer time) from early morning to early night six (6) days a week. Hourly service should begin no later than 6:00 a.m. and continue until 10:00 p.m. 10 routes operate every 30 minutes (25 minutes on-route, 5 minutes transfer time) from early morning to early night six (6) days a week. Half hour service also should begin no later than 6:00 a.m. and continue until 10:00 p.m.

Fixed-route planning and scheduling involves consideration of a number of factors, including but not limited to: transit/pedestrian friendly streets, density of transit-dependent population and activities, relationship to major transportation developments, land use connectivity, and realized and expected ridership trends and growth rates.

### On-Time Performance

Kalamazoo Metro Transit – in keeping with industry standards – considers a fixed-route vehicle on time if it arrives at a bus stop no more than one (1) minute early and departs no more than five (5) minutes late. The on-time performance definition for demand-response service is the arrival of the vehicle for pickup within the prearranged 30-minute window of time. The on-time fiscal year performance goal for Kalamazoo Metro Transit fixed-route and demand-response service is currently being analyzed since the addition of state-of-the art Global Positioning Systems (GPS) and live tracking software which enables data to be generated to track the accuracy of on-time performance. Service goals will be set following industry standards in 2015.

### **Service Availability**

Service is provided within Kalamazoo County. The service area is 526 square miles with a population total of 254,580. Fixed-route buses provided 1,509,946 miles of service in 2014 with 111,539 hours in service on 20 bus routes. Demand-response service covers all of Kalamazoo County.

Kalamazoo Metro Transit’s demand-response service, Metro County Connect, provides service during times and hours that are complimentary to the fixed-route bus service. Following the requirements of the Americans with Disabilities Act of the United States Department of Justice Civil Rights Division, demand-response service for ADA-qualifying passengers is provided within  $\frac{3}{4}$  of a mile of a regular fixed-route bus route.

### **Service Standards on Demand-Response Vehicles**

Shared rides shall be arranged whenever possible, and at a minimum, whenever two or more recipients of the service are traveling near the same places at approximately the same times.

Services are to be provided to passengers within a 30-minute window of the scheduled pick-up time. Drivers may arrive up to fifteen (15) minutes prior to the scheduled pick-up time. However, drives may not leave a scheduled pick-up location until either all scheduled passengers have boarded or five (5) minutes past the scheduled pick-up time when the passenger(s) have not boarded the vehicle. Before departing any schedule pick-up location, a driver must notify their dispatch office and receive permission from the dispatcher to record the trip as a “no show”.

Passengers shall be notified by telephone if their scheduled vehicle is anticipated to arrive more than fifteen (15) minutes later than the scheduled pick-up time. If the passenger does not receive any call within thirty (30) minutes of scheduled pick up time and still takes the trip, that trip will be free to the passenger. Pick-ups are to be on time 95% of the time.

Passengers will be dropped off at their destinations in a timely manner. Passengers should not be dropped off more than thirty (30) minutes prior to appointments, work or desired drop off times. Passengers will not be dropped off before buildings open and there is no place they can wait.

All ADA passenger trips should be comparable to trip distances and associated travel times to those of the fixed-route service areas where those trips take place to ensure there is no practice or pattern of excessive trip lengths. At least 95% of complementary ADA paratransit trips shall have travel times equal to or less than comparable fixed-route travel times, taking into account the time it takes to walk to a stop, waiting times, in-vehicle times and transfer times. This standard may be relaxed, for example, in the event of inclement weather. Demand-response passengers should not be kept on any vehicle longer than the reasonable amount of time to pick up passengers along a route and complete the length of the route.

## **Section 10: Service Policies—Vehicle Assignment & Transit Amenities**

Federal regulations require that system-wide policies are adopted and are necessary to guard against discriminatory service design or operations and policies that have disparate impacts.

### **Vehicle Assignment Policy**

Vehicle assignments at Kalamazoo Metro Transit area made based on need criteria. The criteria is:

All of Kalamazoo Metro Transit's fixed-route buses are equipped with wheelchair lifts and can accommodate up to two wheelchairs. The fleet is comprised of 35' and 40' vehicles. These vehicles are assigned at random to scheduled routes based on the demand for seating and accessibility of the route. Those routes servicing tight lot areas are typically assigned 35' buses to allow safe passage and those routes with higher passenger use are more often assigned 40' buses to accommodate need for space within the vehicles.

## Equity Evaluations

Kalamazoo Metro Transit, like other transit agencies, adjusts services periodically to ensure that the needs of the community take into consideration growth and change and that the needs of individuals are being met in a way that service is provided throughout the Kalamazoo County service area. Metro Transit anticipates routine schedule adjustments, service additions, and service deletions in response to both ridership levels and community requests. Metro Transit considers Title VI requirements in the planning and implementation of services and in revision of services.

## Transit Amenities Policy

Kalamazoo Metro Transit has in place a policy regarding the implementation of transit amenities, defined as an investment in property or services that make riding public transportation a more pleasant experience. Transit amenities typically include the installation of such things as bus stop shelters, benches, or trash receptacles, but may also include enhanced signage, transit vehicle improvements, technological upgrades (wireless internet), the design of new services or routes, rider incentive programs, or the locating of transit service facilities.

Factors generally considered in the creation, placement or installation of transit amenities:

- Availability of funding from federal, state, or local government, or through partnerships with the public
- Number of passengers using a bus stop, or expected to benefit from the enhancement
- Community input or suggestion
- Proximity to commercial, medical or residential areas, or existing accessible sidewalks
- Proximity to inbound/outbound portions of a route, or transfer points to other fixed routes
- Space or property availability for amenity construction – whether within the public right-of-way or through private property legal agreements
- The physical suitability of placement

- Overall safety and ease of accessibility

The standards listed below are to be applied when making a bus shelter location recommendation. These standards are based on criteria suggested in the *TCRP Report 19 – Guidelines for the Location and Design of Bus Stops*. This report indicated that in most cases, the estimated number of passenger boardings had the greatest influence on bus shelter locations. Based upon this, the criteria used to evaluate the potential for placing a bus shelter is on a weighted-point system with estimated passenger boardings receiving the most weight, but without it alone being the final or only criteria. The standards with their accompanied weight are as follows:

WEIGHT	STANDARDS
6	Passenger boardings are estimated at 25 boardings or more per day
3	Space available to construct a bus shelter includes ~ safe pedestrian access ~ visibility for vehicles ~ visibility for waiting passengers
3	Neighborhood or community request
2	Cost to make the location accessible should not exceed the cost of the bus shelter
2	An estimated 15% of users will be elderly and/or physically challenged
1	Location is within walking distance of a major traffic generator or activity center

It should be noted that the TCRP Report recommends the following boarding levels by area type:

LOCATION	# BOARDINGS
Rural	10 per day
Suburban	25 per day
Urban	50 - 100 per day

Selection of any of the above that accumulates eight (8) or more points indicates the suggested locations meets the standards of Kalamazoo Metro Transit.

Kalamazoo Metro Transit believes the most successful public transit improvements are those that fulfill an important community need. Providing an amenity that is in demand by passengers can lead to successful implementation. It remains important as well to consider

potential passengers and the amenities that are important to them. Additionally, in the planning and placement of transit amenities, careful consideration and review will always be followed to ensure that all citizens receive equal consideration and experience full participation and benefit without regard to minority and/or low income status.

## **Section 10: Equity Analysis for Facilities Construction**

There are no existing plans for Facilities Construction in the future for Kalamazoo Metro Transit. If future planning will include Facilities Construction, this section of the Title VI Program and Procedures will be reviewed prior to planning of the Facilities Construction to ensure the Procedures for Equity Analysis are complete.

No projects at Kalamazoo Metro Transit require land acquisition and displacement of persons from residences and business.

The remaining pages of this section highlight key aspects of conducting an Equity Analysis in the event of Facilities Construction, how that Analysis relates overall to Title VI and public transportation, and the steps required of Kalamazoo Metro Transit, a recipient of FTA financial assistance, in incorporating an Equity Analysis into plans, projects, and activities that receive funding from FTA for Facilities Construction.

### **GUIDING PRINCIPLES FOR AN EQUITABLE FACILITIES CONSTRUCTION PROJECT**

The guiding principles to conduct an Equitable Facilities Construction Project are briefly summarized as follows:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on populations without regard to race, color or national origin.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low income populations.

### **EQUITY ANALYSIS FOR FACILITIES CONSTRUCTION**

An **Equity Analysis for Facilities Construction** starts with knowing basic socioeconomic information about the people who live and/or work in the community. This information is used to determine whether a proposed activity will affect minority and/or low income populations,

after which a targeted **public engagement plan** can be developed to encourage the full and fair participation by all members of the affected communities. The public engagement plan allows guidance throughout the rest of the analysis as consideration is made to whether the proposed programs, policies, and activities will result in disproportionately high and adverse human health or environmental effects on populations without regard to race, color or national origin.

It is vital that all populations are engaged at all stages of project development in a nondiscriminatory manner. The following steps outline the engagement of all persons without regard to race, color or national origin are involved in the transportation decision-making process for Facilities Construction.

**STEP 1: KNOW YOUR COMMUNITY BY ANALYZING DEMOGRAPHIC DATA** Creation of a residential demographic profile within the planning or project area using U.S. Census Bureau data—Decennial Census of Population and American Community Survey data. Careful consideration will be used to ensure data is the most up-to-date and reliable while recognizing the purposes for which the data were originally collected, as well as consistency across data sources. Geographic units must be carefully analyzed, to ensure chosen boundaries do not artificially dilute or inflate the affected minority population and/or low-income population.

*IMPORTANT NOTE:* Disproportionately high and adverse effects, not population size, are the bases for the analysis and decisions for Facilities Construction. A very small minority or low-income population in the project, study, or planning area does not eliminate the possibility of a disproportionately high and adverse effect on these populations. Facilities Construction determinations are made based on effects, not population size.

**STEP 2: DEVELOP A PUBLIC ENGAGEMENT PLAN THAT RESPONDS TO THE COMMUNITY** When considering whether a potential effect is “adverse,” it is important to include the community that might be impacted by that effect in the discussion. What one population may perceive as an adverse effect, another may perceive as a benefit. It is also possible that, within the same population, the same action may be perceived by various segments as both an adverse effect and a benefit. The fundamental objective of public engagement programs is to ensure that the concerns and issues of everyone with a stake in transportation decisions are identified and addressed in the development of the policies, programs, and projects being proposed within the community.

The **public engagement process** is made more inviting and user-friendly by writing clear, concise, and understandable documents; by clarifying the ways for members of the public to provide comments on proposed transportation plans and projects. Examples of methods used to engage the public include:

- Customer comments through surveys and comment cards
- Internet blogs and websites concerning local public transportation

- Public meetings, listening sessions, and community forums
- Public participation/recruitment for major decisions (long-range planning or significant capital projects)
- Non-Traditional Outreach, examples of which include:
  - Informal Group Meetings: Existing community group meetings such as neighborhood associations, faith-based coalitions, and advocacy groups
  - Digital Media: Accessible via computer or mobile devices, including social media (e.g., Twitter, Facebook)
  - Direct Mail Campaigns: fliers or handbills distributed by postal mail, or at bus stops or transfer centers, or through partnerships with local schools or businesses, or community-based organizations
  - Community Led Events: Hosting information booths at community events or fairs
  - Partnerships with Community-Based Organizations and Leaders

*IMPORTANT NOTE:* Kalamazoo Metro Transit is committed to work diligently to engage in meaningful public dialogue with the all populations impacted by its plans, projects, or decisions by listening to what all populations have to say, responding to their comments and concerns, and incorporating those comments into the transportation process where practicable.

Considerations for the importance of **hosting a successful public meeting** are outlined below:

Successful Public Meetings = (Convenient Location + Convenient Times + Open Format)

Although formal public meetings, hearings, and comment periods are often required under Federal, State, or local laws, the most successful outreach engagement strategy should follow a series of more informal meetings with community groups and smaller gatherings of community members.

Key points to remember when planning public meetings include:

Considering the *location* of the meetings, including whether to hold the meeting in a location that serves the interests of all communities, such as community centers, social service organizations, or local schools:

- Is the meeting in a convenient location that is easily accessible by public transit?

- Is the room large enough and comfortable?
- Is the location accessible to persons with disabilities?

The *timing* for the meeting should be designed to allow maximum participation:

- Consider work schedules, school schedules, rush hours, meal hours, and religious worship hours when setting the date and time for the meeting. You may want to schedule more than one meeting and vary the times of meetings.
- Consider whether your community might prefer meetings scheduled for early mornings or weekends.

You should consider the *format* of the meeting to allow maximum input:

- Develop a meeting format that allows everyone to participate if they want to. This may mean setting reasonable time limits for speakers so that a few individuals do not monopolize the meeting.
- Limit your own comments. The purpose of this meeting is to hear from the public.
- Be willing to adapt the room set-up to accommodate the attendees. For example, if 100 people are expected to attend a public meeting, that may require a traditional public meeting set-up (a head table, a podium and rows of chairs, and regulated by an agenda and a 3-minute speaking limit). A meeting with a smaller group may be more informally arranged.

Make the public participation process *accessible to all*:

- Designate a specific employee to accommodate the needs of persons who are linguistically and culturally isolated, as well as persons who have disabilities. You may have obligations under Title VI to provide assistance to persons who do not speak English well or at all.
- When planning accessible public engagement campaigns, it is vital for agencies to consider that people have different learning styles, educational attainment levels, and literacy skills. Therefore, it is a good idea to go beyond the auditory nature of public meetings to include visual and tactile tools and techniques in the overall public engagement strategy.

*Communicate clearly* during the meeting:

- Assess a group's preferred types of communications prior to the meeting.
- Clearly explain the purpose of the meeting and the steps in the process, including the proposed schedule.
- Provide information in plain language. Make sure technical information and complex policies and procedures are described in layperson's terms rather than jargon.
- Spell out acronyms and define technical concepts and terms; Federal, State, and local transportation planning processes are complex.
- Break the plan or project into pieces; plan public sessions that focus on one part or section at a time.

Provide effective *notice to the community*, beyond minimum requirements:

- Post on websites electronic versions of major action documents, proposed transportation plans, and actions by the governing board.
- Use of traditional media sources: local newspapers, radio, television stations.
- Provide a reasonable comment period, with instructions for submitting comments.
- Offer public review during office hours for walk-in customers.
- Use of signage on transit vehicles (internal or external), stations, and bus stops.
- Utilized electronic media for email blasts and social networking posts.
- Posting of notices in Ethnic or Community media.

**IMPORTANT NOTE:** Consider identifying other ways to engage the public that may be less formal than a public meeting or formal listening session. For example, consider attending meetings held within the community or organized by local advocacy groups or faith-based coalitions.

The following are key considerations in **achieving full public participation** in outreach:

- What messages and information will you provide to spark public interest and engagement at the planning stage before project details and spending plans are established?
- Through what means and in what manner will you distribute this information?

- At what stages in the planning process will you engage in outreach and information dissemination?
- How will transportation decision makers learn of issues that are of particular concern to all populations including persons in minority or low income populations?
- How will you use input from the public, in the planning process, so that their input influences transportation investment decisions?
- How will you evaluate the effectiveness of the public engagement process, including its success in reaching minority and low income populations?
- Are there barriers to the public engagement process to limited English proficient populations, people with disabilities, etc.? How will you avoid or mitigate those barriers?

### **STEP 3: CONSIDER PROPOSED PROJECT, AND LIKELY ADVERSE EFFECTS AND BENEFITS**

Determinations of disproportionately high and adverse effects include taking into consideration mitigation and enhancements measures that will be taken and all offsetting benefits to the affected minority and low-income populations, as well as the design, comparative impacts, and the relevant number of similar existing system elements in nonminority and non-low-income areas.

Whether adverse effects will be disproportionately high is dependent on the net results after consideration of the totality of the circumstances. Reasonable efforts should be made to engage members of all populations who may be impacted by a proposed project, program, or activity, regardless of whether or not it is considered the proposed activity will have an overall benefit to the community.

Examples of adverse effects and benefits include:

#### *ADVERSE EFFECTS:*

- Air and water pollution, soil contamination
- Destruction or disruption of man-made or natural resources
- Adverse impacts on community cohesion or economic vitality
- Noise and vibration
- Effects on property values

#### *BENEFITS:*

- Decrease in travel time
- Improved air quality
- Expanded employment opportunities

- Better access to transit options
- Improved quality of transit service
- Increased property values

#### **DETERMINING WHETHER ADVERSE EFFECT WILL BE BORNE BY ANY SPECIFIC POPULATION**

Whether an adverse effect is “disproportionately high” on minority and low-income populations depends on whether that effect is (1) predominantly borne by a specific population, or (2) will be suffered by the population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority or high income population.

Questions to be considered when determining whether a disproportionately high and adverse impact exists include:

- Whether the adverse effects impact populations of people in comparison with one another?
- Whether cumulative or indirect effects would adversely affect a population of people?
- Whether mitigation and enhancement measures will be taken any population of people?
- Whether there are off-setting benefits to some areas of population as compared to others?

#### **STEP 4: SELECT ALTERNATIVE, INCORPORATE MITIGATION AS NEEDED**

If after considering the adverse effects and potential benefits of the proposed project it is determined that the proposed project will have a disproportionately high and adverse effect on populations based on race, color or national origin, it should then be determined whether further mitigation measures or alternatives are practicable—and implement practicable mitigation measures or alternatives—before moving forward with the activity. “In determining whether a mitigation measure or an alternative is ‘practicable,’ the social, economic (including costs) and environmental effects of avoiding or mitigating the adverse effects will be taken into account.

*IMPORTANT NOTE:* Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin. Accordingly, a program, policy, or activity that will result in a disparate impact as to one of these protected classes may be carried out only if: (1) the recipient can demonstrate a substantial legitimate justification for the program, policy or activity; and (2) there are no comparably effective, reasonable alternative practices that would result in less disparate impacts.

## APPENDIX A

### Letter of Acknowledgement of Receipt of Complaint

(Insert Date)

(Insert Name)

(Insert Address)

Dear (Insert Name),

Thank you for sharing your concerns. This letter is to acknowledge with you our receipt of your complaint against Kalamazoo Metro Transit. The allegations of your complaint are (insert allegations here).

Kalamazoo Metro Transit is beginning the investigation process regarding your complaint. If you have any additional information you wish to provide regarding the situation, please contact me at (269) 337-8479, emailing at [vanderkley@kalamazoo-city.org](mailto:vanderkley@kalamazoo-city.org) or writing to me at:

Kelly Vander Kley  
Title VI Program Specialist  
Kalamazoo Metro Transit  
530 N. Rose  
Kalamazoo, MI 49007

Sincerely,

Kelly Vander Kley  
Marketing Coordinator  
Title VI Program Specialist

## APPENDIX A (Cont'd)

### Letter Notifying Complainant that Complaint is Substantiated:

(Insert Date)

(Insert Name)

(Insert Address)

Dear (Insert Name),

The matter referenced from you letter dated (Insert Date) against Kalamazoo Metro Transit alleging Title VI violation has been investigated.

An apparent violation of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter was identified. Efforts are currently underway to correct these deficiencies.

Thank you for bringing this issue to our attention. You were extremely helpful during our review of the situation.

(Extra if warranted: A representative from Kalamazoo Metro Transit or from Federal authorities may be contacting you if your services are needed during the administrative hearing process.

Sincerely,

Kelly Vander Kley  
Marketing Coordinator  
Title VI Program Specialist

## APPENDIX A (Cont'd)

### Letter Notifying Complainant that the Complaint is Not Substantiated

(Insert Date)

(Insert Name)

(Insert Address)

Dear (Insert Name),

The matter referenced from you letter dated (Insert Date) against Kalamazoo Metro Transit alleging Title VI violation has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964 had in fact been violated. As you know, Title VI prohibits discrimination based on race, color, or national origin in any program receiving federal financial assistance.

Kalamazoo Metro Transit has analyzed the materials and facts pertaining to your case for evidence of Kalamazoo Metro Transit's failure to comply with any of the civil rights laws. It was found that no evidence existed to indicate that any of these laws had been violated.

Your complaint has not been substantiated and Kalamazoo Metro Transit is closing this issue.

You have the right to 1) appeal within seven (7) calendar days of receipt of this final written decision from Kalamazoo Metro Transit and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration at:

Federal Transit Administration  
Office of Civil Rights  
East Building – 5<sup>th</sup> Floor TCR  
1200 New Jersey Ave. SE  
Washington DC 20590

Sincerely,

Kelly Vander Kley  
Marketing Coordinator  
Title VI Program Specialist

## APPENDIX B

### Community organizations that service populations with Limited English Proficiency

Hispanic American Council

930 Lake Street, Suite A Kalamazoo, MI 49001

(269) 385-6279

Area Agency on Aging Region IIIA

3299 Gull Rd. Kalamazoo, M 49048

(269) 373-5153

City of Kalamazoo

Comstock Community Center

6330 King Hwy. Kalamazoo, MI 49041

(269) 345-8556

Disability Network SW Michigan

517 W. Crosstown Parkway Kalamazoo, MI 49001

(269) 345-1516

Douglas Community Association

1000 W. Paterson St. Kalamazoo, MI 49007

(269) 343-6185

Friends of Transit

5928 Mt. Vernon Portage, MI 49024

(269) 383-1544

Greater Kalamazoo United Way

709 S. Westnedge Ave. Kalamazoo, MI 49007

(269) 343-2524

Gryphon Place (2-1-1)

3245 S. 8<sup>th</sup> Street, Kalamazoo, MI 49009

(269) 381-4357

Kalamazoo Area Transportation Study (MPO)  
(269) 343-0766

Kalamazoo County Transportation Authority  
530 N. Rose St. Kalamazoo, MI 49007  
(269) 337-8088

Kalamazoo County Health and Human Services Department  
3299 Gull Road Kalamazoo, MI 49048  
(269) 373-5197

Kalamazoo County Health and Human Services, Community Action Agency  
3299 Gull Road Kalamazoo, MI 49048  
(269) 373-5061

KRESA – Head Start  
1819 East Milham Road Kalamazoo, MI 49002  
(269) 385-1500

Michigan Works!  
1601 S. Burdick St. Kalamazoo, MI 49001  
(269) 383-2536

Ministry With Community  
44 N. Church Kalamazoo, MI 49007  
(269) 343-6073

MRC Industries  
2538 South 26<sup>th</sup> Street Kalamazoo, MI 49048  
(269)343-0747

Portage Community Center  
325 East Centre Ave. Portage, MI 49002  
(269) 323-1942

Portage Senior Center  
320 Library Lane Portage, MI 49002  
(269) 329-4553

Residential Opportunities Inc.

1100 Rose Street Kalamazoo, MI 49001

(269) 343-3731

Senior Services Inc.

918 Jasper Street Kalamazoo, MI 49001

(269) 382-0515

Shepherd's Center

1833 South Burdick St. Kalamazoo, MI 49008

(269) 382-1122

South County Community Services

101 S. Main St. Vicksburg, MI 49097

(269) 649-2901

Western Michigan University

College of Engineering, Room E-102 Parkview Campus Kalamazoo, MI 49008

(269) 276-3216

## APPENDIX C

### Instructions for Limited English Proficiency Language Interpretation Assistance

**BUS OPERATORS:** It may be difficult for a non-bilingual bus operator to provide assistance to a Limited English Proficiency person who boards the vehicle and requests information.

In such circumstances, the operator is required to:

1. Ask if another passenger on the bus can serve as a translator.
2. Provide the phone number to Metro Transit's Customer Service personnel who will provide translation services.
3. Direct the LEP person to a translated schedule placed in their Run Book (aboard the vehicle)
4. If a riding passenger, direct them to the Kalamazoo Transportation Center where language assistance is available.
5. Document the encounter by notifying customer service, or using the form shown in Appendix E.

### CUSTOMER SERVICE/PHONE OPERATORS:

**NOTE: It is against federal law to charge any service fees to a Limited English Proficiency individual. All associated fees must be paid for by Kalamazoo Metro Transit.**

If an interpreter is unavailable in the office, follow the instructions shown below. It only takes four simple steps to get connected with an interpreter.

Step 1—Use the Language Flashcard to identify the customer's language.

Step 2—Call AAA Translation: 1-888-263-0481

Step 3—Enter Metro Transit's PIN Code: 9184, and you'll be speaking with an Interpreter within seconds.

Step 4—Remember to document the LEP encounter with form shown in Appendix E.

\*This service is recommended for all non-emergency situations.

AAA Translation Services offers:

- Language interpretation and translation services for more than 150 languages.
- U.S. cost is \$2.25 per minute, billed in one minute increments.
- 24 hours, 7 days a week, 365 days a year.
- On-demand, pay-as-you-go service plan.

## APPENDIX D

### Policy Regarding the Use of Interpreters/Translators

**IMPORTANT:** Interpreters and translators should not deviate into a role as counselor, legal advisor, or any other role aside from interpreting or translator.

#### General Guidelines:

1. Be sure to always speak directly to your customer, not to the interpreter.
2. Always use words, not body language or gestures to convey meaning.
3. Speak audibly and in a positive tone.
4. Always speak slowly and clearly.
5. Do not allow the customer to wait alone, or over extended periods.
6. Be prepared to explain technical terms or jargon to the interpreter, especially if the interpreter is unfamiliar with mass transit.
7. When communicating, be sure to use simple vocabulary and easy-to-understand terms.
8. Use short sentences, pausing frequently to allow the interpreter to speak.
9. Ask one question at a time.
10. Do what you can to control the environment.

#### To help assist the customer, remember to keep the following in mind:

1. Ask your customer if they feel they understand your question and if they need to ask any questions themselves.
2. Ask your customer if they need anything re-explained. If your message is not clearly understood, be prepared to say it differently.
3. If you think that your message may not be fully understood by your customer, double check by saying, "Tell me what you understand."

#### To help assist the interpreter, remember to keep the following in mind:

1. Allow the interpreter the time needed to provide the clearest interpretation.
2. Allow the interpreter to stop you and seek clarification when appropriate.
3. Allow the interpreter to take notes if things get complicated.
4. Allow the interpreter to clarify cultural issues, if necessary.

**APPENDIX E****Listing of Bilingual City of Kalamazoo Staff**

<u>Name:</u>	<u>Job Title:</u>	<u>Language:</u>
Esmeralda Carrillo	Public Services Coordinator	Spanish
Carmela Hostiguin	Clerk Cashier III	Spanish
Adrian Lopez	Metro Transit Utility	Spanish

**APPENDIX F****LEP Documentation Form – To Be Filled Out By Metro Transit Staff**

Date of contact: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

Location of contact: \_\_\_\_\_

Name of staff member filling out form: \_\_\_\_\_

Indicate language of LEP customer: SPANISH Other: \_\_\_\_\_

Did the LEP customer purchase a bus pass? (Circle one) YES NO

How were the LEP language needs met? (Circle one) CITY TRANSLATOR AAA TRANSLATIONS

Please describe the nature of the LEP customer's visit:

Were their needs met by the end of the visit? YES NO

Return completed form to Kelly Vander Kley, Marketing Coordinator

**LEP Documentation Form – To Be Filled Out By Metro Transit Staff**

Date of contact: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

Location of contact: \_\_\_\_\_

Name of staff member filling out form: \_\_\_\_\_

Indicate language of LEP customer: SPANISH Other: \_\_\_\_\_

Did the LEP customer purchase a bus pass? (Circle one) YES NO

How were the LEP language needs met? (Circle one) CITY TRANSLATOR AAA TRANSLATIONS

Please describe the nature of the LEP customer's visit:

Were their needs met by the end of the visit? YES NO

Return completed form to Kelly Vander Kley, Marketing Coordinator

**APPENDIX G**

# We Can Help!

**Free language assistance is available. Please proceed to Customer Service and Metro Transit staff will promptly assist you.**

# ¡Podemos ayudar!

**Ayuda gratuita esta disponible. Por favor proceda a Servicio al Cliente y el personal de Metro Transit prontitud ayudarle.**

**NOTICE: Your rights under Title VI:**

Kalamazoo Metro Transit operates without regard to race, color, or national origin. To request additional information on Metro Transit's Title VI obligations, please contact the Title VI staff officer at 269-337-8222. A Title VI complaint form can be obtained at Metro Transit's website [www.kmetro.com](http://www.kmetro.com), by calling 269-337-8222, or via mail by writing:

Kalamazoo Metro Transit  
530 N. Rose Street  
Kalamazoo, MI 49007

**La NOTA: Sus derechos bajo Titula VI:**

Kalamazoo Metro Transit opera sin distincion de raza, color u origen nacional. Para solicitar informacion adicional sobre las obligaciones del Titulo VI de Metro Transit, por favor pongase en contacto con el oficial de personal del Titulo VI en 269-337-8222. Una forma de queja del Titulo VI se puede obtener en la pagina web [www.kmetro.com](http://www.kmetro.com) de Metro Transit, llamando al 269-337-8222, o por correo escribiendo a:

Kalamazoo Metro Transit  
530 N. Rose Street  
Kalamazoo, MI 49007

**APPENDIX H****TITLE VI COMPLAINT FORM**

Title VI of the 1964 Civil Rights Act requires that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” If you feel you have been discriminated against in transit services, please provide the following information in order to assist us in processing your complaint and send it to:

Provide address here

Please print clearly:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ (Home) \_\_\_\_\_ (Cell) \_\_\_\_\_ (Message)  
 \_\_\_\_\_ (Email)

Person discriminated against: \_\_\_\_\_

Address of person discriminated against: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Please indicate why you believe the discrimination occurred:

\_\_\_\_\_ race  
 \_\_\_\_\_ color  
 \_\_\_\_\_ national origin

What was the date of the alleged discrimination? \_\_\_\_\_

Where did the alleged discrimination take place? \_\_\_\_\_

Please describe the circumstances as you saw them: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please list any and all witnesses' names and phone numbers:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What type of corrective action would you like to see taken?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please attach any documents you have which support the allegation. Then, date and sign this form and send to the Metro Transit System Executive Director at:

*Sean McBride, Executive Director  
City of Kalamazoo  
Kalamazoo Metro Transit System  
530 North Rose Street  
Kalamazoo, MI 49007  
(269) 337-8087*

\_\_\_\_\_  
Your name

\_\_\_\_\_  
Date

**APPENDIX I**

**NOTICE DISPLAYED ON ALL SERVICE VEHICLES:**



**Kalamazoo Metro Transit operates transportation programs subject to the nondiscrimination requirements of Title VI of the Civil Rights Act of 1964.**



The following examples illustrate the application of the nondiscrimination provisions:

1. Any person who is, or seeks to be, a passenger of Metro Transit shall be given access, seating, and other treatment without regard to their race, color, or national origin.
2. No person who is, or seeks to be, an employee of the City of Kalamazoo, Metro Transit, or lessees, concessionaires, contractors, licensees, or subcontractors shall be treated less favorably than any other employee or applicant with regard to hiring, dismissal, advancement, wages, or any other conditions and benefits or employment, on the basis of race, color or national origin.
3. No person or group of persons shall be

discriminated against with regard to the routing, scheduling, or quality of transportation service furnished by Metro Transit on the basis of race, color or national origin. Frequency of service, age and quality of vehicles assigned to routes, quality of stations serving different routes, and location of routes may not be determined on the basis of race, color or national origin.

4. Location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color or national origin.

The Federal Transit Administration (FTA) recommends that Title VI complaints be filed first with Kalamazoo Metro Transit. If

you are unsatisfied with our resolution, you may file a complaint with FTA or the US Secretary of Transportation. All complaints must be filed in writing and will receive a written response.

To file a complaint in writing, direct the information to: Kalamazoo Metro Transit, Attn: Title VI Compliance, 530 N. Rose St., Kalamazoo, MI 49007.

Please include: your name, address and telephone number; how, when and why you believe you were discriminated against; as much background information as possible; the date, time of day, names of individuals involved, bus number or route number (if possible).

## APPENDIX J

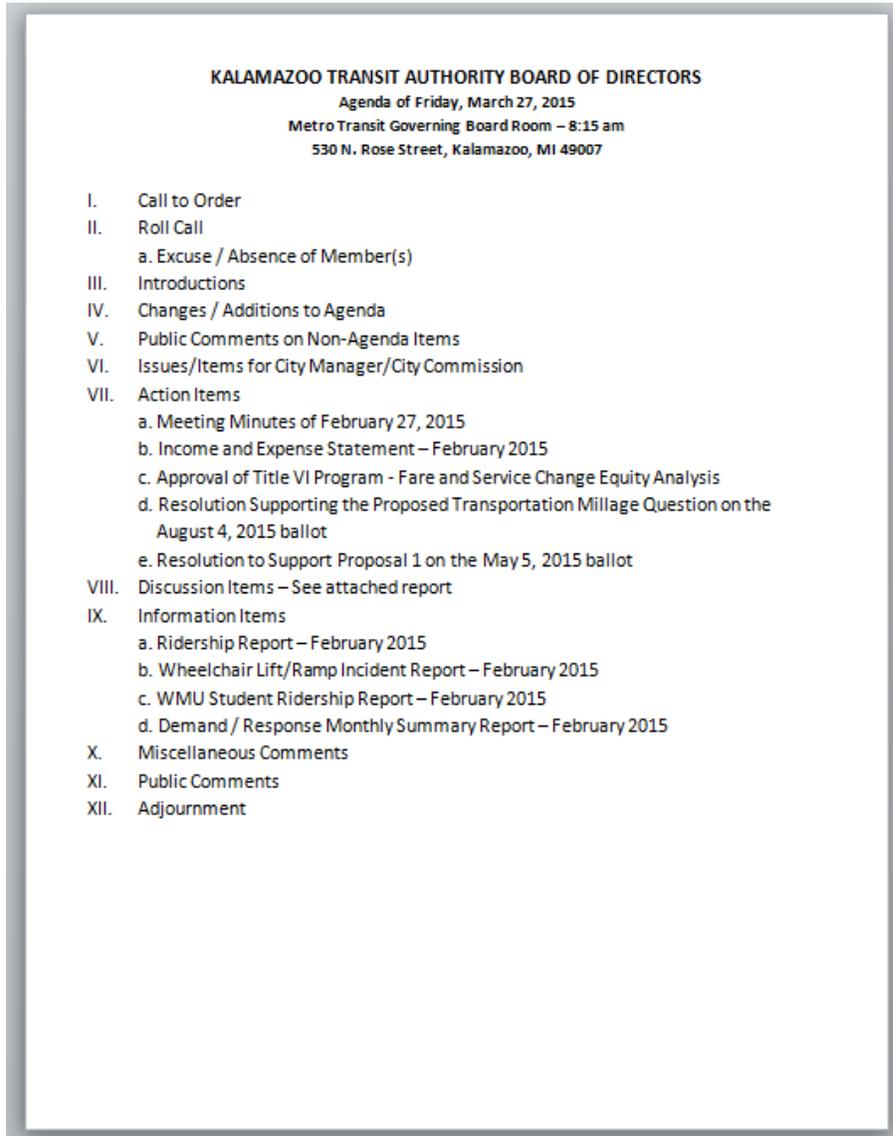
### Title VI Transit-Related Investigations, Lawsuits and Complaints Kalamazoo Metro Transit

Date	Summary	Status	Action Taken
<b>Investigations</b>			
Last name, First Name	Basis: <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin		
Last name, First Name	Basis: <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin		
<b>Lawsuits</b>			
Last name, First Name	Basis: <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin		
Last name, First Name	Basis: <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin		
<b>Complaints</b>			
Last name, First Name	Basis: <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin		
Last name, First Name	Basis: <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin		

**APPENDIX K**

**Authority Board Review & Approval of Title VI Internal Equity Evaluation of Fare and Service Changes**

The Kalamazoo Transit Authority Board was provided a copy of the Title VI Internal Equity Evaluation of Fare and Service Changes one week prior to their regularly scheduled, March, 2015, Board meeting. Board members were presented with background information on the primary areas of the Internal Equity Evaluation on Friday, March 27, 2015



The Kalamazoo Transit Authority Board did formally approve the Title VI Internal Equity Evaluation of Fare and Service Changes on Friday, March 27, 2015.

## **APPENDIX L**

### **Environmental Justice Program Notice Transportation Equity and Environmental Justice**

Whereby Title VI prohibits discrimination by recipients of Federal financial assistance on the basis of race, color, and national origin—including matters related to language access for limited English proficient (LEP) persons—Environmental Justice ensures the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

**Executive Order 12898 on Environmental Justice directs federal agencies to “make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low income populations.”**

Transit equity concerns may arise when wealthier, more educated parts of society receive more transportation benefits while minority or low-income populations receive less transportation or experience more negative effects of transportation activities. For example, these neighborhoods may have more air pollution and noise as a result of transportation activities, and may experience loss of homes or cultural landmarks, or receive little or no relief measures. They may also not receive employment or business opportunities because of a transportation construction project.

#### GUIDING PRINCIPLES

The U.S. Dept. of Transportation has adopted three fundamental environmental justice principles to guide transportation efforts:

- To avoid, minimize, or mitigate disproportionately high and adverse health and environmental effects, including social and economic effects, on minority and low-income populations.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low income populations.

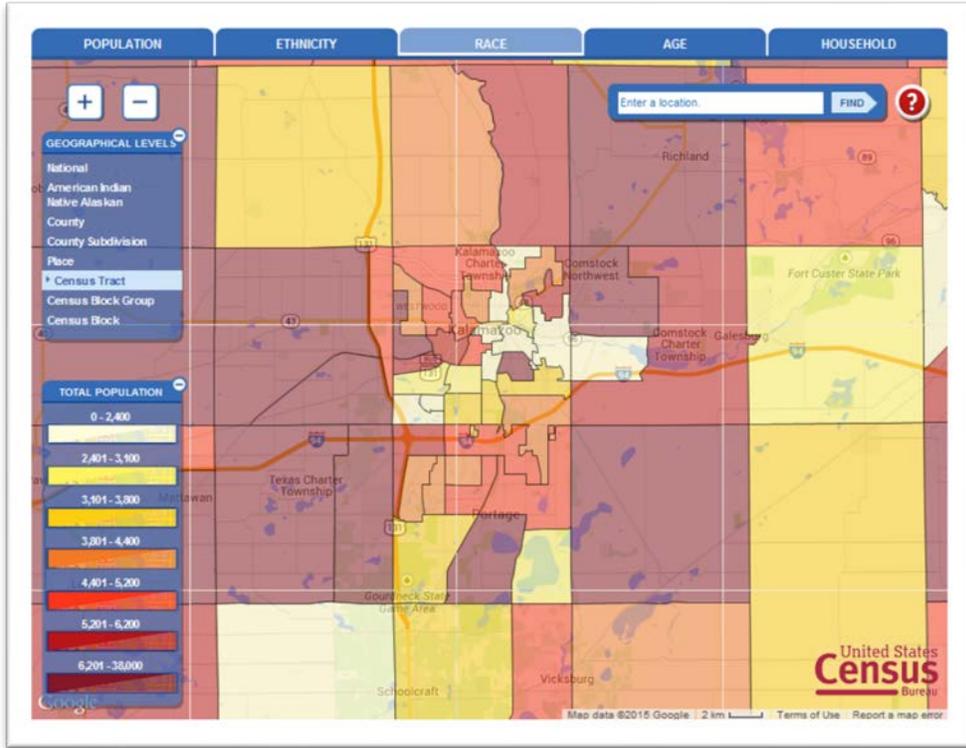
#### A COMMITMENT TO LOW-INCOME COMMUNITIES & COMMUNITIES OF COLOR

Kalamazoo Metro Transit has made environmental justice part of its overall mission and is committed to providing high-quality service to low-income communities and communities of color by using transit equity and environmental justice considerations in its planning and decision-making, including such areas as:

- transit service to minority and low-income neighborhoods
- service cuts, policy changes, or restructuring—including the increase of fares
- placement of bus stops, passenger waiting shelters, or related enhancements or amenities
- allocation of new transit vehicles, or construction of new facilities or stations
- service for non-English speaking populations

Additional information can be found in the Environmental Justice section of the Kalamazoo Metro Transit Policy: ***Title VI Programs and Procedures***

## APPENDIX M - Example of Maps and Data Used



**MI - Kalamazoo County - Census Tract 17.02**  
Race  
Total Population: 3,738

White	2,904
African American	524
Asian	61
AIAN	27
NHPI	0
Some Other Race	70
Two or more Races	152

[Zoom In](#) | [Compare](#) | [Print](#)

**MI - Kalamazoo County - Census Tract 12**  
Ethnicity  
Total Population: 2,772

Hispanic or Latino	103
Not Hispanic or Latino	2,669

[Zoom In](#) | [Compare](#) | [Print](#)

**APPENDIX N – Public Input Process Timeline**

Minimum # of Days in Advance of Major Change	Action to Take
60	Provide written notification to all agencies and institutions with contractual arrangements for provision of public transportation services.
45	Notify passengers
	Poster on buses
	Notice on website
	Notice on social media
	Mailing to ADA certified passengers
30	Public Notice placed in the <i>Kalamazoo Gazette</i> .

Note: If a Public Hearing is requested, the hearing is to be scheduled at the earliest possible date, but not less than fourteen (14) calendar days after such public hearing date has been established by the Authority Board.