



TITLE VI PLAN

I. Plan Statement

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

Bay Area Transportation Authority (BATA) hereinafter referred to as BATA, is committed to ensuring that no person is excluded from participation in or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1B.

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

Title VI Coordinator Contact Information

Bay Area Transportation Authority

Eric Lingaur

Title VI Coordinator

3233 Cass Road

Traverse City, MI 49684

(231) 941-2324

II. Title VI Information Dissemination

Title VI information posters (see Appendix G) shall be prominently and publicly displayed in the BATA facility and on their revenue vehicles. The name of the Title VI coordinator is posted and available at 3233 Cass Road, Traverse City, MI 49684 and www.bata.net. Additional information relating to nondiscrimination obligation can be obtained from BATA's Title VI Coordinator.

Nondiscrimination information shall be disseminated to BATA employees annually (see Appendix A). This information reminds employees of BATA's policy statement, and of their nondiscrimination responsibilities in their daily work and duties. All employees of BATA are provided a copy of the plan and are required to sign an Acknowledgement of Receipt (see Appendix B).

During New Employee Orientation, new employees shall be informed of the provisions of Title VI, and BATA's expectations to perform their duties accordingly.

III. Subcontracts and Vendors

All subcontractors and vendors who receive payments from BATA where funding originates from any federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended.

Written contracts shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

IV. Record Keeping

The Title VI Coordinator will maintain permanent records, which include, but are not limited to, signed acknowledgements of receipt from the employees indicating the receipt of BATA's Title VI Plan, copies of Title VI complaints or lawsuits and related documentation, records of correspondence to and from complainants, and Title VI investigations.

V. Title VI Complaint Procedures

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

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

The Title VI Complaint Form (see Appendix C) may be used to submit the complaint information. The complaint may be filed in writing or by e-mail with BATA at the following address:

Eric Lingaur, BATA
Title VI Coordinator
3223 Cass Road
Traverse City, MI 49684
231.941.2324 (phone)
231.932.2052 (fax)
lingaure@bata.net

NOTE: BATA encourages all complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily. For complaints originally submitted by facsimile, an original, signed copy of the complaint must be mailed to the Title VI Coordinator as soon as possible, but no later than 180 days from the alleged date of discrimination.

All complaints alleging discrimination based on race, color, or national origin in a service or benefit provided by BATA will be directly addressed by BATA. BATA shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, BATA shall make every effort to address all complaints in an expeditious and thorough manner.

A letter of acknowledging receipt of complaint will be mailed within seven days (see Appendix D). Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.

BATA will send a final written response letter (see Appendix E or F) to the complainant. In the letter notifying complainant that the complaint is not substantiated (Appendix F), the complainant is also advised of his or her right to 1) appeal within seven calendar days of receipt of the final written decision from BATA, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the FTA. Every effort will be made to respond to Title VI complaints within 60 working days of receipt of such complaints, if not sooner.

Once sufficient information for investigating the complaint is received by BATA, a written response will be drafted subject to review by the transit's attorney. If appropriate, BATA'S attorney may administratively close the complaint. In this case, BATA will notify the complainant of the action as soon as possible.

In addition to the complaint process described above, a complainant may file a Title VI complaint with the following offices:

Federal Transit Administration Office of Civil Rights
 Attention: Title VI Program Coordinator
 East Building, 5th Floor – TCR
 1200 New Jersey Ave., SE Washington, DC 20590

VI. Title VI Investigations, Complaints, and Lawsuits

Lawsuits, Complaints, or Investigations Alleging Discrimination

Type (Investigation, Lawsuit, Complaint)	Date	Summary of Complaint	Status	Action(s) Taken

VII. Four Factor Analysis

BATA is required to take reasonable steps to ensure meaningful access to their programs and activities by Limited English Proficiency (LEP) persons. While designed to be a flexible and fact-dependent standard, the starting point is an individualized assessment that balances the following four factors:

- The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee.
- the frequency with which LEP individuals meet the program.
- the nature and importance of the program, activity, or service provided by the program to people's lives; and
- the resources available to the grantee/recipient or agency, and costs.

Factor 1: Number/Proportion of LEP Persons in Service Area

BATA has examined the 2020 Census report and was able to determine that in the Grand Traverse County area, 2.9% (2,632) of residents aged five and older speak another language other than English at home, including 27% of those (704) that speak English less than very well. In Leelanau County Area, 4.4% (932) of the residents aged five and older speak a language other than English at home, including 23.5% of those

(219) that speak English less than very well. Spanish is the most common language after English in both Grand Traverse and Leelanau Counties.

Factor 2: Frequency of Contact with LEP Persons

BATA verbally surveyed drivers and dispatchers since the Census of 2020, finding that BATA has had sporadic requests for interpreters and/or translated BATA documents that range from several a day in the summer (primarily Spanish, but a growing number of Ukrainian, Russian, and Asian languages) to very few or none in the winter for weeks or months at a time. Overall, the staff and drivers have had moderate contact with LEP individuals that can range in frequency depending on the season.

Factor 3: Nature and importance of the program, activity, or service provided by the program in people's lives

Access to the services provided by BATA is critical to the lives of many residents in the service area. Many people depend on BATA's services for access to jobs and for access to essential community services like schools, shopping, and medical appointments. Because of the essential nature of the services and the importance of these programs in the lives of many of the region's residents, there is a need to ensure that language is not a barrier to access.

Factor 4: The resources available to BATA and overall costs.

BATA assessed the available resources that could be used for providing LEP assistance. This included identifying how much a professional interpreter and translation service would cost, and which documents would be the most valuable to be translated when the populations would support it. After analyzing the four factors, BATA **does not** feel that a formal LEP plan is needed at this time.

Limited English Proficiency (LEP) Plan

BATA will use the following guidelines and resources to assist persons with limited English proficiency:

BATA will have the Census Bureau's "I Speak Cards" available at the BATA operations facility and transfer stations. Although staff may not be able to provide immediate translation assistance, we will utilize the cards to identify language needs.

If an interpreter is needed immediately, in person or on the telephone, staff will use the "I Speak Cards" to help determine what language assistance is needed. Staff shall then utilize technology such as smartphone apps or Google Translate or contact www.language.com for assistance. On the Language Line webpage, staff will select the **Need an Interpreter Now** link in the popup window and follow the directions to receive an access code.

BATA will add to our webpage the Title VI policy and complaint Procedures.

BATA will educate our staff on the following procedures:

1. Understanding the Title VI policy and LEP responsibilities.
2. How to access language assistant services via www.language.com
3. Document language assistance requests
4. The procedure if a Title VI and/or LEP complaint is filed.

VIII. Public Participation Plan

BATA's community and minority outreach plan is based on the following principles:

- Flexibility - The engagement process will accommodate participation in a variety of ways and be adjusted as needed.
- Inclusiveness – BATA will proactively reach out to and engage low income, minority and LEP populations from BATA's service area.
- Respect - All feedback will be given careful and respectful consideration.
- Initiative-taking and Timeliness - Participation methods will allow for early involvement and be ongoing.
- Clear, Focused and Understandable - Participation methods will have a clear purpose and use for the input and will be described in language that is easy to understand.
- Honest and Transparent - Information provided will be accurate, trustworthy, and complete.
- Responsiveness – BATA will respond and incorporate appropriate public comments into transportation decisions.
- Accessibility – Meetings will be held in locations which are fully accessible and welcoming to all area residents, including, but not limited to, low-income and minority members of the public and in locations relevant to the topics being presented and discussed.

As an agency receiving federal financial assistance, BATA has made the following community and minority outreach efforts since the last submission of a Title VI program:

BATA has engaged the public in its planning and decision-making processes, as well as its marketing and outreach activities.

BATA submits to the Michigan Department of Transportation annually an application for funding. The application requests funding for both capital and operating assistance. Part of the annual application is a public notice, which includes a 30-day public comment period and a review by the Local Advisory Council.

BATA currently publishes hours of service and any changes in route schedules.

BATA’s Board of Directors holds monthly meetings that the public is invited to attend, and these meetings are recorded and placed on our website. www.bata.net. Once per quarter meetings are held in the evening to accommodate people that cannot attend during daytime hours.

Public Meetings. When a new service is proposed information is disseminated to the neighborhoods affected and public meetings are scheduled. BATA utilizes different meeting sizes, formats, and times to encourage community engagement.

Public Service Announcements. BATA uses PSAs as a way to communicate changes in service, public input meeting, press releases, and any other information that needs to reach the public. These PSAs are distributed to radio, television stations as well as traditional print media.

Website. All information regarding public meetings, program changes, service alerts, and any newsworthy information is displayed on our website. The website has an email feature for the public to comment or ask questions on BATA activities.

Digital Displays. BATA has several digital displays in our lobby areas at Hall Street and Cass Road Transfer Stations to improve communication about events and input sessions with the public.

Public Assessments and Surveys. BATA conducts rider customer satisfactions surveys twice a year via print and online surveys. BATA also periodically conducts community needs assessments with both community stakeholder groups and individuals to help gather feedback to make improvements and plan for future service. The most recent community needs assessment was conducted over a six-month period in 2022.

BATA has a complaint procedure that is available to the public at any time and is also available to the public via info@bata.net or by calling 231-941.2324.

IX. Membership of Non-Elected Committees

BATA will publicly advertise and post on our website to encourage minority participation on non-elected committees such as the LAC (Local Advisory Council).

Body	Caucasian	Latino	African American	Asian American	Native American	2 or more races
Population Grand Traverse County	92.2%	3.3%	0.9%	0.9%	1.3%	2.0%

Population	90.3%	4.5%	0.6%	0.6%	3.2%	1.9%
Leelanau Co						
Local Advisory Council	100%					

X. Equity Analysis

BATA is currently constructing a facility (a vehicle storage facility, maintenance facility, operations center) and completed a Title VI equity analysis following the procedures listed below:

BATA completed a Title VI equity analysis during the planning stage and approved by MDOT in September of 2021 regarding where a project is located or sited to ensure the location is selected without regard to race, color, or national origin.

When evaluating locations of facilities, BATA gave attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result.

BATA did not determine that the location of the project will result in a disparate impact based on race, color, or national origin.

XI. Fixed Route Service Standards

Vehicle Load Standards

BATA’s eight (8) fixed routes that operate within the Traverse City area typically run at approximately 80% load capacity at any given time. Those buses consist of twenty-five (25) foot cutaway with ten (10) and two (2) seating capacity.

Vehicle Headway Standards

Service generally operates every 20, 30, 60, or 120 minutes Monday through Friday from 6:00 am until 10:00pm depending on the route. On Saturdays, the five routes operate every twenty (20) to 120 minutes from 9:00am until 9:00pm depending on the route. Sunday service has a single route that operates every thirty-five (35) minutes from 9:00am until 9:00pm. Complete schedules and operational hours are found at www.bata.net.

Scheduling involves the consideration of several factors including ridership productivity, density of transit dependent population and activities, availability of resources and transportation demand management.

On Time Performance Standards

Ninety (90) percent of BATA's transit fixed route vehicles will complete their established runs no more than one (1) minute early or five (5) minutes late in comparison to the established schedule/published timetables.

Service Availability Standards

BATA will distribute fixed route transit service as equally as possible among residential transit riders, hotels, attractions, and employers using public meetings to gather input on new routes or revisions to routes. BATA will review stop usage on a regular basis and make the necessary adjustment to serve the largest rider population base available.

XII. Service Policies

Distribution of Transit Amenities

BATA distributes transit amenities that lend to comfort, convenience, and safety in the following ways:

- a) Seating is strategically placed in many locations along our fixed routes and at stop locations where demand response passengers are asked to transfer vehicles. The seating is provided in the form of more than 60 shelters, benches outside local businesses, and indoor/outdoor seating at our two transfer stations.
- b) BATA has two transfer stations that include indoor waiting rooms, comfortable seating, bathrooms, drinking fountains, vending machines, trash receptacles, recycling, digital display monitors, route brochures, ADA automated doors, wheelchair accessibility and service attendants. The outside waiting area is also ADA compliant and includes benches, bike racks, and signage for each bus route.
- c) BATA's more than 60 shelters are well identified with transit graphics and are distributed among the many fixed routes based on demand. The shelters are wheelchair accessible, provide a bench, system map information, stop information, brochures, many have trash receptacles and are glass to ensure safety through visibility. Our newest shelters have lighting and heating for added security and comfort.
- d) Route and general transit information is distributed in the following ways:
 - Printed materials for each route and general policies are available at each transfer station, in shelters, and at popular destinations within the community such as libraries, hospitals, etc.
 - Bus stop signage is provided at each bus stop location along our fixed route system on a signpost or on the shelter.
 - System wide maps can be found in BATA's shelters.
 - Digital displays in our two transfer station lobbies include route information and other pertinent passenger information such as policy changes or new programs.
 - BATA website (www.bata.net) is designed responsively for any mobile device and includes schedule information, route maps, hours of operation, policies, fares, contacts, education on public transit, and assistance on how to ride the bus.

- Google Maps, Apple Maps, the Transit App, BATABUSTRACKER.COM includes all BATA's fixed route information and can be used to track live bus locations.
- e) All BATA facilities are one level and do not require the use of escalators or elevators.

Vehicle Assignment

BATA assigns vehicles to routes based on three factors. The first factor includes the age and condition of the vehicle. Newer vehicles are assigned to routes with the most mileage and are used more frequently than older vehicles. Older vehicles are assigned as spares or used on shorter routes to keep maintenance costs at a reasonable level. The second factor evaluates the type of bus and available seating. BATA assigns buses based on the demand of each route and seats/wheelchair slots available for each type of bus. The third factor takes the maneuverability of the bus and the route into consideration. Larger buses are hard to maneuver through small spaces, which can exclude some buses from specific routes.

Appendix A Employee Annual Education Form

Title VI Policy

No person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

All employees of BATA are expected to consider, respect, and observe this policy in their daily work and duties. If a citizen approaches you with a question or complaint, direct him or her to contact:

In all dealings with citizens, use courtesy titles (i.e., Mr., Mrs., Ms., or Miss) to respectfully address them without regard to race, color, or national origin.

Appendix B Acknowledgement of Receipt of Title VI Plan

I hereby acknowledge the receipt of BATA Title VI Plan. I have read the plan and am committed to ensuring that no person is excluded from participation in or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1B.

Employee signature

Print name

Date

Appendix C Title VI Complaint Form

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

Please print clearly:

Name: _____

Address: _____

City, State, Zip Code: _____

Telephone Number: _____ (home)

_____ (cell) _____ (message)

Are you filing this complaint on your own behalf? yes* no

*If yes to this question, please give that person’s information below.

Person discriminated against:

Address of person discriminated against:

City, State, Zip Code:

Please indicate why you believe the discrimination occurred:

_____ race or color
_____ national origin
_____ income
_____ other

What was the date of the alleged discrimination?

Where did the alleged discrimination take place?

Please describe the circumstances as you saw it:

Please list all witnesses' names and phone numbers:

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State Court? yes no

If yes, check all that apply:

- Federal Agency _____
- Federal Court _____
- State Court _____
- State Agency _____
- Local Agency _____

Please provide information about a contact person at the agency/court where the complaint was filed.

Name: _____

Title: _____

Agency: _____

Address: _____

Telephone number: _____

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

Please attach any documents you have which support the allegation. Then date and sign this form and send to the Title VI Coordinator at:

Attn: Eric Lingaur
Title VI Coordinator
3223 Cass Road
Traverse City, MI 49684
231.941.2324 (phone)
231.932.2052 (fax)
lingaure@bata.net

Your signature

Print name

Date

APPENDIX D Letter Acknowledging Receipt of Complaint

Today's Date

Ms. Jo Doe
1234 Main St.
Clarksville, Tennessee 37040

Dear Ms. Doe:

This letter is to acknowledge receipt of your complaint against **BATA** alleging

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by telephoning 231.941.2324 or write to me at this address.

Sincerely,

Eric Lingaur
Title VI Coordinator
3223 Cass Road
Traverse City, MI 49684
231.941.2324 (phone)
231.932.2052 (fax)
lingaure@bata.net

APPENDIX E Letter Notifying Complainant the Complaint Is Substantiated

Today's Date

Ms. Jo Doe
1234 Main St.
Clarksville, Tennessee 37040

Dear Ms. Doe:

The matter referenced in your letter of **(DATE)** against **BATA** alleging Title VI violation has been investigated.

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

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program. *(If a hearing is requested, the following sentence may be appropriate.)* You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

Eric Lingaur
Title VI Coordinator
3223 Cass Road
Traverse City, MI 49684
231.941.2324 (phone)
231.932.2052 (fax)
lingaure@bata.net

APPENDIX F Letter Notifying Complainant the Complaint Is Not Substantiated

Today's Date

Ms. Jo Doe
1234 Main St.
Clarksville, Tennessee 37040

Dear Ms. Doe:

The matter referenced in your complaint of _____ (date) against BATA alleging _____ has been investigated.

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

BATA has analyzed the materials and facts pertaining to your case for evidence of the authority's failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated.

I therefore advise you that your complaint has not been substantiated, and that I am closing this matter in our files.

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

Federal Transit Administration Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor - TCR
1200 New Jersey Ave., SE Washington, DC 20590

Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to call me.

Sincerely,

Eric Lingaur
Title VI Coordinator
3223 Cass Road
Traverse City, MI 49684
231.941.2324 (phone)
231.932.2052 (fax)
lingaure@bata.net

APPENDIX G

Samples of Narrative to be included in Posters to be Displayed in Revenue Vehicles and Facilities

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

BATA is committed to ensuring that no person is excluded from participation in or denied the benefits of its transit services based on race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1B. If you feel you are being denied participation in or being denied benefits of the transit services provided by BATA, you may contact our office at:

Eric Lingaur
Title VI Coordinator
3223 Cass Road
Traverse City, MI 49684
231.941.2324 (phone)
231.932.2052 (fax)
lingaure@bata.net

For more information, visit our website at **www.bata.net**.