

## City of Belding Dial-A-Ride, Title VI Non-Discrimination Policy

Agency Name: City of Belding, Dial-A-Ride

Date Adopted: \_\_\_\_\_

Signature: \_\_\_\_\_

*Bruce Meyers*  
Bruce Meyers Mayor  
City of Belding

### I. Plan Statement

To prevent discrimination or denial of public transit accommodation because of race, color, disability, national origin, low-income, or Low English Proficiency (LEP), in conformance with Title VI of the Civil Rights of 1964. Title VI provides that “no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program, or activity receiving Federal financial assistance.” (42 U.S.C. Section 2000d).

The City of Belding, Dial-A-Ride is committed to ensuring that no person is excluded from participation in, or denied the benefits of it’s 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 the City of Belding, Dial-A-Ride in its administration and management of Title VI-related activities.

### Title VI Contact information

Title VI coordinator: Valerie Conklin, Director  
City of Belding, Dial-A-Ride  
Pere Marquette Depot  
100 Depot Street  
Belding, MI 48809  
Phone (616) 794-3278  
Email address: [dialaride@ci.belding.mi.us](mailto:dialaride@ci.belding.mi.us)

### Title VI Notice to the Public

Belding Dial-A-Ride has a Title VI Notice to the Public in the depot lobby, next to the brochures for our service.

### Policy

The City of Belding, Dial-A-Ride is committed to creating and maintaining public transit service that is free of all forms of discrimination. The agency will take whatever preventative, corrective and disciplinary action necessary for behavior that violates this policy, or the rights and privileges it is designed to protect.

## **Definitions**

### ***Discrimination***

Any act or omission of an act which would prevent the use of or exclude a person from access to public transportation based on (but not limited to) race, sex, disability, or religion.

## **II. Title VI Information Dissemination**

Title VI information posters shall be prominently and publicly displayed in the City of Belding, Dial-A-Ride facility, and on their revenue vehicles. The name of the Title VI coordinator is available at the City of Belding's, website, at [www.ci.belding.mi.us](http://www.ci.belding.mi.us). Additional information relating to nondiscrimination obligation can be obtained from the City of Belding, Dial-A-Ride's Title VI Coordinator.

Title VI information shall be disseminated to the City of Belding, Dial-A-Ride employees annually via the employee education form (see Appendix A) in payroll envelopes. This form reminds employees of the City of Belding's policy statement, and of their Title VI responsibilities in their daily work and duties.

During new employee orientation, new employees shall be informed of the provisions of Title VI, and the City of Belding, Dial-A-Ride's expectations to perform their duties accordingly.

All employees shall be provided a copy of the Title VI Plan and are required to sign the acknowledgement of receipt (see Appendix B).

## **III. Subcontracts and Vendors**

All subcontractors and vendors who receive payments from the City of Belding, Dial-A-Ride 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 the City of Belding, Dial-A-Ride's Title VI Plan, copies of Title VI complaints or lawsuits and related documentation, and records of correspondence to and from complainants, and Title VI investigations.

## V. Title VI Complaint Procedures

### Investigations, Complaints, and Lawsuits

The City of Belding Dial-A-Ride has no current record of any discrimination complaints, investigations, or lawsuits on file or pending. We take great pride in this.

<u>Calendar Year</u>	<u>Number of Investigations and/or Complaints</u>
2015	0
2016	0
2017	0
2018	0
2019	0
2020	0

### How to file a Title VI complaint?

The complainant may file a signed, written complaint up to thirty (30) days from the date of the alleged discrimination. The complaint should include the following information:

Your name, mailing address, and how to contact you (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 with the City of Belding, Dial-A-Ride at the following address:

Attn: Valerie Conklin, Director  
City of Belding, Dial-A-Ride  
Pere Marquette Depot  
100 Depot Street  
Belding, Mi 48809

NOTE: The City of Belding, Dial-A-Ride 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 email, an original, signed copy of the complaint must be mailed to the Title VI Coordinator as soon as possible, but no later than 180 days from the alleged date of discrimination.

### **What happens to the complaint after it is submitted?**

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

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

### **How will the complainant be notified of the outcome of the complaint?**

The City of Belding, Dial-A-Ride 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, the complainant is also advised of his or her right to 1) appeal within 7 calendar days of receipt of the final written decision from the City of Belding, Dial-A-Ride, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration. Every effort will be made to respond to Title VI complaints within 60 working days of receipt of such complaints, if not sooner.

Once sufficient information for investigating the complaint is received by the City of Belding, Dial-A-Ride, a written response will be drafted subject to review by the City of Belding, Dial-A-Ride's attorney. If appropriate, the City of Belding, Dial-A-Ride's attorney may administratively close the complaint. In this case, the City of Belding, Dial-A-Ride will notify the complainant of the actions as soon as possible.

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

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

### **Responsibilities**

All employees and City of Belding, Dial-A-Ride representatives shall follow the intent of these guidelines in a manner that reflects agency policy.

## **Disposition of Complaints**

***Sustained Complaints***-If the complaint is substantiated; this policy and procedure prohibiting discrimination will be reviewed with the offender. Appropriate disciplinary action will be reviewed with the offender. Appropriate disciplinary action and/or training will be taken pursuant to the agency disciplinary procedures.

***Unsubstantial Complaints***-If there is insufficient evidence to either prove or disapprove the allegation(s), both parties to the complaint will be informed of the reason(s) for this disposition.

***Unfounded Complaint***-If it is determined that an act reported pursuant to this policy/procedure did not in fact occur, a finding of unfounded complaint shall be made.

***Exonerated Complaints***-If it is determined that an act reported pursuant to this policy/procedure did in fact occur, but was lawful and proper within the guidelines established herein, a finding of exonerated shall be made.

## **VI. Limited English Proficiency (LEP) Plan**

We conducted FTA's four-factor LEP analysis, but population thresholds were so low a formal plan wasn't needed.

The City of Belding, Dial-A-Ride continues to monitor the frequency of encounters with LEP persons. We accomplish this through communication between the dispatchers, and drivers for Dial-A-Ride, to see if anyone has encountered customers with language barriers. We have not encountered any customers with language barriers, using our service. This is and continues to be an ongoing process to continue communication, with our staff, to make sure we are not overlooking anyone within our service area that has a language barrier.

We have a resource available with Belding Area Schools. The School system has a Migrant and Bilingual program in place, we can use this resource if we should happen to encounter any LEP individuals where we might need help with oral or written interpretation services. We also have several customers who utilize our bus system regularly, that can fluently speak more than one language, they said if available they would be glad to assist us with any language barriers that we may encounter. Our police department for the City, also stated they would be glad to help, they have language cards they use, and the police would be available anytime our bus service is in operation to assist us.

## **VII. Community Outreach**

As an agency receiving federal financial assistance, we have made the following community outreach efforts:

Coordinated Public Transit-Human Services Transportation Plan (Coordinated Plan). Federal transit law, as amended by Safe, Accountable, Flexible, Efficient Transportation Equity Act: A legacy for Users of 2005 (Safetea-Lu), requires that projects selected for under the Elderly and

Individuals with Disabilities Program (Section 5310), Job Access and Reverse Commute Program (5316), and New Freedom Program (Section 5317) be derived from a coordinated plan.

The public is invited to attend, and comment on the plan development for our Job Access and Reverse Commute Program. Advertisements are put in the paper with where questions, and comments about the program/projects can be sent.

The City Council has two meetings per month, open to the public for comment, or questions regarding any of the proposed transportation projects, or programs. The public is given opportunity to comment on any transportation issues.

Customer complaint process, Citizens may call our dispatch center, to lodge a complaint or comment. We are also available at our City Web site [www.ci.belding.mi.us](http://www.ci.belding.mi.us) or email [dialaride@ci.belding.mi.us](mailto:dialaride@ci.belding.mi.us) for customer comments, or complaints. All complaints will be distributed to the transit director, who researches the complaint and responds back to the customer.

The City of Belding, Dial-A-Ride also conducts annual passenger surveys, to receive input on our bus services, ideas how to improve our bus system, inquire about any problems with the bus service.

We also submit 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.

### **VIII. Four-Factor Analysis**

- 1.) *The number or proportion of LEP persons eligible in the City of Belding Dial-A-Ride's service area who may be served or likely to encounter a City of Belding Dial-A-Ride program, activity or service.*

The City of Belding Dial-A-Ride examined the US Census report from 2010 and the Bureau's American Community Survey and was able to determine that approximately 3.9%, or 209 people within the City of Belding Dial-A-Ride's service area age 5 and older spoke a language other than English. Of the 209 reporting they speak other languages than English, 56 or 1.0% of respondents speak English less than "very well". The Spanish language comprised the largest non-English speaking language group with 1.7%. The other largest non-English speaking language group was Indo-European languages at 1.6%.

- 2.) *The frequency with which LEP individuals come in contact with a City of Belding Dial-A-Ride program, activity or service.*

The City of Belding Dial-A-Ride assessed the frequency at which staff and drivers have or could possibly have contact with LEP persons via verbally surveying drivers and dispatchers, since January 2, 2007 the City of Belding Dial-A-Ride has not had any

requests for interpreters and/or translated City of Belding Dial-A-Ride documents. The staff and drivers have had very little to no contact with LEP individuals.

- 3.) *The nature and importance of the program, activity or service provided by the City of Belding Dial-A-Ride in people's lives.*

There aren't any large geographic concentrations of any one type of LEP individuals in the City of Belding Dial-A-Ride's service area. The overwhelming majority of the population, 96.1% or 5,158 speak only English. Therefore, there is a lack of any social service professional and leadership organizations within the City of Belding Dial-A-Ride's service area that focuses on outreach or membership of LEP individuals.

- 4.) *The resources available to the City of Belding Dial-A-Ride and overall costs.*

The City of Belding Dial-A-Ride assessed the available resources that could be used for providing LEP assistance. This included identifying how much a professional interpreter and translation service would cost, and which documents would be the most valuable to be translated if and when the populations would support it.

#### **IX. Non-Elected Committees and Councils**

The City of Belding Dial-A-Ride does not have any non-elected committees or councils. Any future committees or councils selected by the City of Belding Dial-A-Ride will solicit and encourage minority participation.

#### **X. Facilities**

In the event that the City of Belding Dial-A-Ride constructs a facility, such as a vehicle storage facility, maintenance facility, or operation center, it will ensure a Title VI equity analysis is completed prior to construction.

**Appendix A            Employee Annual Education Form**

**Title VI Policy**

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

All employees of the City of Belding, Dial-A-Ride are expected to consider, respect, and observe this policy in their daily work and duties. If a citizen approaches you with a questions or complaint, direct him or her to the Director, Valerie Conklin.

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



**Appendix B                      Acknowledgement of receipt of Title VI Plan**

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

\_\_\_\_\_  
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 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." 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:

Attn: Valerie Conklin, Director  
City of Belding, Dial-A-Ride  
Pere Marquette Depot  
100 Depot Street  
Belding, MI 48809

Please print clearly:

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

Telephone Number: \_\_\_\_\_ (home) \_\_\_\_\_ (cell) \_\_\_\_\_ (message)

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

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

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

Please indicate why you believe the discrimination occurred:

- \_\_\_\_\_ race or color
- \_\_\_\_\_ national origin
- \_\_\_\_\_ income
- \_\_\_\_\_ other

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

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

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

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

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

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

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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: Valerie Conklin, Director  
City of Belding, Dial-A-Ride  
Pere Marquette Depot  
100 Depot Street  
Belding, MI 48809

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Your Signature

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Print your name

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Date

**APPENDIX D      Letter Acknowledging Receipt of Complaint**

This letter is to acknowledge receipt of your complaint against the City of Belding, Dial-A-Ride 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 (616) 794-3278, or writing to me at this address. Pere Marquette Depot, 100 Depot Street, Belding, MI 48809.

Sincerely,

Valerie Conklin, Director  
City of Belding, Dial-A-Ride  
Title VI Coordinator

**APPENDIX E      Letter Notifying Complainant that the Complaint Is  
Substantiated**

The matter referenced in your letter of      (date) against the City of Belding, Dial-A-Ride 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. You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

Valerie Conklin, Director  
City of Belding, Dial-A-Ride  
Title VI Coordinator

**APPENDIX F      Letter Notifying Complainant that the Complaint Is  
Not substantiated**

The matter referenced in your complaint of \_\_\_\_\_ (date) against the City of Belding, Dial-A-Ride alleging \_\_\_\_\_ has been investigated.

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

The City of Belding, Dial-A-Ride has analyzed the materials and facts pertaining to your case for evidence of the city'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 7 calendar days of receipt of this final written decision from City of Belding, Dial-A-Ride, 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, 5<sup>th</sup> 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,

Valerie Conklin, Director  
City of Belding, Dial-A-Ride  
Title VI Coordinator

**APPENDIX G        Samples of Posters to be displayed in Revenue  
Vehicles and facilities**

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that “no person in the United States shall, on the 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.” (42 U.S.C. Section 2000d).

The City of Belding, Dial-A-Ride is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B. **If you feel you are being denied participation in or being denied benefits of the transit services provided by the City of Belding, Dial-A-Ride, or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, you may contact our office at.**

**Attn: Valerie Conklin  
Title VI Coordinator  
City of Belding, Dial-A-Ride  
Pere Marquette Depot  
100 Depot Street  
Belding, MI 48809**

For more information, visit our website at [www.ci.belding.mi.us](http://www.ci.belding.mi.us)