

# La Crosse Municipal Transit Utility Title VI Plan

## I. Policy Statement, Authorities and Citations

### A. Policy of Nondiscrimination

La Crosse Municipal Transit Utility (LMTU) assures that no person shall on the grounds of race, color or national origin as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any LMTU sponsored program or activity. LMTU further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

Title VI compliance is a condition of receipt of Federal funds, LMTU's General Manager and Title VI Coordinator are authorized to ensure compliance with provisions of this policy and with the law, including the requirements of 23 Code of Federal Regulation (CFR) 200 and 40 CFR 21.

\_\_\_\_\_  
LMTU General Manager

\_\_\_\_\_  
Date

-----  
LMTU Board President

-----  
Date

### B. Authorities

Title VI of the 1964 Civil Rights Act 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 otherwise subjected to discrimination under any program or activity receiving Federal financial assistance.

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are Federally assisted or not (Public Law 100-259 [S. 557] March 22, 1988).

**LMTU General Manager**

LMTU's General Manager is authorized to ensure compliance with provisions of the LMTU's policy of nondiscrimination and with the law, including the requirements of 23 CFR Part 200 and 49 CFR Part 21. The LMTU's grants compliance function and Title VI coordination shall be performed under the authority of the LMTU General Manager.

### **Title VI Coordinator**

LMTU's Operations Manager will perform the duties of the Title VI Coordinator and ensure implementation of the LMTU's Title VI Federally Funded Transportation Program. The Operations Manager has other duties and responsibilities in addition to Title VI. This position shall have a direct reporting relationship and access to LMTU's General Manager.

### **II. Title VI Plan Implementation and Program Administration**

As authorized by LMTU's General Manager, the Title VI Coordinator is responsible for initiating, monitoring, and ensuring LMTU's compliance with Title VI requirements as follows:

- A. Program Administration. Administer the Title VI program and coordinate implementation of the plan. Ensure compliance with the assurances, policy, and program objectives. Perform Title VI program reviews to assess administrative procedures, staffing and resources; provide recommendations as required to the LMTU General Manager.
- B. Complaints. Review written Title VI complaints that may be received by the LMTU following the adopted procedural guidelines (see Section III-Complaint Procedures). Ensure every effort is made to resolve complaints informally at the local or regional level.
- C. Training Programs. Conduct or facilitate training programs on Title VI issues and regulations for LMTU employees; and facilitate Title VI training for appropriate staff and contractors. A summary of training conducted will be reported in the annual update.
- D. Title VI Plan Update. Review and update LMTU's Title VI Plan as needed or required. Present updated plan to the LMTU General Manager for approval.
- E. Public Dissemination. Work with LMTU staff to develop and disseminate Title VI program information to LMTU employees, contractors, subcontractors, consultants, and sub-consultants and beneficiaries, as well as the general public. Public dissemination may include postings of official statements on buses and at the transit center, inclusion of Title VI Policy Statement in newspaper(s) having a general circulation, and information on the LMTU web site. Ensure public service announcements or notices are posted of proposed projects, hearings, meetings, or formation of public advisory boards, in newspapers or other media reaching the affected community. Ensure the full utilization of available minority publications or media; and, where appropriate, provide written or verbal information in languages other than English.

- F. Elimination of Discrimination. Work with the Human Resources Department, and other LMTU and City of La Crosse departments to establish procedures for promptly resolving deficiencies, as needed. Recommend procedures to identify and elimination discrimination that may be discovered in any LMTU processes.

### **III. Complaint Procedures – Allegations of Discrimination in Federally Assisted Programs or Activities**

#### A. Overview

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, Civil Rights Restoration Act of 1987, and the Americans with Disabilities Act of 1990, relating to any program or activity administered by LMTU, as well as to sub-recipients, consultants, and contractors. Law prohibits intimidation or retaliation of any kind.

The procedures do not deny the right of the complainant to file formal complaints with other state or Federal agencies or to seek private counsel for complains alleging discrimination. Every effort will be made to resolve complaints informally at the LMTU level.

#### B. Procedures

1. Any individual, group of individuals, or entity that believes they have been subjected to discrimination prohibited by non discrimination requirements may file a complaint. A formal complaint must be filled within 180 calendar days of the alleged occurrence.
2. Upon receiving the written complain, LMTU will determine its jurisdiction, acceptability, need for additional information, and the investigative merit of the complaint. In some situations, the LMTU may request the City of La Crosse Human Resources Department, or an independent, outside agency conduct the investigation.
3. Once LMTU decides its course of action, the complainant and the respondent will be notified in writing of such determination with five (5) calendar days. The complaint will be logged into the records of the Title VI Coordinator, and the basis for the allegation identified including race, color, national origin, handicap/disability or age.
4. In cases where LMTU assumes investigation of the complaint, LMTU will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have ten (10) calendar days upon receipt, to furnish LMTU with his/her response to the allegations.
5. Within 60 days of receipt of the complaint, the Coordinator will prepare a written investigative report. The report shall include a narrative description of the incident, identification of persons interviewed, findings and recommendations for disposition.

6. The recommendation shall be reviewed with the City Attorney's office. The City Attorney may discuss the report and recommendations with the Coordinator and other appropriate LMTU and City of La Crosse staff. The report will be modified as needed and made final for its release to the parties.
7. Once the investigative report becomes final, briefings will be scheduled with each party within 15 days. Both the complainant and the respondent shall receive a copy of the investigative report during the briefings and will be notified of their respective appeal rights.
8. If the complainant or respondent is not satisfied with the results of the investigation of the alleged discriminatory practice(s) he or she shall be advised of their rights to appeal LMTU's decision to WISDOT, U.S. Department of Transportation or U.S. Department of Justice. The complainant has 180 calendar days after the appropriate LMTU's final resolution to appeal to USDOT. The complainant may file a separate Title VI complaint directly with the FTA.
9. An annual Log of Complaints will be maintained by LMTU. The Log of Complaints will contain the following information for each complaint filed:
  - The name and address of the person filing the complaint
  - The date of the complaint
  - The basis of the complaint
  - The disposition of the complaint

#### **IV. Title VI Implementation Activities in Planning Activities**

##### Planning Activities

1. Public Involvement in Planning Activities & Title VI
  - a) Invite participation of a cross section of the populace from social, economic, and ethnic groups in the planning process by disseminating written program information to minority media and ethnic organizations, and providing public service announcements for all local media, when forming citizen advisory committees or planning board, and requesting involvement.
  - b) LMTU staff will obtain demographic statistics at applicable community meetings and public hearings involving transportation planning sessions. Data will be gathered through use of a voluntary self-reporting form which includes race, gender, and national origin. Copies of the completed forms will be provided to Title VI Coordinator after each meeting.
  - c) To ensure access to public meetings, evening meetings will be conducted in a variety of community buildings through the LMTU service area, including those along transit routes,

ensure translation services are available if anticipated, and ensure public meetings are held in predominantly minority communities when transportation projects will specifically impact those communities.