Detroit Transportation Corporation
Detroit People Mover
Title VI Compliance Review

Final Report
February 2017
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Executive Summary

Objective and Methodology – This report details the findings of a Compliance Review of the Detroit Transportation Corporation (DTC) Title VI program implementation. The Compliance Review examined this agency’s Title VI program procedures, management structures, actions, and documentation. The review team collected documents and information from the Federal Transit Administration (FTA) and DTC. In addition, the review team interviewed the following entities as part of this review: Transportation Riders United, Michigan Minority Contractors Association, and the Latino Press newspaper. The three-day review included interviews, assessments of data collection systems, and a review of program documents.

DTC’s Title VI Program includes the following positive program elements –

<table>
<thead>
<tr>
<th>Positive Program Elements</th>
</tr>
</thead>
<tbody>
<tr>
<td>➢ Notice to Beneficiaries of Protection under Title VI – Title VI Notice contained all required elements; DTC disseminated its Notice as required; and DTC translated its Notice into two languages according to the results of its LEP Four-Factor Analysis.</td>
</tr>
<tr>
<td>➢ Title VI Program Plan – Contained all required elements.</td>
</tr>
</tbody>
</table>

The Program has the following administrative deficiencies –

<table>
<thead>
<tr>
<th>Administrative Deficiencies</th>
</tr>
</thead>
<tbody>
<tr>
<td>➢ None</td>
</tr>
</tbody>
</table>

The Program has the following substantive deficiencies –

<table>
<thead>
<tr>
<th>Substantive Deficiencies</th>
</tr>
</thead>
<tbody>
<tr>
<td>➢ Inclusive Public Participation – DTC did not have an Inclusive Public Participation Plan as required by FTA Circular 4702.1B. DTC’s outreach activities did not include sufficient outreach to minority and LEP populations likely to use its Detroit People Mover service.</td>
</tr>
<tr>
<td>➢ Requirement to Provide Meaningful Access to LEP Persons – DTC’s LEP Four-Factor Analysis lacked several substantive requirements and DTC did not develop a Language Assistance Plan based on the results of its LEP Four-Factor Analysis.</td>
</tr>
</tbody>
</table>
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1. General Information

This chapter provides basic information concerning this Compliance Review of the Detroit Transportation Corporation (DTC). Information on DTC, the review team, and the dates of the review are as follows:

<table>
<thead>
<tr>
<th>Grant Recipient:</th>
<th>Detroit Transportation Corporation</th>
</tr>
</thead>
<tbody>
<tr>
<td>City/State:</td>
<td>Detroit, MI</td>
</tr>
<tr>
<td>Grantee Number:</td>
<td>5574</td>
</tr>
<tr>
<td>Executive Official:</td>
<td>Barbara Hansen, General Manager</td>
</tr>
<tr>
<td></td>
<td>(313) 224-2190</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:bhansen@thepeoplemover.com">bhansen@thepeoplemover.com</a></td>
</tr>
<tr>
<td>On-site Liaison:</td>
<td>Oliver Lindsay, Grants Manager</td>
</tr>
<tr>
<td></td>
<td>(313) 224-2189</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:olindsay@thepeoplemover.com">olindsay@thepeoplemover.com</a></td>
</tr>
<tr>
<td>Report Prepared By:</td>
<td>The DMP Group, LLC</td>
</tr>
<tr>
<td>Compliance Review Team Members:</td>
<td>Donald Lucas, Lead Reviewer</td>
</tr>
<tr>
<td></td>
<td>Khalique Davis, Reviewer</td>
</tr>
<tr>
<td></td>
<td>Gregory Campbell, Reviewer</td>
</tr>
</tbody>
</table>
2. Jurisdiction and Authorities

The Secretary of Transportation authorized the Federal Transit Administration (FTA) Office of Civil Rights to conduct civil rights compliance reviews. DTC is a recipient of FTA funding assistance and is therefore subject to the Title VI compliance conditions associated with the use of these funds pursuant to the following:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d)
- Federal Transit Laws, as amended (49 U.S.C. Chapter 53 et seq.)
- Department of Justice regulation, 28 CFR part 42, Subpart F, “Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs” (December 1, 1976, unless otherwise noted)
- U.S. Department of Transportation (DOT) regulation, 49 CFR part 21, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964”
- FTA Circular 4702.1B “Title VI Requirements and Guidelines for Federal Transit Administration Recipients”
- FTA Circular 4703.1 “Environmental Justice Policy Guidance for Federal Transit Administration Recipients”
- DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient Persons (December 14, 2005)
- Executive Order 13166: “Improving Access to Services for Persons with Limited English Proficiency”
- Section 13 of FTA’s Master Agreement 22 (October 1, 2015)
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3. Purpose and Objectives

3.1 Purpose
The Federal Transit Administration (FTA) Office of Civil Rights periodically conducts discretionary reviews of grant recipients and subrecipients to determine whether they are honoring their commitments, as represented by certification, to comply with the requirements of 49 U.S.C. 5332. In keeping with its regulations and guidelines, FTA determined that a Compliance Review of DTC’s Title VI Program was necessary.

The Office of Civil Rights authorized The DMP Group, LLC, to conduct the Title VI Compliance Review of DTC. The primary purpose of this Compliance Review was to determine the extent to which DTC has met its General Reporting and Program-Specific Requirements and Guidelines, in accordance with FTA Circular 4702.1B, “Title VI Requirements and Guidelines for Federal Transit Administration Recipients.” Members of the review team also discussed with DTC the requirements of the DOT Guidance on Special Language Services to Limited English Proficient (LEP) Beneficiaries that is contained in Circular 4702.1B. The Compliance Review had a further purpose to provide technical assistance and to make recommendations regarding corrective actions, as deemed necessary and appropriate. The Compliance Review was not an investigation to determine the merit of any specific discrimination complaints filed against DTC.

3.2 Objectives
The objectives of FTA’s Title VI Program, as set forth in FTA Circular 4702.1B, dated October 1, 2012, “Title VI Requirements and Guidelines for Federal Transit Administration Recipients” are to:

- Ensure that the level and quality of public transportation 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.
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4. Introduction to the Detroit Transportation Corporation – Detroit People Mover

The Detroit People Mover (DPM) is a fully automated light rail system developed as part of a planned regional transit system. DPM, which began providing service in 1987, operates on an elevated single-track loop in Detroit’s central business district. The 2.9-mile system provides connections between the courts and administrative offices of several levels of government, sports arenas, exhibition centers, major hotels, and commercial, banking, and retail districts. Service is frequent, unencumbered by vehicle or pedestrian traffic, and conveniently available throughout the central business district. The integration of eight of the 13 DPM stations into pre-existing structures links over nine million square feet that can be traversed unimpeded by outside elements.

4.1 Introduction to DTC and Organizational Structure

The Detroit Transportation Corporation (DTC), an agency of the City of Detroit, owns and operates DPM. DTC is governed by a six-member Board of Directors comprising representatives designated by the organization’s by-laws as members of the City of Detroit Administration, the President of the Detroit City Council and appointees from the other public transportation agencies in the service area, the Detroit Department of Transportation, and the Suburban Mobility Authority for Regional Transportation (SMART). At the time of this review DTC consisted of the General Manager’s office and five primary divisions (Operations, Marketing, Human Resources, and Accounting/Administration). The Operations department consisted of a manager, two shift supervisors, and 11 control operators who managed a fleet of 12 driverless, fully automated vehicles that DTC deployed in one- or two-car trains that operate at-grade to the boarding platform. The vehicles travel at a maximum velocity of 56 mph, and one roundtrip on the system was approximately 15 minutes long with 3- to 4-minute headways.

DPM had 13 stations: five freestanding stations and eight stations integrated into pre-existing structures. Station amenities included elevators, escalators, and information kiosks. DPM Central Control staff monitored stations by closed-circuit TV cameras, push-to-talk voice communication equipment, and voice monitoring capability 24 hours a day. The Central Control staff managed train control and the interface of activities between passengers, transit police officers, maintenance staff, and/or outside contractors to provide safe and efficient operation of the system.

Vehicles and stations were ADA-accessible, and each vehicle had two wheelchair securement positions. Vehicles were also equipped with a climate control system that provided maximum passenger comfort from outside temperatures that can have a seasonal range from subzero to 100 plus degrees.

Normal weekday operating hours were 6:30 a.m. to midnight, with an extension to 2 a.m. on Friday. Weekend hours were 9 a.m. to 2 a.m. on Saturday and noon to midnight on Sunday. DPM provided early openings and extensions of evening hours to accommodate sports events, major conventions, and other special events taking place in the central business district.

Fare tokens cost 75 cents each and were available in each DPM station. Riders could also purchase a monthly pass for $10, a semi-annual pass for $50, or an annual pass for $100 at each station. All stations were equipped with automatic turnstiles and disability-accessible
gates. Persons certified as disabled, Medicare cardholders, and the elderly were eligible for discounted (50 percent) passes and tokens.

Although DPM’s service area was limited to the City of Detroit central business district, the table below represents a demographic profile of the entire City of Detroit using data from the 2000 and 2010 U.S. Censuses. The table shows the 2000 and 2010 populations by racial/ethnic group, the increase (or decrease) in populations from 2000 to 2010, and the percentage of the racial/ethnic group populations in the total population in both 2000 and 2010. The table also shows the 2000 and 2010 populations of individuals who speak English less than “very well”; this group is also known as Limited English Proficient (LEP).

From 2000 to 2010, the total population of the City of Detroit decreased by 25 percent. During this period, the White population decreased by 4.3 percent; the Black population decreased by 20 percent; and Asian, American Indian/Alaskan Native, and Hawaiian/Pacific Islander populations all decreased by less than 1 percent. The Hispanic population increased by less than 1 percent.

In 2010, 10.6 percent of the total population was White, 82.7 percent was Black, 6.8 percent was Hispanic, 1.1 percent was Asian, 0.4 percent was American Indian/Alaskan Native, and less than 1 percent was Hawaiian/Pacific Islander.

According to the 2000 Census, 38,433 persons (4.4 percent) were LEP. According to the 2010 Census, 28,551 persons (4.0 percent) were LEP.

Detroit Racial/Ethnic Composition by U.S. Census, 2000 and 2010

<table>
<thead>
<tr>
<th>Racial/ Ethnic Group</th>
<th>City of Detroit 2000</th>
<th>City of Detroit 2010</th>
<th>Change in Service Area</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>%</td>
<td>Number</td>
</tr>
<tr>
<td>White</td>
<td>116,599</td>
<td>12.3</td>
<td>75,758</td>
</tr>
<tr>
<td>Black</td>
<td>775,772</td>
<td>81.6</td>
<td>590,226</td>
</tr>
<tr>
<td>American Indian / Alaska Native</td>
<td>3,140</td>
<td>0.3</td>
<td>2,636</td>
</tr>
<tr>
<td>Asian</td>
<td>9,268</td>
<td>1.0</td>
<td>7,559</td>
</tr>
<tr>
<td>Hawaiian/Pacific Islander</td>
<td>251</td>
<td>0.0</td>
<td>129</td>
</tr>
<tr>
<td>Other Race</td>
<td>24,199</td>
<td>2.5</td>
<td>21,569</td>
</tr>
<tr>
<td>Two or More Races</td>
<td>22,041</td>
<td>2.3</td>
<td>15,900</td>
</tr>
<tr>
<td>Hispanic Origin¹</td>
<td>47,167</td>
<td>5.0</td>
<td>48,679</td>
</tr>
<tr>
<td><strong>Total Population</strong></td>
<td><strong>951,270</strong></td>
<td><strong>100%</strong></td>
<td><strong>713,777</strong></td>
</tr>
<tr>
<td>Limited English Proficiency</td>
<td>38,433</td>
<td>4.4</td>
<td>28,551</td>
</tr>
</tbody>
</table>

¹ Per the 2000 Census, people of Hispanic origin can be, and in most cases are, counted in two or more race categories.
5. Scope and Methodology

5.1 Scope
The Title VI Compliance Review of DTC examined the following requirements and guidelines as specified in FTA Circular 4702.1B:

General Reporting Requirements and Guidelines – All applicants, recipients, and subrecipients shall maintain and submit the following:

- Annual Title VI Certification and Assurance
- Title VI Complaint Procedures
- Record of Title VI Investigations, Complaints, and Lawsuits
- Information on Language Access to LEP Persons
- Notice to Beneficiaries of Protection under Title VI
- Information on Monitoring subrecipients
- Title VI Program
- Determination of Site or Facilities Location
- Minority Representation on Planning or Advisory Bodies
- Information on Inclusive Public Participation

Requirements and Guidelines for Fixed-Route Transit Providers – All providers of fixed-route public transportation that receive Federal financial assistance shall also submit the following:

- System-wide Service Standards and Policies

5.2 Methodology
The review team conducted initial interviews with the FTA Headquarters Civil Rights staff and the FTA Region V Civil Rights Officer to discuss specific Title VI issues and concerns regarding DTC. FTA sent an agenda letter covering the Compliance Review to DTC advising it of the site visit and indicating additional information requests and issues to discuss. The review team focused on the General Reporting Requirements and Guidelines and the applicable Requirements and Guidelines for Fixed-Route Transit Providers contained in FTA Title VI Circular 4702.1B that became effective on October 12, 2012. The General Reporting Requirements and Guidelines included implementation of the Limited English Proficiency (LEP) Executive Orders.

FTA requested DTC to provide the following documents in advance of the site visit:

- Description of DTC’s public transit service area, including general population and other demographic information using the most recent Census data.
- Current description of DTC’s public transit service, including system maps, public timetables, transit service brochures, etc.
• Roster of DTC’s current revenue fleet, to include acquisition date, fuel type, seating configurations, vehicle assignment, and other amenities.

• Description of transit amenities maintained by DTC for its service area. Amenities include stations, shelters, benches, restrooms, telephones, passenger information systems, etc.

• DTC’s Organization Chart, including public transit staff.

• A narrative that describes the individuals and resources dedicated to implementing the Title VI requirements, handling any Title VI inquiries, and educating the agency’s staff on Title VI.

• List of any DTC subrecipients; DTC’s subrecipient monitoring procedures to ensure Title VI compliance; and when DTC collected their Title VI programs, if applicable.

• Any studies or surveys conducted by DTC, its consultants, or other interested parties (colleges or universities, community groups, etc.) regarding information on the race, color, national origin, English proficiency, language spoken at home, household income, travel patterns, and fare usage by fare type among minority users and low-income users during the past five years.

• Current Title VI Program.

• A list of any siting, locating, and/or constructing of facilities, and any associated Title VI equity analyses within the last three years.

• DTC’s procedures for investigating and tracking Title VI complaints and documentation that the procedures for filing complaints are available to members of the public upon request.

• List of any investigations, lawsuits, or complaints naming DTC that allege discrimination on the basis of race, color, or national origin during the past three years.

• Summary of DTC’s current efforts to engage the public, with special emphasis on the viewpoints of minority, low-income, and LEP populations in the course of conducting public outreach and involvement activities.

• Copy of DTC’s LEP Four-Factor Analysis of the needs of persons with limited English proficiency.

• Copy of DTC’s Language Assistance Plan (LAP) for persons with limited English proficiency that DTC based on the U.S. DOT LEP Guidance.

• Copy of DTC’s Notice to Beneficiaries of Protections under Title VI.

• Documentation of efforts made by DTC to notify members of the public of the protections against discrimination afforded to them by Title VI.

• Documentation that shows the racial breakdown of minority representation on planning and advisory bodies, nonelected policy boards or committees, or similar committees.

• List of any monitoring or technical assistance provided to subrecipient(s), if applicable.

• Summary of subrecipient(s) and their respective Title VI program status, if applicable.

• Quantitative system-wide service standards and qualitative system-wide service policies adopted by DTC to guard against discriminatory service design or operations decisions.
• Copy of DTC’s demographic analysis of its beneficiaries, including demographic maps and charts, customer surveys conducted since the last Title VI submittal that contain demographic information on ridership, or DTC’s locally developed demographic analysis of its customer’s travel patterns, as applicable.

• Any service and fare equity analyses conducted in the past three years.

• Names, titles, telephone numbers, and email addresses of interested parties (external organizations) with which DTC has interacted on Title VI issues.

• Other information determined by DTC staff to be pertinent and demonstrative of its Title VI compliance efforts, as applicable.

DTC assembled the documents prior to the site visit and provided them to the review team for advance review. The review team then developed a detailed schedule for the three-day site.

The site visit to DTC occurred on October 25–27, 2016. Section 8 of this report lists the individuals participating in the Compliance Review. The review team conducted an Entrance Conference at the beginning of the Compliance Review with DTC senior management, DTC staff, and FTA headquarters and regional staff. During the Entrance Conference, the review team explained the goals of the Compliance Review and the needed cooperation of DTC staff members. The review team also discussed a detailed schedule for conducting the on-site portion of the review.

Following the Entrance Conference, the review team met with DTC transportation planning and other staff responsible for Title VI compliance. During this meeting, discussions focused on a detailed examination of documents submitted in advance of the site visit and documents provided at the site visit by DTC. The review team then met with DTC staff to discuss how DTC incorporated FTA Title VI requirements into its public transportation program.

The review team rode the entire system. During the system tour, the review team compared ridership, condition of the vehicle, and distribution of transit amenities (elevators, escalators, kiosks, and trashcans) throughout the system. The review team did not observe discrimination or disparate impact related to persons protected by Title VI in DTC’s provision of transit service.

During the Compliance Review, the review team conducted interviews with three minority representatives of the community served by DTC. The organizations indicated they were aware of DTC’s efforts to notify riders on planning matters, including service and fare changes. Interviewees stated they were aware of recent notices posted at stops and on vehicles regarding the disruptions in the service and other recent service changes, but they were not aware of specific outreach on the part of DTC to minority, LEP, or low-income riders. Individuals noted seeing information provided via a newsletter and had observed information and notices posted in Spanish. Some individuals were aware of procedures used to communicate with individuals who may not speak English well. None of the individuals interviewed reported any disputes or complaints with DPM.

At the end of the site visit, the review team held an Exit Conference with DTC staff and FTA headquarters and regional staff. The review team discussed initial findings and corrective actions with DTC at the Exit Conference.
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6. Findings of General Reporting Requirements and Guidelines

6.1 Inclusive Public Participation

Requirement

FTA recipients should seek out and consider the viewpoints of minority, low-income, and LEP populations in the course of conducting public outreach and involvement activities. An agency’s public participation strategy shall offer early and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions.

Discussion

During this compliance review, FTA found a deficiency with this requirement. In a letter dated November 24, 2015, FTA conditionally approved DTC’s 2014 Title VI Program submittal with the expectation that DTC would develop and implement an Inclusive Public Participation Plan in accordance with FTA Circular 4702.1B requirements. DTC had not taken the required corrective action. In addition, community interviews conducted during the site visit suggested that although DTC appeared to engage the downtown business community, it could improve its outreach to Detroit residents who either already use or may be inclined to use DTC’s People Mover service.

Since 2014, DTC’s Title VI outreach activities included attending Detroit Department of Transportation Local Advisory Committee meetings and Regional Transit Authority of Southeast Michigan Providers Advisory Council meetings. FTA encourages DTC to continue its involvement with these advisory bodies; however, DTC must also develop and implement a Title VI Inclusive Public Participation Plan that includes its current activities as well as additional efforts to involve minority and LEP populations in public participation activities. DTC’s plan should explicitly describe the proactive strategies and procedures DTC will implement to promote participation by minority and LEP populations in DTC’s decision-making process.

During the site visit, the review team discussed and recommended strategies DTC could implement to satisfy the Title VI requirement to promote inclusive public participation. In addition to referring DTC staff to the strategies for engaging minority and low-income populations in FTA Circular 4703.1, “Environmental Justice Policy Guidance for Federal Transit Administration Recipients” (as referenced in FTA Circular 4702.1B), the review team and DTC staff collaboratively devised a plan to incorporate several of these strategies in an outreach plan that included the periodic hosting of community engagement events. Specifically, the outreach plan called for DTC to conduct a demographic analysis of the Greater Detroit Metropolitan Area and identify strategic locations where there were concentrations of minority and LEP persons. DTC would then organize, schedule, and promote public outreach meetings at strategic locations in those communities (e.g., community and recreation centers, churches, schools, and public libraries). In those communities where LEP persons are likely to attend, DTC would provide language assistance per its Language Assistance Plan. The review team and DTC agreed that given the nature of DTC’s People Mover service, providing three to five outreach events per year would help DTC comply with FTA Title VI Inclusive Public Participation requirements.
Finding

As reported in the discussion, DTC did not develop a Title VI Inclusive Public Participation Plan as required by FTA Circular 4702.1B.

Corrective Actions and Schedules

Within 60 days of the issuance of the final report, DTC must submit to the FTA Office of Civil Rights a Title VI Inclusive Public Participation Plan that meets FTA Circular 4702.1B requirements. In its plan, DTC must identify the Title VI outreach efforts it plans to conduct through the end of FY 2017, including a schedule of outreach events and a description of the Title VI populations DTC intends to engage with each outreach effort.

6.2 Language Access to LEP Persons

Requirement

FTA recipients shall take responsible steps to ensure meaningful access to all benefits, services, information, and other important portions of its programs and activities for individuals who are Limited English Proficient (LEP).  

Discussion

During this compliance review, FTA found deficiencies with this requirement. FTA also made several advisory comments regarding this requirement. DTC’s LEP Four-Factor Analysis did not meet FTA Circular 4702.1B requirements and DOT LEP Guidance. In addition, DTC did not sufficiently develop its Language Assistance Plan (LAP) based on the results of its Four-Factor Analysis, which suggested a misunderstanding of the sequential relationship between the Four-Factor Analysis and LAP development. For example, DTC included LAP elements in its Four-Factor Analysis and one Four-Factor Analysis element in its LAP. During the site visit, the review team provided technical assistance to DTC to improve its understanding of the requirement to provide meaningful access to LEP persons.

A detailed analysis of DTC’s Four-Factor Analysis to document the technical assistance provided during the site visit and to provide a resource for DTC to address the four factors is shown below:

---

2 Language access to LEP persons is not limited to only fixed-route services, but will also include paratransit service and any other demand response services the grantee makes available to the public.
Factor 1 - The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient. This population will be program specific. In addition to the number or proportion of LEP persons served, the recipient’s analysis should, at a minimum, identify or describe:

<table>
<thead>
<tr>
<th>Issues Affecting LEP Persons</th>
<th>Identified by DTC?</th>
<th>Discussion</th>
</tr>
</thead>
</table>
| A. How LEP persons interact with the recipient’s agency | Partially | DTC’s Four-Factor Analysis includes the following statement:  

*Based upon tracked volume, informational telephone calls by LEP individuals to the corporate office occur infrequently, and English is the language used in the majority of website visits.*

This statement suggests that LEP individuals’ interaction with DTC is limited to calls to the corporate office and browsing its website. Although the statement indicates DTC tracked some of its interactions with LEP persons, during the site visit DTC did not confirm that it proactively monitored and tracked interactions of this kind. In addition, DTC did not consider and identify other ways LEP individuals might interact with the agency (e.g., DTC customer service, DTC police, printed material, community outreach events, and fare vending).

DTC must take additional steps to identify in its analysis all the ways it interacts with LEP individuals. In addition, FTA recommends DTC consult with community organizations and/or individuals familiar with the transportation needs and challenges of LEP individuals in an attempt to better understand the actual LEP user experience and confirm it has identified all the ways LEP individuals interact with its service.

| B. Identification of LEP communities and assessment of the number or proportion of LEP persons from each language group to determine the appropriate language services for each language group | Partially | In its 2014 Title VI Program Plan, DTC considered 2010 U.S. Census data for Detroit, MI, which did not include LEP data, and 2008–2012 American Community Service data for Detroit’s central business district (CBD), which reported 32 LEP persons. Relying on these data resulted in insufficient analysis of the number and proportion of LEP persons DTC will likely encounter, as the majority of its riders do not reside in Detroit’s CBD. During the site visit, DTC estimated that approximately 33 percent of its ridership resided in the City of Detroit, 33 percent resided in suburban Detroit, and 33 percent were tourists. Given the transient nature of tourists, the review team recommended DTC define its evaluation area as the... |
City of Detroit and suburban Detroit for purposes of conducting its Four-Factor Analysis.

Although DTC included American Community Survey data for the City of Detroit in its Factor 2 analysis, this data should have been considered in its Factor 1 analysis. This data set more reasonably identifies LEP persons DTC is likely to encounter; however, DTC should also consider suburban Detroit demographics in its Factor 1 analysis. The number of persons who speak English "less than very well" in the 2012 City of Detroit data was 28,783, or 4.4 percent of the Detroit population. DTC reported that the five languages or language groups other than English spoken most often in Detroit were Spanish, Arabic, French, Polish, and African languages. However, this information was not included in the demographic data set included in its 2014 Title VI Program Plan. Although it is likely correct, DTC is encouraged to include support for its assertions in its plan. In addition, although this information is somewhat helpful, DTC should provide additional data on the breakdown of LEP persons by language. DTC did not provide this information in its plan.

DTC did not identify LEP communities in the Greater Detroit Metropolitan Area where its current and potential LEP riders are concentrated. DTC must take additional steps to identify where its LEP ridership is concentrated. FTA also recommends DTC reference additional demographic data sources to better determine the number and proportion of LEP individuals it serves or is likely to serve (e.g., Detroit Public School System English as a Second Language information and other sources recommended in the DOT LEP Guidance).

In the future, FTA recommends DTC only include information relevant to its analysis of the number and proportion of LEP persons.

<table>
<thead>
<tr>
<th>C. The literacy skills of LEP populations in their native languages, in order to determine whether translation of documents will be an effective practice</th>
<th>No</th>
<th>DTC must reference DOT LEP Guidance and consider the resource titled &quot;How to Engage Low-Literacy and Limited-English-Proficiency Populations in Transportation Decisionmaking,&quot; available online at DOT LEP Guidance. This report documents best practices in identifying and engaging low-literacy and LEP populations in transportation decision-making.</th>
</tr>
</thead>
<tbody>
<tr>
<td>D. Whether LEP persons</td>
<td>No</td>
<td>DTC must document its attempts to ascertain whether LEP persons experience service disparities</td>
</tr>
</tbody>
</table>
underserved by the recipient due to language barriers | due to language barriers. FTA recommends engaging in community outreach and/or conducting a survey to get feedback directly from the LEP community.

**Factor 2** - The frequency with which LEP persons come into contact with the program. Recipients should survey key program areas and assess major points of contact with the public, such as:

<table>
<thead>
<tr>
<th>Interaction with Transportation System by LEP Persons</th>
<th>Surveyed or Assessed by DTC?</th>
<th>Discussion</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Use of bus and rail service</td>
<td>No</td>
<td>DTC’s Factor 2 analysis relied on 2012 American Community Survey data for the City of Detroit. In addition, DTC included 2008–2012 American Community Survey data for the State of Michigan. DTC did not document or otherwise confirm that it had analyzed the frequency with which LEP persons encountered its service, as required by FTA Circular 4702.1B. In its 2014 Title VI Program Plan, DTC noted the infrequency with which LEP persons placed calls to its corporate office and the infrequency of website translation requests. However, DTC appears not to have based its statement on the results of a purposeful and documented analysis.</td>
</tr>
<tr>
<td>B. Purchase of passes and tickets through vending machines, outlets, websites, and over the phone</td>
<td>No</td>
<td>DTC must analyze the frequency with which LEP persons encounter its service in accordance with FTA Circular 4702.1B and DOT LEP Guidance.</td>
</tr>
<tr>
<td>C. Participation in public meetings</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>D. Customer service interactions</td>
<td>Partially</td>
<td></td>
</tr>
<tr>
<td>E. Ridership surveys</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>F. Operator surveys</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>

**Factor 3** - The nature and importance of the program, activity, or service provided by the program to people’s lives. Transit providers must assess their programs, activities, and services to ensure they are providing meaningful access to LEP persons. Facilitated meetings with LEP persons are one method to inform the recipient on what the local LEP population considers to be an essential service, as well as the most effective means to provide language assistance.

In its 2014 Title VI Program Plan, DTC identified the following as its most critical services:

- Providing reliable and convenient transit service to the downtown area.
- Transportation to municipal and commercial buildings, centers and institutions.
- Access to the security awareness and emergency instructions.

In addition, DTC identified the following as critical for accessing and using its transit service:
In the future, FTA advises DTC to document the analysis it conducts to make these Factor 3 determinations. For example, DTC should consider including questions in future passenger surveys regarding the nature and importance of its service to its LEP riders to better understand their needs as they relate to accessing and using its service.

DTC’s Factor 3 analysis also included a detailed list of its existing language assistance measures and a description of its process for notifying LEP persons of the availability of language assistance. In the future, DTC’s language assistance measures and its notice to LEP persons should be included in DTC’s LAP, not in the description of its Factor 3 analysis.

**Factor 4 - The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.**

In its 2014 Title VI Program Plan, DTC included Factor 4 of its Four-Factor Analysis as an element of its LAP. In the future, DTC must analyze and document the resources available for LEP outreach and language assistance as an element of its Four-Factor Analysis.

In addition, FTA advises DTC to clearly describe and affirm its available LEP-related resources. For example, in its 2014 Title VI Program Plan, DTC states the following [emphasis added]:

*The Detroit People Mover operated by the DTC is a fixed rail distribution system, providing access to many businesses and social institutions and will assure the responsible steps for access include:*

- Provide notice of language assistance availability of documents and information.
- Producing pictographs for in-vehicle emergency exit protocols.
- Adding Spanish translations to the safety signage posted at station entry points.
- Upgrade automated telephone voice attendant system to include options in common languages and how to access language assistance.
- Provide interpretation and/or translation services during public meetings.
- Meet with agencies that serve LEP populations and engage them on “how to ride.”

In the future, FTA recommends replacing “will assure the responsible steps for access include” with “has confirmed that the resources necessary to provide the following LEP outreach and language assistance are and will continue to be made available.”

DTC’s LAP was lacking in both format and substance.
LAP Formatting Deficiencies

DTC did not format its LAP according to FTA Circular 4702.1B requirements. DTC’s LAP contained three of the five required elements: language assistance measures, staff training, and monitoring and updating the LAP. DTC did not include the results of the Four-Factor Analysis, including a description of the LEP population served, or a description of how it notifies LEP persons of the availability of language assistance. This last element was included in DTC’s Four-Factor Analysis under Factor 3.

DTC’s version of its language assistance measures in Factor 3 of its Four-Factor Analysis differed from the version in its LAP. DTC presented the former version in table format and the latter version in narrative form. A comparison of the two presentations revealed similarities and differences in the measures described [e.g., photographic illustrations (pictograms) were included in the list of measures in the LAP but not in the Four-Factor Analysis]. In total, DTC’s language assistance measures included:

- Title VI notice posted throughout DTC’s People Mover system in English, Spanish, and Arabic
- Safety warning signage at all DTC People Mover stations in English, Spanish, and Arabic
- I Speak cards in Spanish and Arabic located at the reception desk of DTC’s main office
- Safety rules in Spanish and Arabic posted on DTC’s website
- Passenger travel information for fare and schedules in Spanish
- Station guides in Spanish
- Use of print media for minority and LEP outreach [e.g., *The Michigan Chronicle* (African American), *The Latino Press* (Hispanic), and *Arab American News* (Arabic)].
- Pictograms

DTC should include its language assistance measures in its LAP, and if necessary, refer to them from other parts of its Title VI Program Plan. In the interest of clarity, FTA encourages the use of DTC’s table format to present its complete list of language assistance measures. Finally, as described earlier, DTC included documentation of Factor 4 of its Four-Factor Analysis in the LAP. This documentation belongs in DTC’s Four-Factor Analysis.

DTC must ensure that its Four-Factor Analysis and LAP include all required elements in a clear, well-organized, consistent, and reasonably easy to understand manner.

LAP Substantive Deficiencies

Regarding the substance of DTC’s LAP, DTC did not include the results of the Four-Factor Analysis, including a description of the LEP population served. In addition, DTC’s description of how it notifies LEP persons of the availability of language assistance was lacking. DTC stated the following in its 2014 Title VI Program Plan:

*The Detroit People Mover is a choice mode of public transportation. Patrons who elect to use the service will utilize the People Mover for business, employment or entertainment. DTC has identified two potential LEP populations, Hispanic and Arabic. DTC aspires to
present information in these languages which ensures an informed travel experience for these patrons.

DTC has determined that discussion of the People Mover service and feedback from the organizations on their LEP populations would be best served through outreach and a survey to identify the type of medium and location of additional signage/information which could have the most impact.

DOT LEP Guidance recommends the following actions for notifying LEP persons of the availability of language assistance:

- Posting signs in intake areas and other entry points. This is important so that LEP persons can learn how to access those language services at initial points of contact. This is particularly true in areas with high volumes of LEP persons seeking access to certain transportation safety information, or other services and activities run by DOT recipients.

  For instance, signs in intake offices could state that free language assistance is available. The signs should be translated into the most common languages encountered and should explain how to get the necessary language assistance. The Social Security Administration has made such signs available at http://www.ssa.gov/multilanguage/langlist1.htm. DOT recipients could, for example, modify these signs for use in programs, activities, and services.

- Stating in outreach documents that language services are available from the agency. Announcements could be in, for instance, brochures, booklets, and in outreach and recruitment information. These statements should be translated into the most common languages and could be “tagged” onto the front of common documents.

- Working with community-based organizations and other stakeholders to inform LEP individuals of the recipients’ services, including the availability of language assistance services.

- Using an automated telephone voice mail attendant or menu system. The system could be in the most common languages encountered. It should provide information about available language assistance services and how to get them.

- Including notices in local newspapers in languages other than English.

- Providing notices on non-English-language radio and television stations about the available language assistance services and how to get them.

- Providing presentations and/or notices at schools and religious organizations.

All other DTC LAP elements substantially met FTA Circular 4702.1B requirements. According to its LAP, DTC trains staff on the provision of available language assistance measures during
new hire orientation. DTC monitors and updates its LAP at least once every three years in conjunction with its triennial Title VI Program Plan submittal to FTA.

Findings

As reported in the discussion, DTC’s Four-Factor Analysis was incomplete. In particular, DTC did not address all the requirements in Factor 1 – The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient, and Factor 2 – The frequency with which LEP persons come into contact with the program. In addition, DTC’s LAP did not include all required elements, including, an adequate description of the LEP population served, and how it notified LEP persons of the availability of language assistance. DTC did not format and organize the information in its LEP Four-Factor Analysis and LAP, and did not demonstrate that it developed its LAP based on the results of its LEP Four-Factor Analysis, as required by FTA Circular 4702.1B and DOT LEP Guidance.

Corrective Actions and Schedules

Within 60 days of the issuance of the final report, DTC must submit to the FTA Office of Civil Rights an updated LEP Four-Factor Analysis and Language Assistance Plan prepared in accordance with FTA Circular 4702.1B and DOT LEP Guidance. DTC must update the following portions of its Four-Factor Analysis:

- Factor 1 - The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient
- Factor 2 - The frequency with which LEP persons come into contact with the program

DTC must update its LAP to include the following:

- A description of the LEP population served
- A description of how DTC notifies LEP persons of the availability of language assistance

In the next triennial Title VI submission, DTC must develop its LAP based on the results of its LEP Four-Factor Analysis.

Advisory Comment

FTA also advises DTC to do the following:

- Document its analysis of the nature and importance of its transit service to LEP individuals (Factor 3).
- Document its analysis of the resources available for LEP outreach and language assistance (Factor 4).
- Address and only include the required areas described in FTA Circular 4702.1B and the DOT LEP Guidance in its LAP.
6.3 Title VI Complaint Procedures

Requirement

FTA recipients and subrecipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public upon request.

Discussion

During this compliance review, FTA found no deficiencies with this requirement. FTA made advisory comments regarding this requirement. DTC’s complaint procedures included procedures for receiving complaints, documenting complaints using a readily available complaint form available online and at its corporate office, determining the nature and legitimacy of complaints, and time frames for investigation and determination.

DTC’s complaint procedures required complainants to file complaints in writing. However, during the site visit, DTC described a process by which a complainant could file a complaint verbally over the phone. In this case, DTC staff would document the complaint in writing on behalf of the complainant. Accordingly, the review team advised DTC to update its complaint procedures to include procedures for receiving and processing complaints orally as well as in writing, as allowed by DTC.

DTC’s complaint procedures stated complaints “are to be submitted to the Marketing Manager (Customer Service Manager).” DTC’s Title VI Notice to Beneficiaries stated, “DTC’s Human Resources Division is responsible for receiving complaints.” During the site visit, DTC explained that the Marketing Manager (Customer Service Manager) was a member of the Human Resources Division staff. DTC’s organization chart, however, did not show the Marketing Manager (Customer Service Manager) as a member of the Human Resources Division. Instead, the organization chart showed the “Marketing Specialist,” confirmed by DTC to be the same as the Marketing Manager, to be organizationally outside of the Human Resources Division. Accordingly, the review team advised DTC to update its complaint procedures to be consistent with its Title VI Notice to Beneficiaries and to update its organization chart to reflect the accurate relationship between the Market Manager (Customer Service Manager) and the Human Resources Division.

The complaint form available on DTC’s website differed from the complaint form included in its 2014 Title VI Program Plan. Most notably, DTC titled the complaint form on its website, “Title VI Complaint Form.” This form listed the following possible bases for discrimination: race, color, national origin, income, age, gender, disability, and other. DTC titled the complaint form submitted with its 2014 Title VI Program Plan, “Complaint Form.” This form listed the following possible bases for discrimination: race, national origin, color, disability, gender, and other. The review team explained to DTC that because Title VI only covers race, color, and national origin, those should be the only protected classes listed on a Title VI-specific complaint form. If DTC prefers to use one form to record and document Title VI and non-Title VI complaints, it could do so; however, it must not call it a “Title VI Complaint Form.” Accordingly, the review team advised DTC to change the title of the complaint form available on its website from “Title VI Complaint Form” to “Complaint Form.”
Finally, the review team advised DTC to include an appeals process in its complaint procedures so that an initial review and determination would be conducted at one level of the agency and appeals would be considered at a higher level of the agency.

Finding

As reported in the discussion, DTC’s Title VI complaint procedures substantially met FTA Circular 4702.1B requirements; however, FTA made advisory comments.

Advisory Comment

FTA advised DTC to update its procedures to reflect current practice, consistently communicate procedures across all media, update its complaint form, and include procedures for filing an appeal.

6.4 Record of Title VI Investigations, Complaints, and Lawsuits

Requirement

FTA recipients shall prepare and maintain a list of any active investigations conducted by entities other than FTA, lawsuits, or complaints naming the recipients that allege discrimination based on race, color, or national origin. This list shall include the date that the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response to the investigation, lawsuit, or complaint.

Discussion

During this compliance review, FTA found no deficiencies with this requirement. FTA made advisory comments regarding this requirement. Over a five-year period, DTC reported 35 complaints on its complaint log, none of which were Title VI related. Per FTA Circular 4702.1B and in preparation for potentially receiving Title VI complaints in the future, FTA advised DTC to update its complaint log as described below.

DTC recorded complaints on a spreadsheet titled, “DTC Customer Compliant Log 2011-2016,” which included the following column headings: Name, Date, Location, Reason for Complaint, Phone #, Close Date, and Title VI. DTC recorded the date it recorded the complaint in the “Date” column and the summary of allegations in the “Reason for Complaint” column. DTC recorded the status of the complaint in the “Close Date” column, which recorded whether the complaint was open or closed based on the entry of a closed date. If DTC did not enter a date in this column, DTC considered the complaint open. None of the columns in the log recorded the actions taken by DTC related to its investigation, findings, and responses.

FTA advised DTC to add a column named “Actions Taken” to its complaint log. In the event it receives a Title VI complaint, it must briefly describe its actions taken to investigate and resolve the complaint, as well as any corrective action it takes to address any related Title VI findings of deficiency. In addition, the review team recommended DTC make the following changes to its complaint log to improve the recording, tracking, and reporting of its Title VI complaints:
• Add a column titled “Status” and for each complaint indicate a status of “open,” “under appeal” (if, and when DTC implements an appeals process per the advisory comment in Section 6.3), or “closed.”
• Change the name of the “Closed Date” column to “Last Updated” and enter the date of the most recent status change.
• Change the name of the “Title VI” column to “Complaint Type” and enter the complaint type (e.g., Title VI, ADA, Customer Service) next to each complaint in the log.

Finding

As reported in the discussion, DTC developed and used a system-wide complaint log to record multiple types of complaints. Although DTC did not have Title VI investigations, complaints, or lawsuits to report, DTC did not adequately format its complaint log to record the actions taken in response to a Title VI investigation, complaint, or lawsuit, as required by FTA Circular 4702.1B.

Advisory Comment

FTA advised DTC to update its complaint log to allow for the recording of all required information, as described in FTA Circular 4702.1B.

6.5 Notice to Beneficiaries of Protection under Title VI

Requirement

FTA recipients shall provide information to the public regarding their Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by Title VI. Recipients shall disseminate this information to the public through measures that can include but shall not be limited to a posting on its Web site. Furthermore, notices will detail a recipient’s Title VI obligations into languages other than English, as needed and consistent with the DOT LEP Guidance and the recipient’s LAP.

Discussion

During this compliance review, FTA found no deficiencies with this requirement. FTA made advisory comments regarding this requirement. DTC’s Title VI Notice to Beneficiaries contained all required elements, and DTC translated its Title VI Notice into Spanish and Arabic according to its LAP. DTC posted its Title VI Notice on its website, station platform directories, system brochure (Station Guide), and on all rail cars. However, DTC’s Title VI Notice on its website was inconsistent with the Title VI Notice in its 2014 Title VI Program Plan and other media. DTC’s website Title VI Notice was as follows (emphasis added to the language on the website that differed from the language used in other media):

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin to programs and activities receiving Federal financial assistance. The Detroit Transportation Corporation (DTC) works to offer public transportation service that is free of discriminatory practices and actions for all patrons of the Detroit People Mover. DTC’s Human Resources Division is responsible for receiving complaints by any person who believes he or she has been subjected to discrimination in the delivery of or access to
public transportation service on the basis of race, color or national origin. Any such complaints must be filed directly by the party within 90 days after the date of the alleged discrimination. All complaints will be reviewed promptly and with confidentiality. If a Title VI violation is found to exist, remedial steps as appropriate and necessary will be taken immediately. DTC does not sanction discrimination based upon sex, age, gender or disability, and will also take action to ensure meaningful access to services, programs and activities for our ridership.

Individuals may request additional information regarding the DTC Title VI policy by contacting the Human Resources Manager. To file a complaint in writing, please submit by mail or e-mail all Title VI policy concerns to:

Parnell Williams  
Manager  
Human Resources Division  
Detroit Transportation Corporation  
535 Griswold  
Suite 400  
Detroit, MI 48226  
Phone: (313) 224-2160  
Fax: (313) 224-2134  
Hours: 9:00 a.m. – 5:00 p.m.

To download a customer form, please click the link at the bottom of the page.

A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights,

Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590

If the complainant disagrees with the response or decision, a written notice can be sent directly to the U.S. Department of Transportation:

U.S. Department of Transportation  
Attention: Office of Civil Rights  
1200 New Jersey Avenue, S.E.  
Washington, D.C. 20590

The website version of DTC’s Title VI Notice was the only location the review team observed that DTC communicated a Title VI complaint appeals process, which consisted of filing an appeal with the U.S. DOT. The review team noted that DTC did not document this appeals process in its Title VI Complaint Procedures. FTA advised DTC to attempt to resolve Title VI complaints at the lowest level possible, and therefore to handle appeals within DTC and not refer appeals to the U.S. DOT. FTA advised DTC to reconcile its Title VI Complaint Procedures with what it communicated to the public via its Title VI Notice. FTA also advised DTC to remove references to classes not protected under Title VI (i.e., sex, age, gender, or disability). Finally, FTA advised DTC to publish a consistent Title VI Notice across all media.
Finding

As reported in the discussion, DTC developed and distributed a Title VI Notice to Beneficiaries in accordance with FTA Circular 4702.1B requirements. DTC’s Title VI Notice on its website, however, was inconsistent with all other versions of DTC’s Title VI Notice published elsewhere. Specifically, DTC’s website Notice contained language regarding classes not protected under Title VI and instructions on how to file a Title VI complaint appeal that DTC did not document in its Title VI Complaint Procedures and were inconsistent with FTA guidance.

Advisory Comment

FTA advised DTC to publish a consistent Title VI Notice to Beneficiaries across all media that reflected DTC’s current procedures.

6.6 Annual Title VI Certification and Assurance

Requirement

FTA recipients shall submit their annual Title VI certification and assurance as part of their Annual Certifications and Assurances submission to FTA in the FTA Web-based Transportation Electronic Award Management (TEAM) grants management system.

Discussion

During this compliance review, FTA found no deficiencies with this requirement. DTC filed the required Title VI Certification and Assurance in TrAMS on March 30, 2016.

Finding

As reported in the discussion, DTC filed its Title VI Certifications and Assurances on time and in accordance with FTA Circular 4702.1B requirements. Therefore, DTC is in compliance and there is no corrective action needed at this time.

6.7 Monitoring Subrecipients

Requirement

Primary recipients must monitor their subrecipients for compliance with the regulations. Importantly, if a subrecipient does not comply with Title VI requirements, then the primary recipient is also not in compliance.

Discussion

At the time of this compliance review, DTC did not have subrecipients of FTA funding, and therefore no monitoring was required.

Finding

As reported in the discussion, DTC did not have subrecipients. Therefore, DTC was in compliance and there was no corrective action needed at this time.
6.8 **Minority Representation on Planning or Advisory Bodies**

**Requirement**

FTA recipients shall not deny an individual on the basis of race, color, or national origin the opportunity to participate as a member of a transit-related, nonelected planning, advisory, committee, or similar body. FTA recipients shall provide a table depicting the racial breakdown of the membership of those bodies, and a description of the efforts made to encourage the participation of minorities on such committees.

**Discussion**

During this compliance review, FTA found no deficiencies with this requirement. DTC confirmed during the site visit that it did not organize advisory boards or committees and DTC’s by-laws determined its Board membership. Although DTC performed a transportation planning advisory function vis-à-vis its membership on transportation planning committees organized by regional and metropolitan planning organizations, DTC itself was not responsible for the makeup of these committees. Nevertheless, in its 2014 Title VI Program Plan, DTC identified the following three nonelected advisory bodies:

- **DTC Board of Directors** – DTC is governed by a six-member Board of Directors comprising representatives designated by the organization’s by-laws as members of the City of Detroit Administration, the President of the Detroit City Council and appointees from the other public transportation agencies in the service area, the Detroit Department of Transportation, and the Suburban Mobility Authority for Regional Transportation (SMART).

- **Regional Transportation Authority (RTA) Transit Providers Advisory Committee** – Under the Regional Transit Authority Act, Act No. 387 of the Michigan Public Acts of 2012, RTA has specific powers and obligations to coordinate public transit services between the region’s transit service providers and to plan for and develop new service. These powers and obligations place RTA in the position of guiding and coordinating the use of the region’s state and federal transit funds. The four transit service providers are the Detroit Department of Transportation, SMART, the Ann Arbor Area Transportation Authority, and DTC.

- **Southeast Michigan Council of Governments (SEMCOG) Transportation Advisory Committee** – SEMCOG is the region's metropolitan planning organization. DTC is a member of SEMCOG’s Transportation Advisory Committee.
The racial makeup of these organizations and the overall city population is as follows:

<table>
<thead>
<tr>
<th>Advisory Body</th>
<th>Caucasian</th>
<th>Latino</th>
<th>African American</th>
<th>Asian American</th>
<th>Native American</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Detroit Population (2010 U.S. Census)</td>
<td>10.61%</td>
<td>6.82%</td>
<td>82.69%</td>
<td>1.06%</td>
<td>3.69%</td>
</tr>
<tr>
<td>DTC Board of Directors</td>
<td>100%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>RTA Transit Providers Advisory Committee</td>
<td>50%</td>
<td>0%</td>
<td>50%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>SEMCOG Transportation Advisory Committee</td>
<td>50%</td>
<td>0%</td>
<td>50%</td>
<td>0%</td>
<td>7%</td>
</tr>
</tbody>
</table>

Although DTC was not required to organize advisory bodies of nonelected members, because (as DTC acknowledged in its LEP Four-Factor Analysis) Detroit experienced an increase in its Hispanic population since 2000 and has a large Arab community, FTA recommended DTC confirm outreach to those two groups in its inclusive public participation efforts. FTA made this recommendation because, as reported by DTC, neither of these groups had representation on the regional and local planning committees reported by DTC.

**Finding**

As reported in the discussion, DTC did not have nonelected advisory bodies for which it was responsible. Therefore, DTC was in compliance and there was no corrective action needed at this time.

**6.9 Determination of Site or Location of Facilities**

**Requirement**

FTA recipients shall complete a Title VI equity analysis during the planning stage with regard to race, color, or national origin. A recipient shall also engage in outreach to persons potentially impacted by the siting of facilities. The analysis shall compare the equity impacts of various siting alternatives, and the analysis must occur before the selection of the preferred site. This requirement will mostly focus on certain facilities, due to the National Environmental Policy Act (NEPA) process evaluating the other types of projects. If, however, the project did not trigger the NEPA process, the normally exempted projects will undergo a Title VI equity analysis.

**Discussion**

At the time of this compliance review, DTC did not have any recent or planned transit facilities.

**Finding**

As reported in the discussion, DTC did not have any recent or planned facility projects. Therefore, DTC is in compliance and there is no corrective action needed at this time.
6.10 Submit Title VI Program

Requirement

All direct and primary recipients must document their compliance with DOT’s Title VI regulations by submitting a Title VI program to their FTA regional civil rights officer once every three years or as otherwise directed by FTA. For all recipients (including subrecipients), the Title VI program must be approved by the recipient’s board of directors or appropriate governing entity or officials responsible for policy decisions prior to submission.

Discussion

During this compliance review, FTA found no deficiencies with this requirement. According to TrAMS, DTC approved its most recent Title VI Program Plan on June 27, 2014, and submitted its plan to FTA on July 2, 2014. FTA concurred with the plan on November 25, 2015. DTC’s next Title VI Program Plan is due on June 1, 2017. DTC’s current Title VI Program Plan, which expires on July 31, 2017, contains all required elements as indicated in the table below.

Finding

As reported in the discussion and indicated in the table below, DTC submitted its most recent Title VI Program Plan in accordance with FTA Circular 4702.1B requirements. Therefore, DTC is in compliance and there is no corrective action needed at this time.

Title VI Program Reporting Requirements and Guidelines

<table>
<thead>
<tr>
<th>General Reporting Requirements/Guidelines (per FTA Circular 4702.1B)</th>
<th>Included in Program Submittal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Summary of public outreach and involvement activities undertaken since last submission and description of steps taken to ensure that minority and low-income people had meaningful access to these activities.</td>
<td>Yes</td>
</tr>
<tr>
<td>Copy of agency’s plan for providing language assistance for persons with limited English proficiency based on DOT LEP Guidance or copy of agency’s alternative framework for providing language assistance.</td>
<td>Yes</td>
</tr>
<tr>
<td>Copy of agency procedures for tracking and investigating Title VI complaints.</td>
<td>Yes</td>
</tr>
<tr>
<td>List of any Title VI investigations, complaints, or lawsuits filed with agency since time of last submission. Should include only those investigations, complaints, or lawsuits that pertain to agency submitting report, not necessarily larger agency or department of which entity is a part.</td>
<td>Yes (none received)</td>
</tr>
<tr>
<td>List of any subrecipients and when their Title VI program is due. Also included is how the primary recipient stores the submitted Title VI programs, and a summary of the efforts undertaken to ensure subrecipients comply with their Title VI obligations.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Copy of agency’s notice to public that it complies with Title VI and instructions to public on how to file discrimination complaint.</td>
<td>Yes</td>
</tr>
<tr>
<td>Copy of the agency’s table depicting the racial breakdown of the planning and advisory bodies and the efforts made to encourage the participation of minorities on such committees.</td>
<td>Yes</td>
</tr>
</tbody>
</table>
**General Reporting Requirements/Guidelines (per FTA Circular 4702.1B)**

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Included in Program Submittal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Copy of any conducted Title VI equity analyses related to the siting or location of facilities.</td>
<td>No facilities constructed</td>
</tr>
</tbody>
</table>

**Program-Specific Requirements/Guidelines for Fixed-Route Transit Providers that Operate Fewer than 50 Fixed-Route Vehicles in Peak Service (per FTA Circular 4702.1B)**

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Included in Program Submittal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Copies of system-wide service standards and system-wide service policies adopted by agency since last programmatic submission.</td>
<td>Yes</td>
</tr>
</tbody>
</table>

**Advisory Comment**

FTA recommends that DTC include a section in its next Title VI Program Plan for each of the FTA Circular 4702.1B requirements for fixed-route transit providers that operate fewer than 50 fixed-route vehicles in peak service. If a requirement does not apply to DTC, DTC should indicate that in its plan and briefly describe why the requirement does not apply. For example, because DTC did not have subrecipients and did not recently plan or construct a maintenance transit facility, it did not address the related requirements in its 2014 Title VI Program Plan. Omitting these references could potentially suggest that DTC did not comply with all FTA Circular 4702.1B requirements.

**6.11 System-wide Service Standards and Policies**

**Requirement**

FTA recipients that provide fixed-route service shall set service standards and policies for each specific fixed-route mode of service they provide. Fixed-route modes of service include but are not limited to, local bus, express, bus commuter bus, bus rapid transit, light rail, subway, commuter rail, passenger ferry, etc. These standards and policies must address how a recipient distributes its service across the transit system, and must ensure that the manner of the distribution affords users access to these assets.

**Discussion**

During this compliance review, FTA found no deficiencies with this requirement. DTC operated the Detroit People Mover, a fully automated 2.9-mile light rail system that operated on an elevated single-track loop in Detroit's central business district. The system's 13 stations provide quick connections between the courts and administrative offices of several levels of government, sports arenas, exhibition centers, major hotels, and commercial, banking, and retail districts. Service is frequent and unencumbered by vehicle or pedestrian traffic.

Because DTC's service was limited to Detroit's central business district, its service area demographics are virtually the same, making evaluating the equitable distribution of FTA-funded transit benefits based on commonly used industry service standards and policies impractical. Demographic distinctions of race, color, and national origin do not exist in DTC's transit system as they might in a system that has multiple routes that serve different areas within a larger service area (e.g., City of Detroit and/or the Greater Detroit Metropolitan Area). DTC's service...
area and related characteristic notwithstanding, DTC did maintain system-wide service standards and policies, as follows.

Service Standards

Vehicle Load

<table>
<thead>
<tr>
<th>Vehicle Type</th>
<th>Seated Capacity</th>
<th>Optimal Standing Capacity</th>
<th>Maximum Achievable Capacity</th>
<th>Maximum Load Factor</th>
<th>Quantifiable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Automated Guideway Vehicle (rail car)</td>
<td>34</td>
<td>83</td>
<td>117</td>
<td>1.05</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Vehicle Headway

<table>
<thead>
<tr>
<th>Weekday</th>
<th>Base</th>
<th>Saturday</th>
<th>Base</th>
<th>Sunday</th>
<th>Base</th>
</tr>
</thead>
<tbody>
<tr>
<td>Automated Guideway Vehicle</td>
<td>15 Minutes</td>
<td>Automated Guideway Vehicle</td>
<td>15 Minutes</td>
<td>Automated Guideway Vehicle</td>
<td>15 Minutes</td>
</tr>
</tbody>
</table>

On-Time Performance. DTC considers a vehicle on time if it departs a time-point no more than 30 additional seconds beyond the standard dwell time. Trains travel around the alignment in circuit, using on-board communication to facilitate movement.

Service Policies

Vehicle Assignment. DTC maintains a homogenous transit vehicle fleet of 12 automated guideway vehicles (rail cars). All DTC vehicles are the same age and have the same features. DTC only pulls vehicles from service for maintenance purposes. Typically, 10 of DTC’s 12 vehicles are in service at all times.

Transit Amenities. DTC provided the same transit amenities (elevators, escalators, information kiosks, security cameras, and trash receptacles) at all 13 of its stations. DTC made a distinction between its five freestanding and eight integrated stations. The eight integrated stations were built within existing structures (buildings) owned and maintained by a third party, and the five freestanding stations were standalone and fully owned and maintained by DTC. During the site visit, the review team observed no difference in the transit amenities provided at freestanding and integrated stations.

Finding

As reported in the discussion, DTC maintained system-wide service standards and policies in accordance with the FTA Circular 4702.1B requirements. Therefore, DTC is in compliance and there is no corrective action needed at this time.
## 7. Summary of Findings/Corrective Actions

<table>
<thead>
<tr>
<th>Item</th>
<th>Title VI Requirements</th>
<th>Site Review Finding</th>
<th>Deficiencies</th>
<th>Corrective Action(s)</th>
<th>Response Days/Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Inclusive Public Participation</td>
<td>DTC’s Inclusive Public Participation Plan did not meet FTA Circular 4702.1B requirements.</td>
<td>D</td>
<td>DTC must submit to the FTA Office of Civil Rights a Title VI Inclusive Public Participation Plan that meets FTA Circular 4702.1B requirements. In its plan, DTC must identify the Title VI outreach efforts it plans to conduct through the end of FY 2017, to include an outreach schedule of events and a description of the Title VI populations DTC intends to engage with each outreach effort.</td>
<td>60 Days</td>
</tr>
<tr>
<td>2.</td>
<td>LEP Language Assistance Plan</td>
<td>DTC’s LEP Four-Factor Analysis and Language Assistance Plan did not meet FTA Circular 4702.1B requirements.</td>
<td>D</td>
<td>DTC must submit to the FTA Office of Civil Rights an updated LEP Four-Factor Analysis and Language Assistance Plan prepared in accordance with FTA Circular 4702.1B and DOT LEP Guidance.</td>
<td>60 Days</td>
</tr>
<tr>
<td>3.</td>
<td>Title VI Complaint Procedures</td>
<td>As reported in the discussion, DTC’s Title VI complaint procedures substantially met FTA Circular 4702.1B requirements; however, FTA advised DTC to update its procedures and Title VI complaint form to more fully comply with FTA requirements.</td>
<td>AC</td>
<td>FTA advised DTC to update its procedures to reflect current practice, consistently communicate procedures across all media, update its complaint form, and include procedures for filing an appeal.</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>List of Title VI</td>
<td>Although DTC had no Title VI</td>
<td>AC</td>
<td>FTA advised DTC to update its</td>
<td></td>
</tr>
<tr>
<td>Item</td>
<td>Title VI Requirements</td>
<td>Site Review Finding</td>
<td>Deficiencies</td>
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<tr>
<td>4.</td>
<td>Investigations, Complaints, and Lawsuits</td>
<td>investigations, complaints, or lawsuits to report, DTC did not adequately format its complaint log to record the actions taken in response to a Title VI investigation, complaint, or lawsuit, as required by FTA Circular 4702.1B.</td>
<td>complaint log to allow for the recording of all required information, as described in FTA Circular 4702.1B.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Notice to Beneficiaries of Protection under Title VI</td>
<td>DTC’s Title VI Notice on its website was inconsistent with all other versions of DTC’s Title VI Notice. Specifically, DTC’s website Notice contained language regarding classes not protected under Title VI and instructions on how to file a Title VI complaint appeal that DTC did not document in its Title VI Complaint Procedures and that were inconsistent with FTA guidance.</td>
<td>AC</td>
<td>FTA advised DTC to publish a consistent Title VI Notice across all media that reflected DTC’s current procedures.</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Annual Title VI Certification and Assurance</td>
<td>DTC filed its Title VI Certifications and Assurances in accordance with FTA Circular 4702.1B requirements.</td>
<td>ND</td>
<td>No action required.</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Determination of Site or Location of Facilities</td>
<td>DTC did not recently construct any new facilities.</td>
<td>ND</td>
<td>No action required.</td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>Minority Representation on Planning or Advisory Bodies</td>
<td>DTC did not have nonelected advisory bodies for which it was responsible.</td>
<td>ND</td>
<td>No action required.</td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>Monitoring Subrecipients</td>
<td>DTC did not have subrecipients.</td>
<td>ND</td>
<td>No action required.</td>
<td></td>
</tr>
<tr>
<td>Item</td>
<td>Title VI Requirements</td>
<td>Site Review Finding</td>
<td>Deficiencies</td>
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</tr>
<tr>
<td>10.</td>
<td>Prepare and Submit a Title VI Program</td>
<td>DTC’s Title VI Program met FTA Circular 4702.1B requirements.</td>
<td>ND</td>
<td>No action required.</td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td>System-wide Service Standards/Policies</td>
<td>DTC maintained system-wide service standards and policies in accordance with FTA Circular 4702.1B requirements.</td>
<td>ND</td>
<td>No action required.</td>
<td></td>
</tr>
</tbody>
</table>

Note: AC = advisory comment; D = deficiency; ND = no deficiency.
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8. Compliance Review Attendee List

**Detroit Transportation Corporation (Detroit People Mover)**

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barbara Hansen</td>
<td>General Manager</td>
</tr>
<tr>
<td>Oliver Lindsay</td>
<td>Grants Manager</td>
</tr>
<tr>
<td>Parnell Williams</td>
<td>Human Resources Manager</td>
</tr>
<tr>
<td>Ericka Alexander</td>
<td>Marketing Specialist</td>
</tr>
</tbody>
</table>

**Federal Transit Administration**

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Britney Berry</td>
<td>FTA Headquarters Program Coordinator</td>
</tr>
<tr>
<td>Marjorie Hughes</td>
<td>FTA Region 5 Regional Civil Rights Officer</td>
</tr>
</tbody>
</table>

**Compliance Review Team – The DMP Group, LLC**

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Donald Lucas</td>
<td>Lead Reviewer</td>
</tr>
<tr>
<td>Khalique Davis</td>
<td>Reviewer</td>
</tr>
<tr>
<td>Gregory Campbell</td>
<td>Reviewer</td>
</tr>
</tbody>
</table>