

# FTA

F E D E R A L   T R A N S I T   A D M I N I S T R A T I O N

Greater Cleveland Regional Transit Authority (GCRTA)  
Title VI Compliance Review

Final Report  
February 2018



U.S. Department of Transportation  
Federal Transit Administration

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## Executive Summary

**Objective and Methodology** – This report details the findings of a Compliance Review of Greater Cleveland Regional Transit Authority's (GCRTA) Title VI program implementation. The Compliance Review examined this agency's Title VI program procedures, management structures, actions, and documentation. Documents and information were collected from the Federal Transit Administration (FTA) and GCRTA. In addition, the following entities were interviewed as part of this review: GCRTA officials and other stakeholders. The three-day review included interviews, assessments of data collection systems, and review of program and contract documents.

### **GCRTA's Title VI Program includes the following positive program elements –**

#### **Positive Program Elements**

- Staff across multiple departments work collaboratively to ensure compliance, implementation, and monitoring of the agency's Title VI Program

### **The Program has the following deficiencies –**

#### **Deficiencies**

- Vital documents not identified or translated into Spanish
- Language Assistance Plan does not describe how employees are trained to provide timely and reasonable language assistance
- Service Availability Standard not included in the System-wide Standards and Policies

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## 1. General Information

This chapter provides basic information concerning this Compliance Review of Greater Cleveland Regional Transit Authority. Information on GCRTA, the review team, and the dates of the review are presented below.

<b>Grant Recipient:</b>	Greater Cleveland Regional Transit Authority (GCRTA)
<b>City/State:</b>	Cleveland, OH
<b>Grantee Number:</b>	1237
<b>Executive Official:</b>	Joseph A. Calabrese
<b>On-site Liaison:</b>	Felicia Brooks-Williams
<b>Report Prepared By:</b>	Milligan & Company, LLC
<b>Dates of On-site Visit:</b>	November 7-9, 2017
<b>Compliance Review Team Members:</b>	Kristin Szwajkowski Tighe, Lorraine Aldridge, Habibatu Atta

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## 2. Jurisdiction and Authorities

The Federal Transit Administration (FTA) Office of Civil Rights is authorized by the Secretary of Transportation to conduct civil rights compliance reviews. GCRTA 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.)

Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601, 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)

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 12 of FTA’s Master Agreement 18 (October 1, 2011)

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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 the Greater Cleveland Regional Transit Authority's Title VI Program was necessary.

The Office of Civil Rights authorized Milligan and Company, LLC to conduct the Title VI Compliance Review of Greater Cleveland Regional Transit Authority (GCRTA). The primary purpose of this Compliance Review was to determine the extent to which GCRTA 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 Compliance Review team also discussed with GCRTA 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 GCRTA.

### 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 Greater Cleveland Regional Transit Authority

Greater Cleveland Regional Transit Authority (GCRTA) of Cleveland, Ohio, is the 25th largest transit agency in the United States. It provides public transit services in the Cleveland metropolitan area, which includes the City of Cleveland and Cuyahoga County. GCRTA provides fixed-route bus, bus rapid transit, rail, and ADA complementary paratransit service. Approximately 1.4 million people live in the GCRTA service area, which covers approximately 450 square miles.

### 4.1 Introduction to Greater Cleveland Regional Transit Authority and Organizational Structure

GCRTA operates a multi-modal network that includes fixed-route bus service, the Health Line bus rapid transit (BRT), light rail and heavy rail rapid transit, and ADA complementary paratransit service. GCRTA directly operates all fixed-route bus and rail service and approximately two thirds of its ADA complementary paratransit service.

GCRTA currently operates a fleet of 392 FTA-funded buses for fixed-route service, 48 light rail cars, and 60 heavy rail cars. The fixed-route buses operate 24 hours a day, seven days a week on 54 routes consisting of local radial and cross-town service and Park-and-Ride express service. The Health Line BRT also operates round the clock daily, serving the Euclid Avenue corridor on a dedicated right-of-way with 9.2 miles of roadway improvements and 40 stops. GCRTA's five Downtown Trolley routes serve business and entertainment hubs and lakefront attractions. The trolley hours vary by route, with service beginning at 5:45 a.m. and ending at 11:00 p.m. The Blue and Green light rail lines and the heavy rail Red Line operate daily from 4:00 a.m. to 1:00 a.m. The Blue and Green Lines are 15.3 miles long and serve 34 stations. The Red Line is 19 miles long and serves 18 stations, including Cleveland Hopkins Airport. On an average weekday, GCRTA ridership totals 157,573.

The basic adult fare for local bus service, the Health Line, and rail rapid transit is \$2.50. The Park-and-Ride bus fare is \$2.75. Trolley service is underwritten by downtown sponsors and is free. The fare for students grades K-12 is \$1.75. Seniors, persons with disabilities, and Medicare card holders are offered a reduced fare of \$1.25 at all times. GCRTA offers several multi-ride ticket and pass options. The fare for ADA complementary paratransit service is \$2.75. ADA certified passengers may ride the bus and rapid transit at no charge.

ADA complementary paratransit operates during all fixed-route hours and serves origins and destinations within three-quarter miles of fixed routes. Service up to five miles beyond the fixed-route corridors is provided within Cuyahoga County on a space-available basis. Service is provided by a fleet of 80 vehicles owned by GCRTA. The balance is operated by three contractors: Provide-a-Ride, Senior Transportation Center, and Lakefront Lines.

Per the 2010 Census, the population of Cuyahoga County, which includes the City of Cleveland, was 1,280,122. The median household income is approximately \$43,603 with 16.4 percent of persons below the poverty level.

**Table 4.1 – 2010 Census Cuyahoga County by Race**

<b>Race</b>	<b>Percentage of Population</b>
Caucasian	63.6%
African American	29.7%
Asian	2.6%
American Indian/Alaska Native	0.2%
Native Hawaiian/Pacific Islander	0.0%
Two or More Races	2.1%
Some Other Race	1.8%
Hispanic or Latino	4.8%

GCRTA's Manager, Office of Equal Opportunity is responsible for administration of the Title VI Program and is the designated Title VI Officer. As the Title VI Officer, she oversees the day-to-day administrative requirements of GCRTA's Title VI Program including complaint investigation. The Manager, Office of Equal Opportunity reports to the General Counsel, Deputy General Manager for Legal Affairs. In addition to Title VI, the Manager, Office of Equal Opportunity is responsible for overseeing ADA eligibility, suspensions, appeals, and complaints.

The Title VI Officer works regularly with the following GCRTA staff to ensure compliance, implementation, and monitoring of GCRTA's Title VI Program:

- Executive Director, Marketing and Communications
- Director, Planning and Programming
- Director, Service Management

The Manager, Office of Equal Opportunity is also assisted by the Office of Equal Opportunity Specialist.

## 5. Scope and Methodology

### 5.1 Scope

The Title VI Compliance Review of Greater Cleveland Regional Transit Authority (GCRTA) 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
- Language Access to LEP Persons
- Notice to Beneficiaries of Protections under Title VI
- Monitoring Subrecipients
- Title VI Program
- Determination of Site or Facilities Location
- Minority Representation on Planning or Advisory Bodies
- 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
  - Requirements and Guidelines for Fixed-Route Transit Providers that Operate 50 or More Fixed-Route Vehicles in Peak Service and are Located in a UZA of 200,000 or More in Population
  - Demographic Data
  - Evaluation of Service and Fare Changes
  - Monitoring Transit Service

### 5.2 Methodology

Initial interviews were conducted with the FTA Headquarters Civil Rights staff and the FTA Region V Civil Rights Officer to discuss specific Title VI issues and concerns regarding GCRTA. The FTA Office of Civil Rights sent a notification letter (Attachment A) to GCRTA advising it of the site visit and indicating additional information that would be needed and issues that would be discussed. The review team focused on the General Reporting Requirements and Guidelines that are 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 Order.

GCRTA was requested to provide the following documents in advance of the site visit:

1. Description of GCRTA service area, including general population and other demographic information using the most recent Census data.
2. Current description of GCRTA public transit service, including system maps, public timetables, transit service brochures, etc.
3. Roster of current GCRTA revenue fleet, to include acquisition date, fuel type, seating configurations, vehicle assignment, and other amenities.
4. Description of transit amenities maintained by GCRTA for its service area. Amenities include stations, shelters, benches, restrooms, telephones, passenger information systems, etc.
5. GCRTA Organization Chart.
6. 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.
7. 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.
8. Any studies or surveys conducted by GCRTA, 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 amongst minority users and low-income users, during the past five years.
9. Summary of GCRTA 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.
10. Copy of the GCRTA four factor analysis of the needs of persons with Limited English Proficiency.
11. Copy of the GCRTA Language Assistance Plan for persons with limited English proficiency that is based on the USDOT LEP Guidance.
12. The GCRTA 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.
13. List of any investigations, lawsuits, or complaints naming GCRTA that allege discrimination on the basis of race, color, or national origin during the past three years. This list must include:
  - the date the investigation, lawsuit, or complaint was filed
  - a summary of the allegation(s)
  - the status of the investigation, lawsuit, or complaint
  - actions taken by GCRTA in response to the investigation, lawsuit, or complaint
14. Copy of the GCRTA Notice to Beneficiaries of Protections under Title VI.



15. Documentation of efforts made by GCRTA to notify members of the public of the protections against discrimination afforded to them by Title VI.
16. Documentation that shows the racial breakdown of minority representation on planning and advisory bodies. This documentation will include a table depicting the racial breakdown of the membership of each planning and advisory body, and a description of the efforts made to encourage the participation of minorities.
17. Copies of any Title VI equity analysis conducted for any siting or location of facilities projects during the past three years. Additionally, if certain projects normally evaluated during the NEPA process, do not undergo such an evaluation, a Title VI equity analysis will be conducted.
18. Copy of GCRTA demographic analysis of its beneficiaries. This can include either demographic maps and charts prepared or a copy of any customer surveys conducted since the last Title VI Program submittal that contain demographic information on ridership, or GCRTA locally developed demographic analysis of its customer's travel patterns.
19. Quantitative system-wide service standards and qualitative system-wide service policies adopted by GCRTA to guard against discriminatory service design or operations decisions.
20. Documentation of the GCRTA policies and procedures for evaluating any fare change and major service change (included with the policies and procedures is the public outreach related to the development of said policies and procedures). If GCRTA has made a fare change or a major service change in the past three years or is currently planning such changes, provide GCRTA's service and fare equity analysis.
21. Documentation of periodic service monitoring activities undertaken by GCRTA, during the past three years, to compare the level and quality of service provided. The monitoring analysis should compare minority to non-minority routes to ensure that the end result of policies and decision-making is equitable service. If the transit agency determines that the system's ridership does not permit a minority to non-minority comparison, the transit agency must determine whether it is able to conduct an analysis that disaggregates the ridership into specific minority groups and make the appropriate comparison. If the GCRTA monitoring determined that prior decisions have resulted in disparate impacts, provide documentation of corrective actions taken to remedy the disparities.

GCRTA assembled the documents prior to the site visit and provided them to the review team for advance review. A detailed schedule for the three-day site visit was developed.

The site visit to GCRTA occurred on November 7, 2017. The review began with an opening conference, held at 9:00 a.m. on November 7, 2017 at the GCRTA offices at 1240 West 6<sup>th</sup> Street. The following people attended the meeting:

Federal Transit Administration

- John Day, Program Manager for Policy & Technical Assistance
- Marjorie Hughes, Regional Civil Rights Officer, Region V

Greater Cleveland Regional Transit Authority (GCRTA)

- Joseph Calabrese, CEO / General Manager
- Dr. Floun'say Caver, COO / Deputy General Manager, Operations

- Felicia Brooks-Williams, Manager, Office of Equal Opportunity
- Sheryl King Benford, General Counsel and Deputy General Manager for Legal Affairs
- Stephen Bitto, Executive Director, Marketing and Communications
- Anthony Garofoli, Executive Director, Internal Audit
- Wes Goodwin, IT Manager
- Loretta Kirk, Deputy General Manager, Finance and Administration
- Maribeth Feke, Director, Planning and Programming
- Tom Raguz, Executive Director, Office of Management and Budget
- Joel Freilich, Director, Service Management
- Linda Krecic, Media Relations
- Cora Vlacovsky, Financial Accountant
- Brandon Agnew, Office of Equal Opportunity Specialist
- Craig Wiehe, Investment Officer / Grants Manager
- Ron Barron, Director, Fleet Management

Milligan and Company, LLC

- Kristin Szwajkowski Tighe, Lead Reviewer
- Lorraine Aldridge, Reviewer
- Habibatou Atta, Reviewer

Following the Entrance Conference, the review team met with Greater Cleveland Regional Transit Authority 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 GCRTA. The review team then met with GCRTA staff from the Marketing and Communications, Planning and Programming, and Service Management divisions to discuss how GCRTA incorporated FTA Title VI requirements into its public transportation program. During the site visit, the review team toured several bus and rail routes, transit stations, and stops to observe the posting of Title VI information.

The exit conference took place at 1:00 p.m. at the GCRTA office. Attending the conference were:

**Federal Transit Administration**

- John Day, Program Manager for Policy & Technical Assistance
- Marjorie Hughes, Regional Civil Rights Officer, Region V

**Greater Cleveland Regional Transit Authority (GCRTA)**

- Joseph Calabrese, CEO / General Manager
- Dr. Floun'say Caver, COO / Deputy General Manager, Operations
- Felicia Brooks-Williams, Manager, Office of Equal Opportunity
- Sheryl King Benford, General Counsel and Deputy General Manager for Legal Affairs
- Stephen Bitto, Executive Director, Marketing and Communications

- Anthony Garofoli, Executive Director, Internal Audit
- Wes Goodwin, IT Manager
- Loretta Kirk, Deputy General Manager, Finance and Administration
- Maribeth Feke, Director, Planning and Programming
- Tom Raguz, Executive Director, Office of Management and Budget
- Joel Freilich, Director, Service Management
- Linda Krecic, Media Relations
- Cora Vlacovsky, Financial Accountant
- Brandon Agnew, Office of Equal Opportunity Specialist
- Craig Wiehe, Investment Officer / Grants Manager
- Ron Barron, Director, Fleet Management

**Milligan and Company, LLC**

- Kristin Sz wajkowski Tighe, Lead Reviewer
- Lorraine Aldridge, Reviewer
- Habibatu Atta, Reviewer

GCRTA was provided with a draft copy of the report for review and response. No comments to the draft report were provided.

### 5.3 Stakeholder Interviews

The review team contacted 11 organizations serving the Cleveland area community. The purpose of this activity was to invite agencies to participate in stakeholder interviews to determine the level of public outreach, whether any discrimination complaints had been filed with the transit agency, and identify practices that would require further attention and analysis during the review.

The following local organizations were contacted to participate in the stakeholder interviews:

- Department of Aging
- The 100 Black Men of Greater Cleveland, Inc.
- Global Cleveland
- Cleveland Neighborhood Progress
- Cleveland YMCA Supportive Services - Racial Equity Department
- Migration and Refugee Services (MRS)
- Refugee Services Collaborative of Greater Cleveland
- Asian Services in Action (ASIA)
- The Refugee Response
- US Committee for Refugees & Immigrants
- Us Together, Inc.

The representatives were asked questions regarding:

- knowledge of the GCRTA's Title VI Program
- right to file discrimination complaints
- GCRTA's public engagement efforts
- GCRTA's interaction with LEP communities

Representatives from two of the agencies (US Committee for Refugees & Immigrants and Global Cleveland) responded and agreed to participate. Global Cleveland stated that they are aware of the services and programs that GCRTA provides and have a good relationship which is helpful to their constituents. They have seen meeting notices posted in both English and Spanish and have attended public meetings held by GCRTA. The US Committee for Refugees & Immigrants does not interact regularly with GCRTA and stated that they would like to be included in regular outreach efforts. Both agencies also indicated that there have not been any complaints brought to their attention by their constituents.

## 6. General Reporting Requirements Findings and Advisory Comments

### 6.1 Annual Title VI Certification and Assurance

#### Requirement

FTA recipients must submit an annual Title VI certification and assurance as part of their Annual Certifications and Assurances submission to FTA (in the FTA Web-based Transit Award Management System (TrAMS) grants management system). (49 CFR § 21.7(a) and FTA C 4702.1B, Chap. III-1, Sec. 2).

#### Discussion

During this compliance review, no deficiencies were found with this requirement. GCRTA uploaded the FY 2017 Certifications and Assurances to TrAMS on January 4, 2017. The Affirmation was executed on December 22, 2016 by GCRTA's Investment Officer and Grants Manager and countersigned by GCRTA's Legal Counsel.

### 6.2 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. (FTA C 4702.1B, Chap. III-1, Sec. 4).

#### Discussion

During this compliance review, no deficiencies were found with this requirement. FTA concurred on GCRTA's 2014 Title VI submission on May 31, 2016. The 2017 Program update was submitted to FTA on January 18, 2017 and is under FTA review. The Title VI Program included the required elements as listed in Table 6.2.

**Table 6.2 – Title VI Program Reporting Requirements and Guidelines**

General Reporting Requirements/Guidelines (per FTA Circular 4702.1B)	Included in Program Submittal
Copy of agency's notice to the public that indicates it complies with Title VI and instructions to the public on how to file a discrimination complaint.	Yes
Copy of agency's instructions to the public regarding how to file a Title VI complaint, including a copy of the complaint form.	Yes

General Reporting Requirements/Guidelines (per FTA Circular 4702.1B)	Included in Program Submittal
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.	Yes
A public participation plan that includes an outreach plan to engage minority and LEP populations and involvement activities undertaken since last submission.	Yes
Copy of agency's plan for providing language assistance to persons with limited English proficiency, based on DOT LEP Guidance.	Yes
Copy of the agency's table depicting the racial breakdown of the transit-related, non-elected planning and advisory bodies, and a description of efforts made to encourage the participation of minorities on such committees.	Yes
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.	Yes
Copy of any conducted Title VI equity analyses related to the siting or location of facilities.	Yes
Additional information as specified in chapters IV, V, and VI, depending on whether the recipient is a fixed-route transit provider, a State, or an MPO.	Yes

### 6.3 Notice to Beneficiaries of Protection under Title VI

#### Requirement

FTA recipients must 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. At a minimum, recipients must disseminate this information to the public through measures including a posting on its website, in public areas of the agency's office, and in stations, at stops, and on transit vehicles. 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. (FTA C 4702.1B, Chap. III-4, Sec. 5).

#### Discussion

During this compliance review, no deficiencies were found with this requirement. The GCRTA's Title VI Program includes the following documentation:

- A copy of the GCRTA Title VI Notice to Beneficiaries
- The GCRTA Title VI Notice to Beneficiaries poster
- The GCRTA Title VI Complaint Form and Complaint procedures

GCRTA's Title VI Notice to Beneficiaries includes the required non-discrimination statement, how the public can request additional information on the program, and how to file a discrimination complaint. GCRTA's Program states that the notice will be posted on its website, on buses and railcars, and at transit facilities, such as the main customer service area

at GCRTA's headquarters and at transit stations. On November 8, 2017, the review team traveled throughout GCRTA's service area to view the posting of the Title VI Notice to Beneficiaries at stations and on vehicles. The team observed the notice inside the main public area of GCRTA's customer service lobby, on all vehicles, and posted prominently at transit stations. The requirement for the translation of vital documents for persons with limited English proficiency is discussed in Section 6.3 of this report.

**Table 6.3 – GCRTA Notice to Beneficiaries of Protection under Title VI**

<b>Elements Required (per FTA Circular 4702.1B)</b>	<b>Included in Notice</b>
Statement that agency operates Programs without regard to race, color, and national origin.	Yes
Description of procedures that members of the public should follow to request additional information on recipient's nondiscrimination obligations.	Yes
Description of procedures that members of the public should follow to file a discrimination complaint against recipient.	Yes
Notice translated into languages other than English	No

## **6.4 Title VI Complaint Procedures and Complaint Form**

### **Requirement**

FTA recipients and subrecipients must 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. Recipients must also develop a Title VI complaint form, and the form and procedure for filing a complaint shall be available on the recipient's website. (FTA C 4702.1B, Chap. III-5, Sec. 6).

### **Discussion**

During this compliance review, no deficiencies were found with this requirement. During the site visit the review team determined that the incorrect complaint form was submitted with the 2017 Title VI Program update. GCRTA uses a general discrimination complaint form which covers the Title VI requirements. The correct complaint form and process for filing a complaint are easily accessed on the GCRTA website. Additionally, customers can call to file a complaint over the phone, in person at the GCRTA office, or request information to file a complaint in another language.

## **6.5 Record of Title VI Investigations, Complaints, and Lawsuits**

### **Requirement**

FTA recipients must prepare and maintain a list of any active investigations (conducted by entities other than FTA), lawsuits, or complaints naming the recipients that allege discrimination on the basis of race, color, or national origin. This list must 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. (FTA C 4702.1B, Chap. III-5, Sec. 7).

## **Discussion**

During this compliance review, no deficiencies were found with this requirement. The Manager, Office of Equal Opportunity is responsible for reviewing, tracking, and investigating Title VI complaints. GCRTA did not have any Title VI complaints or lawsuits in the period from 2014 through 2017. The 2017 Title VI Program submission lists three complaints, all of which were determined by the review team not to be Title VI-related.

## **6.6 Inclusive Public Participation**

### **Requirement**

FTA recipients must integrate the content and considerations of Title VI, the Executive Order on LEP, and the DOT LEP Guidance into their public participation plan. This includes seeking out and considering the viewpoints of minority, low-income, and LEP populations in the course of conducting public outreach and involvement activities. While what efforts are made are generally at the discretion of the agency, efforts to include minority and LEP populations in public participation activities can include both comprehensive measures, as well as targeted measures to address specific barriers that may prevent minority and LEP persons for effectively participating in a recipient's decision-making process. (FTA C 4702.1B, Chap. III-5, Sec. 8).

### **Discussion**

During this compliance review, no deficiencies were found with this requirement.

GCRTA's Title VI Program states that public participation activities will include:

- Solicitation of comments and feedback through public hearings and community meetings, comments via the GCRTA website, social media, the GCRTA Citizen Advisory Board, direct communications with elected officials and community leaders, and a public comments mailbox
- Notification of meetings are posted at least two weeks in advance in the Cleveland Plain Dealer and the Call & Post, an African American newspaper
- Meeting announcements are posted on vehicles, in stations, on the GCRTA website and in the GCRTA newsletter. Additionally, audio announcements of public meetings are aired in passenger facilities
- The availability of interpreters to assist persons with hearing impairments and Spanish speaking GCRTA staff provide translation at public meetings
- Review of public comments, consideration, and incorporation of comments into final staff recommendations prior to any board decision

The review team examined meeting announcements, meeting minutes, copies of public comments, and board meeting minutes as documentation that GCRTA is following their public participation plan.



## 6.7 Language Access to LEP Persons

### Requirement

FTA recipients must take responsible steps to ensure meaningful access to benefits, services, information, and other important portions of its programs and activities for individuals who are Limited English Proficient (LEP). 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. Recipients must use the information obtained in the Four Factor Analysis to determine the specific language services that are appropriate to provide. (FTA C 4702.1B, Chap. III-6, Sec. 9).

### Discussion

During this compliance review, deficiencies were found with this requirement. Compliance with the required Title VI language access elements are listed in Table 6.7 below.

GCRTA conducted the required LEP four factor analysis and developed a Language Assistance Plan (LAP). GCRTA used U.S. Census Bureau 2010-2014 American Community Survey data to determine the population and percent of Cuyahoga County that speaks English less than “very well”. The analysis shows that, although the percentage of LEP Spanish speakers is 1.21 percent of the population, the number of LEP Spanish speakers is 14,469. During the site visit, the review team discussed with GCRTA that the number of Spanish speakers identified meets the safe harbor threshold. The LAP states that GCRTA will “*translate ‘vital documents’ into Spanish if necessary.*” However, no vital documents were identified in the Title VI Program as required by FTA C 4702.1B. Here, an effective LAP would include the identification and translation of vital documents into Spanish.

The LAP does not describe how employees are trained to provide timely and reasonable language assistance, which employees are trained, or who is responsible for training. The training information provided in LAP is a list of information to be provided to employees.

**Table 6.7 – LEP Four-Factor Analysis and Language Assistance Plan**

Elements Required (per FTA C. 4702.1B)	Included in Plan	Notes/Comments
<b>Part A – Results of Four-Factor Analysis</b>		
Demography – Number or proportion of LEP persons eligible to be served or likely to be encountered	Yes	-
Frequency of contact – Frequency with which LEP individuals come into contact with the program	Yes	GCRTA does not use a defined methodology to track frequency of contact. Information is gathered from interactions with customer service, paratransit, transit police, Citizens Advisory Council, Human Resources, and at public meetings. Spanish is the language most frequently encountered.

Elements Required (per FTA C. 4702.1B)	Included in Plan	Notes/Comments
Importance – Nature and importance of program, activity, or service to people's lives	Yes	-
Resources – Resources available and costs of outreach	Yes	-
<b>Part B – Develop Language Assistance Plan</b>		
Identification of LEP persons	Yes	-
Language assistance measures	Yes	-
Identification of vital documents/prioritization of vital documents	No	The LAP does not identify or list the vital documents to be translated into Spanish. No translated documents were provided for review.
Provide notice to LEP persons of availability of services	Yes	-
Monitors, evaluates, and updates LAP	Yes	-
Training of staff to provide timely and reasonable language assistance to LEP population	No	Additional details on LEP training of staff were requested.

### Corrective Actions and Schedules

Within 60 days of the issuance of the final report, GCRTA must submit to the FTA Office of Civil Rights a list of vital documents to be translated into Spanish and copies of the translated documents, as well as a description of how GCRTA trains employees to provide language assistance to LEP populations.

## 6.8 Minority Representation on Planning or Advisory Bodies

### Requirement

FTA recipients may not deny an individual the opportunity to participate as a member of a transit-related, non-elected planning, advisory, committee, or similar body, on the basis of race, color, or national origin. FTA recipients must provide a table depicting the racial breakdown of the membership of those committees, and a description of the efforts made to encourage the participation of minorities on such committees. (FTA C 4702.1B, Chap. III-9, Sec. 10).

### Discussion

During this compliance review, no deficiencies were found with this requirement. GCRTA has a 20-member Citizen Advisory Board. Ten members are appointed by GCRTA's Trustees and ten are selected from a pool of citizen applicants. Applications are available on GCRTA's website. The selection criteria includes requirements that the Advisory Board be made up of active riders on the GCRTA system and that the composition of the Advisory Board be demographically representative of GCRTA's ridership. In 2017, the membership was 41 percent minority, including one female Hispanic member and two African American females. The Advisory Board membership is reflective of the Cleveland area's demographics.

## **6.9 Monitoring Subrecipients and Providing Assistance to Subrecipients**

### **Requirement**

Primary recipients must assist their subrecipients in complying with DOT's Title VI regulations, including the general reporting requirements. Primary recipients must provide to the subrecipients, at a minimum, the documents required by FTA C 4702.1B, Chap. III-10, Sec. 11.

Primary recipients must monitor their subrecipients for compliance with the regulations. Importantly, if a subrecipient is not in compliance with Title VI requirements, then the primary recipient is also not in compliance. This includes documenting a process for ensuring all subrecipients are complying with its Title VI Program requirements, and collecting and reviewing the Title VI Programs of subrecipients. (FTA C 4702.1B, Chap. III-10, Sec. 12).

### **Discussion**

During this compliance review, no deficiencies were found with this requirement. At the time of the review, GCRTA did not have subrecipients.

## **6.10 Determination of Site or Location of Facilities**

### **Requirement**

FTA recipients must complete a Title VI equity analysis during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color, or national origin. A recipient must also engage in outreach to persons potentially impacted by the siting of facilities. The analysis must compare the equity impacts of various siting alternatives, and must occur before the selection of the preferred site. (FTA C 4702.1B, Chap. III-11, Sec. 13).

### **Discussion**

During this compliance review, no deficiencies were found with this requirement. GCRTA did not locate or site any projects in the period from 2014 to 2017 and no facilities are planned within the next three-year period. A draft copy of the statement that no facilities have been or are anticipated to be planned, constructed, or expanded was provided to the review team while at the site visit. The statement will be included with the revised 2017 Title VI program update.

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## 7. Transit Providers Findings and Advisory Comments

### 7.1 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 service is distributed across the transit system, and must ensure that the manner of the distribution affords users access to these assets. (FTA C 4702.1B, Chap. IV-4, Sec. 4).

#### Discussion

During this compliance review, deficiencies were found with this requirement. The system wide service standards included in Title VI Program did not provide the Service Availability Standard. While on site, the review team was provided with documentation showing that Service Availability was included in the June 2017 board-approved system-wide service standards update. However, the standard includes minimal details or methodology for all modes, “[r]oute coverage and spacing should be based on demonstrated need or potential demand (ridership).” The Service Availability Standard provided does not meet the requirements of FTA C 4702.1B, Chap. IV-4, Sec. 4. as a “general measure of the distribution of routes within a transit provider’s service area.” Service Availability is typically stated numerically by stop or mode so that the standard can be periodically monitored.

#### Corrective Actions and Schedules

Within 60 days of the issuance of the final report, GCRTA must submit to the FTA Office of Civil Rights revised board-approved system-wide service standards including a quantitative service availability standard and the methodology used to set the standard.

### 7.2 Demographic Data

#### Requirement

FTA recipients that provide fixed-route transit and operate 50 or more vehicles in peak service and are located in a UZA of 200,000 or more in population must collect and analyze racial and ethnic data, as described in FTA C 4702.1B, Chap. IV-7, Part 5, to determine the extent to which members of minority groups are beneficiaries of programs receiving Federal financial assistance from FTA.

#### Discussion

During this compliance review, no deficiencies were found with this requirement. GCRTA used U.S. Census Bureau 2014 American Community Survey data to identify and analyze the minority and low-income populations in Cuyahoga County. GCRTA’s Title VI Program includes the required demographic data and map elements outlined in Table 7.2.

**Table 7.2 – GCRTA Demographic Data Practices**

<b>Elements Required for Demographic Data (per FTA Circular 4702.1B)</b>	<b>Included in Submittals</b>
Base map of agency's service area that includes each Census tract or traffic analysis zone (TAZ), major streets, etc., fixed transit facilities, and major activity centers or transit trip generators, and major streets and highways. This map shall overlay Census tract, block, or block group data depicting minority populations with fixed transit facilities.	Yes
A map that highlights those transit facilities that were recently replaced, improved, or are scheduled (projects identified in planning documents) for an update in the next five years.	Yes
Demographic map that plots information listed in FTA C 4702.1B, Chap. IV-7, Part 5(a)(1) and also shades those Census tracts, blocks, block groups, TAZs, or other geographic zones where percentage of the total minority and low-income population residing in these areas exceeds the average percentage of minority and low-income population for service area as a whole.	Yes
A GIS or alternative map overlaying minority populations with fixed transit facilities, such as bus shelters, transit stations, and fixed guideways.	Yes
Chart for each Census tract or TAZ that shows actual numbers and percentages for each minority group within zone or tract.	Yes
Information on the race, color, national, origin, English proficiency, language spoken at home, household income, and travel patterns, for their riders using customer surveys, and fare usage by fare types for riders via a survey.	Yes

### 7.3 Monitoring Transit Service

#### Requirement

FTA recipients must monitor the performance of their transit service relative to their system-wide service standards and service policies not less than every three years. Periodic service monitoring activities must be undertaken to compare the level and quality of service provided to predominantly minority areas with service provided in other areas to ensure that the end result of policies and decision-making is equitable service. If recipient monitoring determines that prior decisions have resulted in disparate impacts, it must take corrective action to remedy the disparities to the greatest extent possible, and discuss in the Title VI Program these disparate impacts and actions taken to remedy the disparities. (FTA C 4702.1B, Chap. IV-9, Sec. 6).

#### Discussion

During this compliance review, no deficiencies were found with this requirement. GCRTA conducts monitoring of its system-wide standards and policies every three years. Monitoring is conducted by GCRTA's Service Planning Section. Monitoring results are provided in both numerical and graphic formats including maps with minority and low-income Census tract overlays. In addition to monitoring the required service standards and policies the data and map analysis includes trip generators, levels of service, access to service, transit facilities, distribution of amenities, fare media locations, supervisory work zones. The required elements shown in Table 8 below are included in GCRTA's monitoring. The monitoring and analysis provided in the Title VI Program does not show disparate impact of predominantly minority

areas compared to non-minority areas. The monitoring results are presented to the board and included in the Title VI program update submitted to FTA.

**Table 7.3 – Monitoring**

<b>Elements Required (per FTA Circular 4702.1B.)</b>	<b>Included in Submittals</b>
a. Transit providers shall use the minority transit route definition to implement this monitoring program. Transit providers shall select a sample of minority and non-minority routes from all modes of service provided. The sample shall include routes that provide service to predominantly minority areas and non-minority areas. Transit providers should bear in mind that the greater the sample size, the more reliable the results.	Yes
b. Transit providers shall assess the performance of each minority and non-minority route in the sample for each of the transit provider's service standards and service policies.	Yes
c. Transit providers shall compare the transit service observed in the assessment to the transit provider's established service policies and standards.	Yes
d. For cases in which the observed service for any route exceeds or fails to meet the standard or policy, depending on the metric measured, the transit provider shall analyze why the discrepancies exist, and take steps to reduce the potential effects.	Yes
e. Transit providers shall evaluate their transit amenities policy to ensure amenities are being distributed throughout the transit system in an equitable manner.	Yes
f. Transit providers shall develop a policy or procedure to determine whether disparate impacts exist on the basis of race, color, or national origin, and apply that policy or procedure to the results of the monitoring activities.	Yes
g. Transit providers shall brief and obtain approval from the transit providers' policy-making officials, generally the board of directors or appropriate government entity responsible for policy decisions regarding the results of the monitoring program.	Yes

## 7.4 Evaluation of Service and Fare Changes

### Requirement

FTA recipients that provide fixed-route transit service and operate 50 vehicles or more during peak service and operate within a UZA of 200,000 persons are required to prepare and submit service and fare equity analyses. FTA recipients must develop written procedures to evaluate, prior to implementation, any and all fare changes and all major service changes including

new fixed guideways capital projects, to determine whether those changes have a discriminatory impact. (FTA C 4702.1B, Chap. IV-10, Sec. 7).

### Discussion:

During this compliance review, no deficiencies were found with this requirement. An Advisory Comment, however, is made regarding the presentation of data by fare media.

The board-approved GCRTA Disparate Impact Policy states that *“RTA will calculate the percent change in average fare for minority and non-minority riders. If the percent change for minorities exceeds the percent change for non-minorities by more than five percentage points, RTA will view that as a disparate impact on minority populations.”* The approved GCRTA Disproportionate Burden Policy defines “low-income” as total household income less than \$25,000. The policy states that if the percentage change in average fare for low-income riders *“exceeds the percent change of non-low-income riders by more than five percentage points, RTA will view that as a disproportionate burden on low-income riders.”* Prior to GCRTA board approval, both policies underwent a public outreach process that included dissemination of the draft policies, public meetings, and the collection of public comments.

In May 2016, GCRTA conducted a fare equity analysis for a proposed two-step, across the board fare increase. The total fare increase is \$0.50, broken into two phased increases of \$0.25 over a two-year period. Using ridership data collected from an onboard survey that included mode of service, fare media usage, race, and income, GCRTA implemented the following fare equity analysis process:

1. GCRTA determined the number of minority, non-minority, low-income, and non-low-income daily trips by fare media type.
2. GCRTA then determined the percentage of minority, non-minority, low-income, and non-low-income ridership by fare media type.
3. GCRTA determined the current cost per trip of each fare media type and then calculated the average cost per trip weighted by the percentage of fare type use by minority, non-minority, low-income, and non-low-income riders (determined in steps 1 and 2 above).
4. GCRTA applied the same process to determine the weighted average cost per trip for the proposed fare increase.
5. Analyzing the weighted current average fare per trip compared to the proposed fare increase weighted average per trip yielded the following results:

**Table 7.4A – Fare Increase Analysis**

Average Fare by Rider Type	Current Average Fare	Proposed Average Fare	Percent Change
Non-Minority	\$2.00	\$2.46	23.15%
Minority	\$1.98	\$2.43	22.50%
Non-Low-Income	\$2.03	\$2.49	22.86%
Low-Income	\$1.97	\$2.41	22.44%



6. GCRTA then analyzed if either the minority or the low-income percent change between the current and proposed fares exceeded the five-percentage point threshold, as stated in their Disparate Impact and Disproportionate Burden Policy criteria.

The impact of the fare increase on minority riders was less than non-minority riders (-0.66 percentage points). The difference between low-income riders compared to non-low-income riders was 0.42 percentage points, which does not exceed the GCRTA five percentage point threshold. Therefore, the fare equity analysis did not show a disparate impact or a disproportionate burden.

GCRTA held a series of 16 advertised public meetings across the service area to discuss and answer questions on the proposed fare increase. The GCRTA board was briefed on the results of the equity analysis, and approved the equity analysis and implementation of the fare increase. The first fare increase of 25 cents went into effect August 2016 and the second increase of 25 cents is approved to be implemented in August 2018.

The methodology used for the fare equity analysis follows the guidance in FTA C 4702.1B, Chap. IV-10, Sec. 7 and GCRTA's approved Disparate Impact and Disproportionate Burden policies. An Advisory Comment is made on the presentation of the data in the fare equity analysis regarding the cost by fare media. It would be beneficial to show the percent change by each fare media type in addition to the weighted average fare so that the analysis can be more readily followed and understood, particularly if a future fare change is applied to an individual fare type.

**Table 7.4B – Evaluation of Service and Fare Changes**

Elements Required (per FTA Circular 4702.1B) <sup>1</sup>	Included in Submittals
<b>1. Assess effects of proposed fare or service change on minority and low-income populations</b>	
a. A transit provider must undertake an analysis for any type of fare change. As for service changes, an analysis is required if the identified service change triggers the major service change policy the agency developed or is a new fixed guideway system.	Yes
b. The transit provider shall describe the dataset(s) used in the equity analysis and the techniques/technology involved in collecting the data.	Yes
c. The transit provider shall define and analyze adverse effects related to the fare change or the major service change. Transit providers shall consider the degree of adverse effects, and analyze those effects, when planning their service changes.	Yes

<sup>1</sup> This formatting is followed when conducting a disproportionate burden analysis on low-income populations related to any fare change and major service change as well. The difference is that a transit provider will apply the disproportionate burden policy, instead of the disparate impact policy, apply the low-income population threshold, and if there is a disproportionate burden, will take steps to avoid, minimize, or mitigate impacts where practicable.

Elements Required (per FTA Circular 4702.1B) <sup>1</sup>	Included in Submittals
d. The transit provider will assess the level of adverse effects borne by minority populations compared to non-minority populations and determine whether the difference is statistically significant and exceeds the disparate impact policy threshold the agency previously developed. The difference is calculated on an absolute change, as well as the percent change.	Yes
e. The transit provider shall engage the public to discuss the proposed changes and listen to the opinions expressed on the proposed changes.	Yes
f. If no disparate impact found, then the analysis concludes.	Yes
<b>2. Assess alternatives available for people affected by fare increase of major service change, if a disparate impact is found</b>	
a. If a potential disparate impact is found, the transit provider must analyze alternatives in order to avoid, minimize, or mitigate potential disparate impacts. The alternatives will be analyzed to determine whether the modifications remove the potential disparate impacts of the changes.	Yes
b. If a transit provider chooses not to alter the proposed service changes, or if the transit provider finds even after the revisions, that minority riders will continue to bear a disproportionate share of the proposed service change, the transit provider may implement the service change <i>only</i> if:  the transit provider has a substantial legitimate justification for the proposed service change, <b>and</b>  the transit provider can show that there are no alternatives that would have a less disparate impact on minority riders but would still accomplish the transit provider's legitimate program goals.	Yes

### Corrective Actions and Schedules

Advisory Comment: it is an effective practice to show the analysis and impact of proposed fare changes by individual fare type.

## 8. Summary of Findings/Corrective Actions

Item	Title VI Requirements	Review Finding	Deficiency(s)	Corrective Action(s)	Response Days/*
1.	Annual Title VI Certification and Assurance	ND	-	-	-
2.	Submit Title VI Program	ND	-	-	-
3.	Notice to Beneficiaries of Protection Under Title VI	ND	-	-	-
4.	Title VI Complaint Procedures and Complaint Form	ND	-	-	-
5.	List of Title VI Investigations, Complaints and Lawsuits	ND	-	-	-
6.	Inclusive Public Participation	ND	-	-	-
7.	Language Access to LEP Persons	D	<p>Spanish identified as a language meeting the safe harbor threshold. Vital documents not identified in the 2017 Title VI Program. Translation of documents into Spanish needs to be provided.</p> <p>Additional details on LEP training requested.</p>	GCRTA must submit to the FTA Office of Civil Rights a list of vital documents to be translated into Spanish and copies of the translated documents as well as a description of how GCRTA trains employees to provide language assistance to LEP populations.	Within 60 days of the issuance of the final report.

Item	Title VI Requirements	Review Finding	Deficiency(s)	Corrective Action(s)	Response Days/*
8.	Minority Representation on Planning or Advisory Bodies	ND	-	-	-
9.	Monitoring Subrecipients and providing assistance to Subrecipients	ND	-	-	-
10	Determination of Site or Locations	ND	-	-	-

#### **Fixed-Route Transit Provider Requirements (Chapter 4)**

1.	System wide Service Standards/Policies	D	Service Availability Standard not included in Title VI Program.	GCRTA must submit to the FTA Office of Civil Rights revised board-approved system-wide service standards including a quantitative service availability standard and the methodology used to set the standard.	Within 60 days of the issuance of the final report.
2.	Demographic Data	ND	-	-	-
3.	Monitoring Transit System	ND	-	-	-
4.	Evaluation of Fare/Service Changes	AC	-	-	-

Findings at the time of the site visit: ND = No Deficiencies Found; D = Deficiency;  
 NA = Not Applicable; AC = Advisory Comment, \*Within the date of the Final Transmittal

## Attachment A FTA Notification Letter to the Greater Cleveland RTA



U.S. Department  
Of Transportation  
Federal Transit  
Administration

Headquarters

East Building, 5th Floor, TCR  
1200 New Jersey Ave., SE  
Washington, D.C. 20590

August 24, 2017

Mr. Joseph A. Calabrese  
Chief Executive Officer  
Greater Cleveland Regional Transit Authority  
1240 West 6<sup>th</sup> Street  
Cleveland, OH 44113

Dear Mr. Calabrese:

The Federal Transit Administration (FTA) Office of Civil Rights is responsible for ensuring compliance with 49 CFR Part 21, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation (DOT)—Effectuation of Title VI of the Civil Rights Act of 1964 (Title VI)" by its grant recipients and subrecipients. As part of its ongoing oversight efforts, the FTA Office of Civil Rights conducts a number of on-site Title VI compliance reviews of these grant recipients. For this reason, the Greater Cleveland Regional Transit Authority (GCRTA) has been selected for a review of its overall Title VI program to take place on **November 7-9, 2017**.

The purpose of this review will be to determine whether GCRTA is honoring its commitment, as represented by certification to FTA, to comply with the all applicable provisions of 49 CFR Part 21 and FTA Title VI Circular 4702.1B.

The review process includes data collection before the on-site visit, an opening conference, an on-site review of Title VI program implementation (including, but not limited to discussions to clarify items and matters previously reviewed and interviews with staff), interviews with external interested parties, and an exit conference. FTA has engaged the services of Milligan and Company, LLC (Milligan) of Philadelphia, PA to conduct this compliance review. The Milligan team and FTA representatives will participate in the opening and exit conferences, with FTA participating by telephone.

We request your attendance at an opening conference scheduled for **9:00 a.m. EST on Tuesday, November 7, 2017** to introduce the Milligan team and FTA representatives to GCRTA. Attendees should include you and other key staff. During the opening conference, the review team members will present an overview of the on-site activities.

Because review team members will spend considerable time on site during the week, please provide them with temporary identification and a workspace within or near your offices for the duration of their visit. Please let us know if you will designate a member of your staff to serve as

the liaison with the review team and to coordinate the on-site review and address questions that may arise during the visit.

So that we may properly prepare for the site visit, we request that you provide the information described in **Enclosure 1**, which consists of items that the review team must receive within 21 days of the date of this letter.

Electronic copies of documents are preferred. Please upload them to Milligan's file transfer protocol (FTP) site. Your reviewer will reach out to you concerning the use of the FTP site. Please be prepared to designate a point of contact for your agency, for which user access should be provided. You also have the option of sending the documents via email to Kristin Szwajkowski Tighe at [kszwajkowski@milliganpcpa.com](mailto:kszwajkowski@milliganpcpa.com).

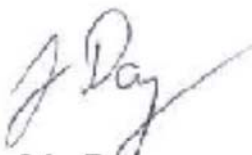
We request the exit conference be scheduled for **1:00 P.M. EST on Thursday, November 9, 2017** to afford an opportunity for the reviewers to discuss their observations with you and your agency. We request that you and other key staff attend the exit conference.

The FTA Office of Civil Rights will make findings and will provide a Draft Report. You will have an opportunity to correct any factual inconsistencies before FTA finalizes the report. The Draft and Final Reports, when issued to GCRTA will be considered public documents subject to release under the Freedom of Information Act, upon request.

GCRTA representatives are welcome to accompany the review team during the on-site activities, if you so choose. If you have any questions or concerns before the opening conference, please contact me at (202) 366-1671 or via e-mail at [john.day@dot.gov](mailto:john.day@dot.gov).

Thank you in advance for your assistance and cooperation as we undertake this process. We look forward to working with your staff.

Sincerely,



John Day  
Program Manager for Policy & Technical Assistance

cc: Marisol Simon, FTA Region V Administrator  
Marjorie Hughes, FTA Region V Civil Rights Officer,  
Felicia Brooks-Williams, GCRTA, Manager  
Sandra Swiacki, Project Director, Milligan & Company, LLC

Greater Cleveland Regional Transit Authority (GCRTA)  
Title VI Program Compliance Review

Enclosure 1

**You must submit the following information in electronic format to the Milligan contact person within 21 calendar days from the date of this letter.**

1. Current Title VI Program (which should include the GCRTA organization chart).
2. Description of GCRTA's public transit service area, including general population and other demographic information using the most recent Census Data.
3. Current description of GCRTA's public transit service, including system maps, public timetables, transit service brochures, etc.
4. Roster of GCRTA's current revenue fleet, to include acquisition date, fuel type, seating configurations, vehicle assignment, and other amenities.
5. Description of transit amenities maintained by GCRTA for its service area. Amenities include station, shelters, benches, restrooms, telephones, passenger information systems, etc.
6. Copy of the GCRTA's Notice to Beneficiaries of Protections under Title VI.
7. Documentation of efforts made by the GCRTA to notify members of the public of the protections against discrimination afforded to them by Title VI.
8. 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.
9. Any studies or surveys conducted by the GCRTA, 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 amongst minority users and low-income users, during the past five years.
10. Documentation of GCRTA's policies and procedures for evaluating any fare change and major service change (included with the policies and procedures is the public outreach related to the development of said policies and procedures and a narrative on how the major service change, disparate impact and disproportionate burden thresholds were devised).
11. A list of any service or fare changes in the past three (3) years or planned in the next year.
12. Any conducted service and fare equity analyses over the past three (3) years.
13. A list of any siting, locating, and/or constructing of facilities, and any associated Title VI equity analyses within the last three (3) years.
14. Current Title VI complaint/lawsuit or investigation list.

Greater Cleveland Regional Transit Authority (GCRTA)  
Title VI Program Compliance Review

15. GCRTA's procedures for identifying, investigating, and tracking Title VI complaints and documentation that the procedures for filing complaints are available to members of the public upon request.
16. Summary of public outreach efforts/events since the last Title VI program submission, including any language efforts/activities to ensure persons with Limited English Proficiency are able to participate and contribute during the held public outreach efforts/events.
17. Copy of the GCRTA's four factor analysis of the needs of persons with Limited English Proficiency.
18. Copy of GCRTA's Language Assistance Plan for persons with Limited English Proficiency.
19. List of any monitoring or technical assistance provide to sub-recipient(s).
20. Summary of sub-recipient(s) and their respective Title VI program status.
21. Quantitative system-wide service standards and qualitative system-wide service policies adopted by the GCRTA to guard against discriminatory service design or operations decisions.
22. Documentation of periodic service monitoring activities undertaken by the GCRTA, during the past three years, to compare the level and quality of service provided. If the GCRTA monitoring determined that prior decisions have resulted in disparate impacts, provide documentation of corrective actions taken to remedy the disparities.
23. Names, titles, telephone numbers, and email addresses of interested parties (external organizations) with which GCRTA has interacted on Title VI matters.
24. Other pertinent information determined by GCRTA staff to be pertinent and demonstrative of its Title VI compliance efforts.