



## **Title VI Program**

**City of McKinney  
222 North Tennessee St.  
McKinney, Texas 75069**

Title VI Coordinator Contact Information  
972-547-7577  
[titlevicoordinator@mckinneytexas.org](mailto:titlevicoordinator@mckinneytexas.org)

## TABLE OF CONTENTS

<b>TITLE VI ASSURANCE .....</b>	<b>4</b>
<b>SECTION I – POLICY STATEMENT, AUTHORITIES AND CITATIONS .....</b>	<b>5</b>
A. POLICY OF NONDISCRIMINATION .....	5
<i>Civil Rights</i> .....	6
B. OBJECTIVES .....	7
<b>SECTION II – NOTICE TO THE PUBLIC .....</b>	<b>9</b>
<b>SECTION III – COMPLAINT PROCEDURE .....</b>	<b>12</b>
A. OVERVIEW .....	12
B. PROCEDURES .....	12
<i>Discrimination Complaint Form</i> .....	15
<i>Americans with Disabilities Act Procedures</i> .....	18
<i>Americans with Disabilities Act Compliant Form</i> .....	20
<b>SECTION IV – LIST OF TRANSIT SERVICES RELATED VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS .....</b>	<b>23</b>
<b>SECTION V – PUBLIC PARTICIPATION PLAN .....</b>	<b>24</b>
A. INCLUSIVE OUTREACH AND PUBLIC ENGAGEMENT .....	24
B. MEANINGFUL ACCESS TO THOSE WITH LIMITED ENGLISH PROFICIENCY (LEP) .....	25
C. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) .....	25
<b>SECTION VI – ADDITIONAL TRANSIT SERVICES REQUIREMENTS .....</b>	<b>26</b>
A. LANGUAGE ASSISTANCE PLAN .....	26
<i>Plan Components</i> .....	26
<i>Four Factor Analysis</i> .....	26
<i>Description of How Language Assistance Services are Provided</i> .....	29
<i>Language Assistance Measures</i> .....	30
<i>Language Assistance Plan Monitoring and Update</i> .....	30
<i>Staff Training</i> .....	30
<b>SECTION VII – ADDITIONAL TRANSIT REQUIREMENTS: MINORITY REPRESENTATION ON PLANNING AND ADVISORY BOARD .....</b>	<b>31</b>
A. MINORITY REPRESENTATION TABLE .....	31
B. EFFORTS TO ENCOURAGE MINORITY PARTICIPATION .....	31
<b>SECTION VIII – ADDITIONAL TRANSIT REQUIREMENTS: SUBRECIPIENT COMPLIANCE MONITORING, SITING FACILITY EQUITY ANALYSIS, SYSTEM-WIDE SERVICE STANDARDS .....</b>	<b>32</b>
A. “MAJOR SERVICE CHANGE” DEFINED .....	32
B. “DISPARATE IMPACT” DEFINED.....	33
C. FARE CHANGE POLICY .....	33
D. “DISPROPORTIONATE BURDEN” DEFINED.....	33

E. PUBLIC ENGAGEMENT PROCESS FOR  
MAJOR SERVICE CHANGE POLICY DEVELOPMENT ..... 34

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## **The City of McKinney Title VI Assurance**

The City of McKinney (hereinafter referred to as the “City”), as a recipient of federal financial assistance on behalf of and for the benefit of the McKinney Urban Transit District (“MUTD”), hereby agrees that as a condition to receiving any federal assistance for Transit Services, City and MUTD will comply with Title VI of the Civil Rights Act of 1964, as amended, including all supplemental legislation (hereinafter referred to as the “Act”) and other pertinent directives to the end that in accordance with the Act, Regulations, and other pertinent directives, no person shall on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any City or MUTD program or activity for Transit Services for which the Recipient receives federal financial assistance and hereby gives assurance that it will promptly take any measures necessary to effectuate this agreement.

This Assurance is given in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts, property, discounts or other federal financial assistance extended after the date hereof to the Recipient for Transit Services and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest and other participants in Federal programs for Transit Services. The City Manager whose signature appears on this document is authorized to sign this Assurance on behalf of the Recipient.

*[Remainder of page intentionally left blank.]*

## Section I. – Policy Statement, Authorities and Citations

### A. Policy of Nondiscrimination

The City of McKinney (“City”) and the Board of Directors of the McKinney Urban Transit District (“MUTD”) adopts this policy to assure with respect to federally funded contracts for Transit Services that:

“No person in the United States shall, on the grounds of race, color, or national origin\*, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance under this title or carried out under this title as provided by Title VI of the Civil Rights Act of 1964 as amended; Title VIII of the Civil Rights Act of 1968 as amended; Section 104(b) and Section 109 of Title I of the Housing and Community Development Act of 1974 as amended; Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990; the Age Discrimination Act of 1975; Executive Order 110603; and Executive Order 11246 as amended by Executive Orders 11375, 11478, 12107 and 12086; Executive Order 12898 for Environmental Justice; Executive Order 13166 for Limited English proficiency; 23 U.S.C. Section 324, and related statutes or Executive Order.”

\*Note: The Federal-aid Highway Transportation Act of 1973 added **sex** to the list of prohibitive factors. **Disability** was added through Section 504 of the Rehabilitation Act of 1973, as amended, and Title II of the Americans of Disabilities Act of 1990 (“ADA”); **Age** was subsequently added under the Age Discrimination in Employment Act of 1967; and, The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the term “programs and activities” to include **all programs or activities of federal aid recipients, sub-recipients, and contractors, whether or not such programs are federally assisted.**

The City of McKinney’s Personnel Policy governs employment-related complaints of discrimination in employment decisions. The City of McKinney Director of Human Resources is responsible for initiating and monitoring Civil Rights compliance activities, preparing required reports and other City responsibilities as required by the City of McKinney’s Personnel Policy.

In the event that the City receives or distributes federal assistance funds to another entity for Transit Services, the City will include the appropriate language prohibiting discrimination on the basis of race, color, religion, sex or national origin as provided by the Title VII of Civil Rights Act of 1964, further supplemented with legislation prohibiting pregnancy, age, gender, and disability discrimination under requirements of Pregnancy Discrimination Act of 1978, Age Discrimination in Employment Act of 1967 and 1975; section 102 and 103 of the Civil Rights Act of 1991; Equal Pay Act of 1963; Family and Medical Leave Act; Older Workers’ Benefit Protection Act; the

Americans with Disabilities Act of 1990, as amended; Sections 501 and 505 of the Rehabilitation Act of 1973; and the Genetic Information Nondiscrimination Act of 2008 in all written agreements and will monitor for compliance. Consequently, all references to the “City of McKinney” or to the “City” contained in this Title VI Program document should be read to mean and include the McKinney Urban Transit District (“MUTD”).

The City of McKinney Director of Housing and Community Development is responsible for initiating and monitoring Civil Rights and Fair Housing compliance activities pertinent to federal assistance, preparing required reports and other City responsibilities as required by: Title VI of the Civil Rights Act of 1964 and supplementing legislation; Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), the Fair Housing Amendments Act of 1989 and Section 504 of the Rehabilitation Act; and, the Architectural Barriers Act of 1968 and supplementing legislation. This includes compliance with all applicable civil rights statutes and implementing regulations including, but not limited to, the following as they apply to Transit Services:

## CIVIL RIGHTS

- I. **Nondiscrimination** - In accordance with Title VI of the Civil Rights Act, as amended, 42 U.S.C. § 2000d, section 303 of the Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6102, section 202 of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12132, and federal transit law at 49 U.S.C. § 5332, in agreement not to discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, or disability. Compliance with applicable federal implementing regulations and other implementing requirements.
  
- II. **Equal Employment Opportunity** - The following equal employment opportunity requirements apply to any underlying contract for Transit Services funded in whole or in part with federal financial assistance:
  1. **Race, Color, Creed, National Origin, Sex** - In accordance with Title VII of the Civil Rights Act, as amended, 42 U.S.C. § 2000e, and federal transit laws at 49 U.S.C. § 5332; the agreement to comply with equal employment opportunity requirements of U.S. Department of Labor regulations, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor,” 41 CFR Parts 60 et seq., (which implement Executive Order No. 11246, “Equal Employment Opportunity,” as amended by Executive Order No. 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” 42 U.S.C. § 2000e note), and supplemented in the Department of Labor Regulations (41 CFR Part 60) and with any applicable federal statutes, executive orders,

regulations, and federal policies that may in the future affect construction activities undertaken in the course of an activity. Agreement to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, national origin, sex, or age. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training.

2. **Age** - In accordance with section 4 of the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § 623 and federal transit law at 49 U.S.C. § 5332, the agreement to refrain from discrimination against present and prospective employees for reason of age and compliance to any implementing future requirements.
3. **Disabilities** - In accordance with section 102 of the Americans with Disabilities Act, as amended, 42 U.S.C. § 12112, the agreement to comply with the requirements under the U.S. Equal Employment Opportunity Commission, and “Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act,” 29 CFR Part 1630, pertaining to employment of persons with disabilities.

III. **Requirements.** The agreement to include these requirements in each contract or subcontract for Transit Services financed in whole or in part with federal assistance provided modified only if necessary to identify the affected parties.

## B. Objectives

The objectives of the City of McKinney’s Civil Rights Plan as it applies to Transit Services are:

- To ensure that all persons, regardless of race, color, sex, or national origin receive the benefits of City programs, services and activities.
- To ensure compliance with applicable Civil Rights Laws, including but not limited to the Civil Rights Act under Titles III, VI, VII, and VIII, in particular, together with any supplementing legislation, and to assign responsibilities for ensuring compliance.
- To promote full and fair participatory decision-making.
- To ensure that limited English proficient (“LEP”) individuals are provided meaningful access to City programs, services and activities.

- To establish clear procedures for filing, investigating, and successfully resolving complaints on a timely basis.

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Paul G. Grimes  
City Manager

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Date

*[Remainder of page intentionally left blank.]*

## Section II. – Notice to the Public

### ***Title VI of the Civil Rights Act***

The City of McKinney hereby gives public notice that it is the City's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities related to Transit Services that are funded in whole or in part with federal financial assistance. Title VI requires that no person shall, on the grounds of race, color, sex or national origin be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any transportation activity for which the City of McKinney receives federal financial assistance.

***Effective Communication:*** The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities related to Transit Services that are funded in whole or in part with federal financial assistance, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

***Modifications to Policies and Procedures:*** The City will make all reasonable modifications to policies and programs related to Transit Services that are funded in whole or in part with federal financial assistance to ensure that people with disabilities have an equal opportunity to enjoy all such City programs, services, and activities. For example, individuals with service animals are welcomed in City offices, even where pets are generally prohibited.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI regarding the provision of Transit Services has a right to file a formal complaint with the City of McKinney. Any such complaint must be in writing and filed with the City of McKinney City Manager's Office within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. Title VI Discrimination Complaint forms may be obtained from the City of McKinney at no cost to the complainant at: <https://www.mckinneytexas.org/155/Housing-Community-Development>, or by calling 972-547-7560, or by emailing the City's Title VI Coordinator, at [titlevicoordinator@mckinneytexas.org](mailto:titlevicoordinator@mckinneytexas.org)

Alternatively, Title VI complaints can be filed with the Federal Transit Administration online at:

<https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/file-complaint-fta>.

In the further alternative, Title VI complaints can be filed with the Federal Transit Administration at the following address:

Federal Transit Administration  
Office of Civil Rights  
Attention: Complaint Team  
East Building, 5th Floor – TCR  
1200 New Jersey Avenue, SE  
Washington, DC 20590

To request additional information on Title VI obligations, please contact the City’s Title VI Coordinator, at the following address or email address:

Title VI Coordinator  
City of McKinney, Texas  
P.O. Box 517  
222 N. Tennessee St.  
McKinney, Texas 75070  
titlevicoordinator@mckinneytexas.org

The **City of McKinney’s** Notice to the Public is posted in the following locations: (*check all that apply*)

- Agency website [[www.mckinneytexas.org](http://www.mckinneytexas.org)]
- McKinney City Hall Public Areas
- City Secretary’s Office
- Department of Human Services
- Department of Housing and Community Development
- Department of Public Safety
- Other, \_\_\_\_\_

***Title II of the Americans with Disabilities Act of 1990***

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990, the City of McKinney will not discriminate against qualified individuals with disabilities on the basis of disability in the City’s transportation related services, programs, or activities.

***Employment:*** The City does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the Americans with Disabilities Act (ADA) related to Transit Services.

***Effective Communication:*** The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can

participate equally in the City's transportation related programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications regarding Transit Services accessible to people who have speech, hearing, or vision impairments.

***Modifications to Policies and Procedures:*** The City will make all reasonable modifications to transportation related policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City transportation related programs, services, and activities. For example, individuals with service animals are welcomed in City offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a City transportation related program, service, or activity, should contact the office of the ADA Coordinator for the City of McKinney, Texas, by telephone at 972-547-2694, or by email at [contact-adacompliance@mckinneytexas.org](mailto:contact-adacompliance@mckinneytexas.org) as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the City to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

Complaints that a transportation related program, service, or activity of the City is not accessible to persons with disabilities should be directed to the office of the City of McKinney's ADA Coordinator by telephone at 972-547-2694 or by email at [contact-adacompliance@mckinneytexas.org](mailto:contact-adacompliance@mckinneytexas.org).

The City will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

*[Remainder of page intentionally left blank.]*

### Section III. – Complaint Procedure

#### A. Overview

Any person who believes they have faced unequal treatment or discrimination as to the receipt of Transit Services benefits and/or services based on their race, color, national origin, or limited English proficiency has the right to file a written complaint under Title VI of the Civil Rights Act, or a written complaint regarding disability under Title II of the Americans with Disabilities Act (ADA). Alternatively, Title VI complaints can be filed with the Federal Transit Administration online at:

<https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/file-complaint-fta>.

In the further alternative, Title VI complaints can be filed with the Federal Transit Administration at the following address:

Federal Transit Administration  
Office of Civil Rights  
Attention: Complaint Team  
East Building, 5th Floor – TCR  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Complaints based on Transit Services protections afforded under other civil rights statutes, such as religion, sex, sexual orientation, gender identity, age, etc. may be filed at: <https://www.mckinneytexas.org/155/Housing-Community-Development> or by calling Human Resources at 972-547-7560 or emailing the complaint to [titlevicoordinator@mckinneytexas.org](mailto:titlevicoordinator@mckinneytexas.org).

Complaints based on Transit Services protections afforded with disability may be filed with the City of McKinney's ADA Coordinator at Development Services, 221 N. Tennessee Street, McKinney, Texas 75069, or by email at [contact-adacompliance@mckinneytexas.org](mailto:contact-adacompliance@mckinneytexas.org) or call 972-547-2694.

#### B. Procedures

##### Overview

The following procedures cover complaints filed under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Civil Rights Restoration Act of 1987, and the Americans with Disabilities Act of 1990, relating to any Transit Services program or activity

administered by the City as well as to City's sub-recipients, consultants, and contractors. Intimidation or retaliation of any kind is prohibited by law.

The procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination related to Transit Services. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and the Title VI Coordinator may be utilized for resolution.

#### City of McKinney - Title VI Civil Rights Act

1. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited by nondiscrimination requirements related to Transit Services may file a written complaint with the City of McKinney City Manager's Office. A formal written complaint must be filed within 180 calendar days of the alleged occurrence. The City will not officially act or respond to complaints made verbally.
2. Upon receipt of the written complaint, the City Manager or Designee will determine its jurisdiction, acceptability, need for additional information, and investigative merit of the complaint.
3. If the complaint is against a sub-recipient, consultant, or contractor under contract for Transit Services with the City, the appropriate department and/or agency shall be notified of the complaint within 15 calendar days.
4. Once the City Manager or Designee decides the course of action for the complaint related to Transit Services, the complainant and the respondent will be notified in writing of such determination within five calendar days of receipt of complaint. The complaint will be logged into the records and the basis for the allegation related to Transit Services identified including race, color, national origin, handicap/disability, age or sex.
5. The appropriate City staff will provide the respondent with the opportunity to respond in writing to the Transit Services related allegations made by the complainant. The respondent will have 10 calendar days from receipt of notification to furnish a response to the Transit Services related allegations.
6. Within 90 days of receipt of a complaint regarding Transit Services, the City Manager's Office will prepare a written investigative report. The report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition.

7. The investigative report and findings of the complaint shall be reviewed by City Legal Counsel. Counsel may discuss the report and recommendations with program, area liaisons or other appropriate departmental staff.
8. The recommendation shall be reviewed by the City Manager's Office. The report will be modified as needed and made final for its release to the parties.
9. Once the investigative report and finding becomes final, the complainant and respondent shall receive a copy of the investigative report and will be notified of their appeal rights. Briefings will be scheduled with each party within 15 days of their receipt of the investigative report.
10. A copy of the complaint and the City's investigation report will be issued to the appropriate oversight agency within 90 calendar days of the receipt of the complaint.
11. Both the complainant and respondent shall be advised of their rights to appeal the City's decision to the appropriate federal oversight agency. The complainant has 180 days after the City's final resolution to appeal. Unless new facts not previously considered come to light, reconsideration (appeal) of the final determination by the City will not be available.

*[Remainder of page intentionally left blank.]*

## Discrimination Complaint Form

The **City of McKinney's** Title VI Complaint Procedure regarding discrimination in Transit Services related facilities, programs, and activities is made available in the following locations: *(check all that apply)*

- Agency website [[www.mckinneytexas.org](http://www.mckinneytexas.org)]
- McKinney City Hall Public Areas
- City Secretary's Office
- Housing and Community Development
- Other, \_\_\_\_\_

<b>Section I:</b>				
Name:				
Address:				
Telephone (Home or Mobile):			Telephone (Work):	
E-Mail Address:				
Accessible Format Requirements?	Large Print		Audio	
	TDD		Other	
<b>Section II:</b>				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party: _____				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No
<b>Section III:</b>				
I believe the discrimination I experienced was based on (check all that apply):				
<input type="checkbox"/> Race <input type="checkbox"/> Religion <input type="checkbox"/> National Origin <input type="checkbox"/> Age <input type="checkbox"/> Gender <input type="checkbox"/> Disability <input type="checkbox"/> Familial Status				
Date of Alleged Discrimination (Month, Day, Year): _____				
Explain as clearly as possible what happened and why you believe you were discriminated against in the provision of Transit Services. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as the names				

and contact information of any person(s) who witnessed the discrimination. If more space is needed, please use the back of this form.

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**Section IV**

Have you previously filed a Title VI complaint with the City of McKinney?	Yes	No
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**Section V**

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?

Yes                       No

If yes, check all that apply:

Federal Agency: \_\_\_\_\_

Federal Court \_\_\_\_\_

State Court \_\_\_\_\_

State Agency \_\_\_\_\_

Local Agency \_\_\_\_\_

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

**Name:**

**Title:**

**Agency:**

**Address:**

**Telephone:**

**Section VI**

Name of agency complaint is against:

Contact person:

Title:

Telephone number:

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Please submit this form in person at the address below, or mail this form to:

Title VI Coordinator  
City of McKinney, Texas  
P.O. Box 517  
222 N. Tennessee St.  
McKinney, Texas 75070

You may also email this form together with any attachments to Title VI Coordinator at the following email address:

[titlevicoordinator@mckinneytexas.org](mailto:titlevicoordinator@mckinneytexas.org)

*[Remainder of page intentionally left blank.]*

## **The City of McKinney**

### **Grievance Procedure under the Americans with Disabilities Act**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (“ADA”). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of transportation services, activities, programs, or benefits by the City of McKinney. (The City of McKinney’s Personnel Policy governs employment-related complaints of disability discrimination.)

The complaint should be in writing and contain information about the alleged discrimination based on disability such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

City of McKinney  
ADA and Franchise Utility Coordinator  
115B Industrial Blvd.  
McKinney, TX 75069.

Within 15 calendar days after receipt of the complaint, the City’s ADA Coordinator or her designee will meet with the complainant to discuss the submitted complaint and the possible resolutions. Within 15 calendar days after the meeting, the City’s ADA Coordinator or her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City of McKinney and offer options for substantive resolution of the complaint alleging discrimination based on disability.

If the response by the City’s ADA Coordinator or her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the City’s ADA Coordinator’s or her designee’s response to the City Manager or his designee.

Within 15 calendar days after receipt of the appeal, the City Manager or his designee will meet with the complainant to discuss the complaint and possible resolutions regarding the alleged discrimination based on disability. Within 15 calendar days after that meeting, the City Manager or his designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

A copy of all complaints received by the City’s ADA Coordinator or her designee, appeals to the City Manager or his designee, and responses from these two offices will be retained by the City of McKinney for one year. A summary of those written complaints will be retained by the City of McKinney for at least three years.

Please note that a person may also file a complaint up to 180 days after an incident of discrimination based on disability directly with the Federal Transit Administration's Office of Civil Rights at:

Federal Transit Administration (FTA)  
Office of Civil Rights  
East Building  
1200 New Jersey Ave, SE,  
Washington, DC 20590.

*[Remainder of page intentionally left blank.]*

CITY OF MCKINNEY, TEXAS

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**AMERICANS WITH DISABILITIES ACT COMPLAINT FORM**

The purpose of this form is to file a complaint regarding discrimination based on disability in the provision of Transit Services related facilities, programs, services or an alleged incident of Transit Services related discrimination prohibited by the Americans with Disabilities Act of 1990 (ADA). The City of McKinney has an internal procedure providing for the prompt review and resolution of accessibility complaints for any visitor to City Transit Services related programs or facilities or services.

If you need help completing any of the requested information, you may contact the ADA Coordinator: [contact-adacompliance@mckinneytexas.org](mailto:contact-adacompliance@mckinneytexas.org) or 972-547-2694.

All complaints related to alleged incidents of discrimination based on disability must be filed with the City within 60 days of the alleged incident. However, complaints regarding alleged incidents of discrimination based on disability may be filed up to 180 days after such an incident directly with the Federal Transit Administration's Office of Civil Rights at:

Federal Transit Administration (FTA)  
Office of Civil Rights  
East Building  
1200 New Jersey Ave, SE,  
Washington, DC 20590.

Date submitted: \_\_\_\_\_

**REQUESTOR'S CONTACT INFORMATION:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

If the ADA complaint is being submitted for someone other than yourself, please name that individual and provide his/her contact information:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Your relationship to this person: \_\_\_\_\_

Alleged incident: Please describe the circumstances and specific location that prompted this Transit Services related complaint. Please be as specific as possible (park or facility name, street address, etc.) and provide details, attaching additional pages if necessary.

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

What specific resolution are you requesting for the circumstances or specific location that prompted this Transit Services related complaint?

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

Future accessibility: Please describe an accommodation or accessibility improvement that would help provide greater access to this Transit Services related program or facility or would prevent future similar incidents.

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

Complainant's Signature: \_\_\_\_\_

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

Please complete this form and submit it to:

City of McKinney  
ADA and Franchise Utility Coordinator  
115B Industrial Blvd.  
McKinney, TX 75069.

You may also submit this form via email to: [contact-adacompliance@mckinneytexas.org](mailto:contact-adacompliance@mckinneytexas.org)

In the alternative, you may also call: 972-547-2694 to submit an oral report, if necessary.

*[Remainder of page intentionally left blank.]*

### Section IV. – List of Transit Services Related Title VI Investigations, Complaints, and Lawsuits

The City of McKinney will maintain a list or log of all Title VI investigations, complaints, and lawsuits, pertaining to its Transit Services related activities. As of August 31, 2021, there have been none.

**Check One:**

\_\_\_\_\_ There have been no investigations, complaints and/or lawsuits filed against the City of McKinney pertaining to its Transit Services related activities.

\_\_\_\_\_ There have been investigations, complaints and/or lawsuits filed against the City of McKinney pertaining to its Transit Services related activities. *See list below. Attach additional information as needed.*

	<b>Date</b> (Month, Day, Year)	<b>Summary</b> (include basis of complaint: race, color, or national origin, etc)	<b>Status</b>	<b>Action(s) Taken</b>
<b>Investigations</b>				
1.				
2.				
<b>Lawsuits</b>				
1.				
2.				
<b>Complaints</b>				
1.				
2.				

## Section V. – Public Participation Plan

### A. Inclusive Outreach and Public Engagement

An effective public participation process provides for an open exchange of information and ideas between the public and transportation decision makers. The overall objective of the City of McKinney public participation plan regarding Transit Services is that it is proactive, provides complete information, timely public notice, full public access to key decisions, and opportunities for early and continuing involvement. Public comments received at these meetings will be considered accordingly. As of August 31, 2021, no public comments have been received regarding Transit Services.

Key elements for effective public participation regarding Transit Services are:

- Identification of impacted neighborhoods and populations.
- Varied notification procedures which effectively target affected groups.
- Partnering with community organizations to engage members of the public who are less likely to attend traditional meetings, including Limited English Proficiency (“LEP”) populations.
- Public meetings will be held in locations near affected populations and which locations are accessible to people with disabilities.
- Staff will attend community events and meetings of neighborhood associations, faith-based organizations, advocacy groups and other groups to solicit feedback from diverse members of the community.
- Multiple mediums and opportunities to submit input will be provided.

City of McKinney public outreach and involvement activities:

Date	Event	Attendants	Event Description
5/22-5/30/16	Pre-Launch Community Outreach events	150	City staff and DCTA hosted several events to get community engagement and feedback before launch of program
10/31/17	McKinney Workforce Outreach Event	50	Presented information about Collin County Transit
11/16/17	Celina On-site Registration	0	Registration walk-through for residents of Celina
3/19/18	On-site application workshops in Princeton and Lowry Crossing	2	Staff was available to answer questions about the program as well as walking residents through the application.
3/19/18	McKinney Affordable Housing Public Hearing	27	Staff had a table at the McKinney Affordable Housing Public Hearing to answer

			questions and promote Collin County Transit and the LITSP.
3/21/18	On-site application workshops in McKinney	5	Staff was available to answer questions about the program as well as walking residents through the application.
3/23/18	On-site application workshops in Melissa and Celina	5	Staff was available to answer questions about the program as well as walking residents through the application.
4/11/18	Presentation at the Collin County Social Services Association meeting	25	Staff presented information about Collin County Transit to representatives of local nonprofits that service elderly, disabled, and low-income individuals
5/10/18	Collin County Transit participated in the Mobile Pantry	50	Staff was present to give information about Collin County Transit to McKinney residents
5/29/18	Tacos with Cops	300+	Staff attended Tacos with Cops to spread awareness about Collin County Transit and handed out flyers and applications

### **B. Meaningful Access to Those with Limited English Proficiency (LEP)**

The City of McKinney seeks to make its Transit Services and resources easily available and understandable to all McKinney residents, including non-English speakers. As part of this work the City takes into account:

- The number or proportion of LEP persons eligible to be served or likely to be encountered by program or recipient;
- The frequency with which LEP persons come into contact with the program;
- The nature and importance of the program, activity, or service provided by the program to people's lives and;
- The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.

### **C. Department of Housing and Urban Development (HUD)**

The City of McKinney is compliant with 24 CFR 91.105 – Citizen Participation Plan for Local Governments (Exhibit 1).

## Section VI. – Additional Transit Services Requirements

### Language Assistance Plan

#### Plan Components

As a recipient of federal US DOT funding, the City of McKinney is required to take reasonable steps to ensure meaningful access to our Transit Services related programs and activities by limited-English proficient (“LEP”) persons.

Limited English Proficient (“LEP”) refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak or understand English. This includes those who have reported to the U.S. Census that they speak English less than very well, not well, or not at all.

The City of McKinney’s Language Assistance Plan includes the following elements as it applies to Transit Services in particular:

1. The results of the Four Factor Analysis, including a description of the LEP population(s), served.
2. Description of how language services are provided.
3. Language assistance measures.
4. Staff training.
5. Monitoring and updating the plan.
6. Additional information deemed necessary.

#### Four Factor Analysis

To determine if an individual is entitled to language assistance and what specific services are appropriate, the City of McKinney has conducted a Four Factor Analysis of the following areas: 1) Demography, 2) Frequency, 3) Importance and 4) Resources and Costs.

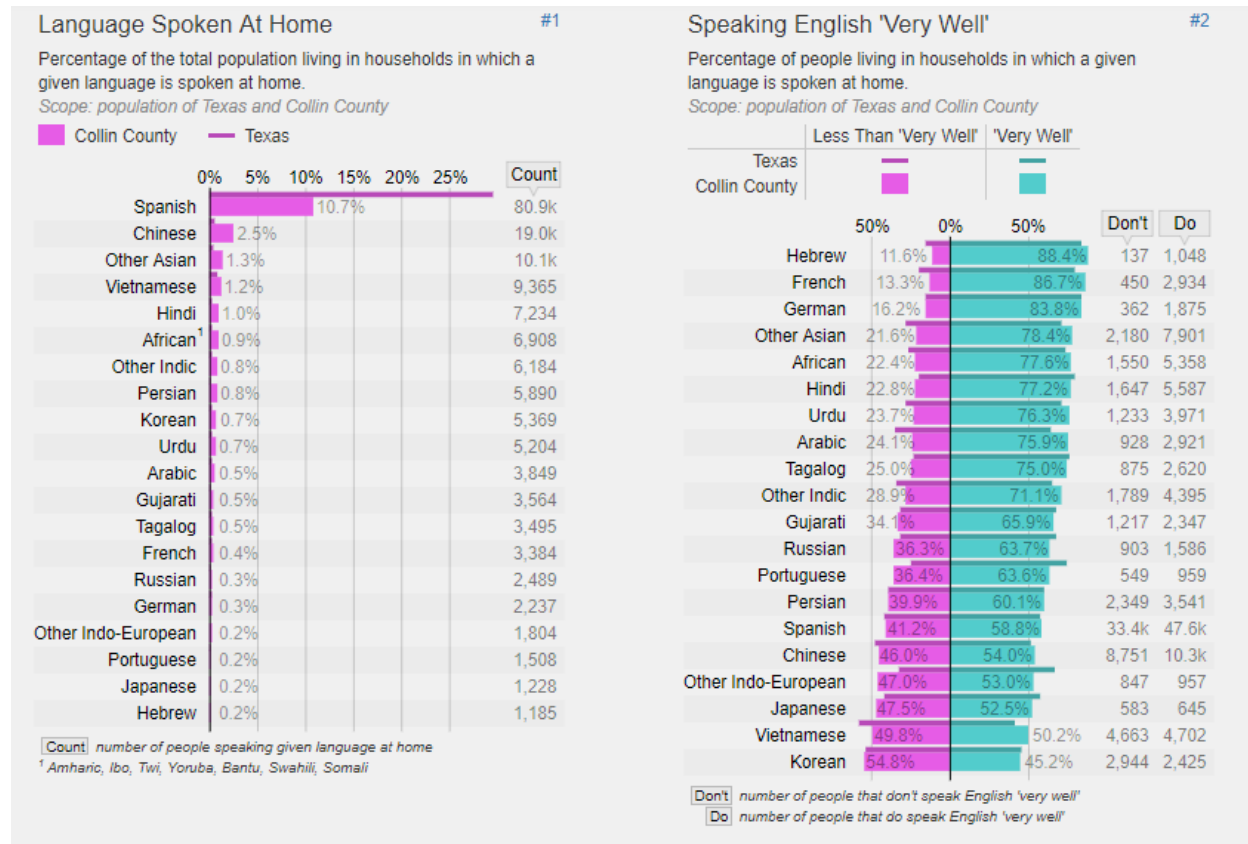
#### Factor 1: *Demography*

The City of McKinney works to provide transportation services for McKinney Urban Transit District residents within Collin County under the Collin County Transit Program.

The US Census Bureau – American Fact Finder (2011-2015) reports there are numerous languages spoken in Collin County. Some of these languages include Spanish, Chinese, Hindi, Korean, and Vietnamese. After English, the second largest language group is Spanish. Following is documentation regarding the languages spoken in Collin County, Texas:

Collin County, Texas												
Subject	Total		Percent		Percent of specified language speakers							
	Estimate	Margin of Error	Estimate	Margin of Error	Speak English only or speak English "very well"		Percent speak English only or speak English "very well"		Speak English less than "very well"		Percent speak English less than "very well"	
					Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Population 5 years and over	828,110	+/-18	(X)	(X)	752,845	+/-2,428	90.9%	+/-0.3	75,265	+/-2,425	9.1%	+/-0.3
Speak only English	614,524	+/-3,274			(X)	(X)	(X)	(X)	(X)	(X)	(X)	(X)
Speak a language other than English	213,586	+/-3,272	25.8%	+/-0.4	138,321	+/-2,821	64.8%	+/-1.0	75,265	+/-2,425	35.2%	+/-1.0
<b>SPEAK A LANGUAGE OTHER THAN ENGLISH</b>												
Spanish	90,590	+/-2,291	10.9%	+/-0.3	55,695	+/-1,761	61.5%	+/-1.3	34,895	+/-1,569	38.5%	+/-1.3
5 to 17 years old	20,917	+/-1,139	2.5%	+/-0.1	16,973	+/-1,081	81.1%	+/-2.4	3,944	+/-533	18.9%	+/-2.4
18 to 64 years old	65,093	+/-1,544	7.9%	+/-0.2	36,335	+/-1,214	55.8%	+/-1.5	28,758	+/-1,280	44.2%	+/-1.5
65 years old and over	4,580	+/-306	0.6%	+/-0.1	2,307	+/-364	52.1%	+/-7.3	2,193	+/-374	47.9%	+/-7.3
Other Indo-European languages	47,962	+/-2,614	5.8%	+/-0.3	34,388	+/-2,034	71.7%	+/-2.0	13,574	+/-1,258	28.3%	+/-2.0
5 to 17 years old	7,541	+/-817	0.9%	+/-0.1	6,625	+/-757	87.9%	+/-2.7	916	+/-218	12.1%	+/-2.7
18 to 64 years old	36,067	+/-1,945	4.4%	+/-0.2	25,598	+/-1,507	71.0%	+/-2.3	10,469	+/-1,076	29.0%	+/-2.3
65 years old and over	4,354	+/-597	0.5%	+/-0.1	2,165	+/-388	49.7%	+/-5.7	2,189	+/-389	50.3%	+/-5.7
Asian and Pacific Island languages	60,332	+/-1,891	7.3%	+/-0.2	36,595	+/-1,570	60.7%	+/-1.8	23,737	+/-1,362	39.3%	+/-1.8
5 to 17 years old	9,789	+/-760	1.2%	+/-0.1	7,611	+/-674	77.8%	+/-3.7	2,178	+/-411	22.2%	+/-3.7
18 to 64 years old	45,030	+/-1,517	5.4%	+/-0.2	27,400	+/-1,237	60.8%	+/-2.0	17,630	+/-1,125	39.2%	+/-2.0
65 years old and over	5,513	+/-338	0.7%	+/-0.1	1,584	+/-255	28.7%	+/-4.8	3,929	+/-398	71.3%	+/-4.8
Other languages	14,702	+/-1,500	1.8%	+/-0.2	11,643	+/-1,343	79.2%	+/-3.1	3,059	+/-507	20.8%	+/-3.1
5 to 17 years old	2,235	+/-548	0.3%	+/-0.1	1,994	+/-516	89.2%	+/-4.8	241	+/-112	10.8%	+/-4.8
18 to 64 years old	11,580	+/-1,134	1.4%	+/-0.1	9,098	+/-1,062	78.7%	+/-3.6	2,462	+/-433	21.3%	+/-3.6
65 years old and over	907	+/-269	0.1%	+/-0.1	551	+/-225	60.7%	+/-15.9	356	+/-172	39.3%	+/-15.9
<b>CITIZENS 18 YEARS AND OVER</b>												
All citizens 18 years old and over	566,534	+/-2,400	(X)	(X)	539,086	+/-2,548	95.2%	+/-0.3	27,448	+/-1,471	4.8%	+/-0.3
Speak only English	463,959	+/-2,610	81.9%	+/-0.4	(X)	(X)	(X)	(X)	(X)	(X)	(X)	(X)
Speak a language other than English	102,575	+/-2,458	18.1%	+/-0.4	75,127	+/-2,133	73.2%	+/-1.2	27,448	+/-1,471	26.8%	+/-1.2
Spanish	39,782	+/-1,550	7.0%	+/-0.3	31,629	+/-1,414	79.5%	+/-1.9	8,153	+/-842	20.5%	+/-1.9
Other languages	62,793	+/-1,912	11.1%	+/-0.3	43,498	+/-1,623	69.3%	+/-1.7	19,295	+/-1,228	30.7%	+/-1.7

Source: American Fact Finder



Source: <https://statisticalatlas.com/county/Texas/Collin-County/Languages>

The Safe Harbor Threshold is calculated by dividing the population estimate for a language group that “speaks English less than very well” by the total population of the county. The LEP Safe Harbor Threshold provision stipulates that for each LEP group that meets the LEP language threshold (5% or 1,000 individuals, whichever is less), the City of McKinney must provide translation of vital documents regarding Transit Services in written format for non-English speaking persons.

In Collin County, with a population estimate of 804,066, 9.3% persons “speak English less than well.” The Spanish language group is over the 5% or 1,000-person threshold of the population to be served. This means the City of McKinney is required to provide written translation of vital documents regarding Transit Services in Spanish. All of the other language groups identified in the provided charts do not meet the Safe Harbor Threshold and the City of McKinney is not required to provide written translation of vital documents in these other languages.

Additional information about Collin County can be found here: [https://factfinder.census.gov/faces/nav/jsf/pages/community\\_facts.xhtml](https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml)

The City of McKinney publishes vital documents regarding Transit Services in English as well as Spanish. City of McKinney and transit provider have bilingual staff members available to assist with interpretations and translations.

### Factor 2: *Frequency*

The City of McKinney understands that the more frequently contact occurs with LEP persons, the more likely enhanced language services will be needed. The City of McKinney has an open-door policy and provides rides to any person without discrimination. If there is a language barrier, the dispatcher or driver will work with the City of McKinney to ensure the individual receives access to the transportation service. Customer-facing staff will be asked on a biannual basis regarding the frequency of contact with LEP persons.

Discussions with transit operators, customer service representatives, and the agency call center indicate frequent interactions with individuals that speak only Spanish. While interactions with other individuals that are linguistically isolated but do not speak Spanish is limited, rare occurrences are experienced. African, Asian, and Middle Eastern dialects are the next most predominant occurrences.

The City of McKinney hosts regular discussions and opportunities for engagement at public events. During past events, staff observed that a significant portion of participants spoke Spanish and little or no English. Spanish speaking staff are available to collect feedback from these individuals. Based on Factor 2 and the discussions described, no other language or population group was consistently identified as an eligible participation group.

### Factor 3: *Importance*

The City of McKinney understands an LEP person with language barrier challenges also faces difficulties obtaining health care, education, access to employment opportunities and nutrition

meal sites, recreational services and socialization. A transportation system is a key link to connecting LEP persons to these essential services.

Outreach and the agency's bi-annual survey of riders has shown that public transit services are often the primary means of transportation for populations with LEP. Critical information that can affect access for these populations includes route and schedule information; fare and payment information; demand response information and application; complaint and commendation forms; system code of conduct and emergency information; and automated announcements.

#### Factor 4: Resources and Costs

Even though the City of McKinney does not have a separate budget for LEP outreach, the City works alongside its transit provider to implement low-cost methods of reaching LEP persons.

City of McKinney and transit provider staff conduct outreach activities to LEP communities throughout the year to inform the public of transportation services available. These outreach/resource awareness efforts are low-cost methods accomplished by using existing staff resources as well as developing and printing brochures/materials regarding Transit Services.

Training of City of McKinney staff as to Title VI and LEP requirements is conducted by the National Transit Institute.

#### Description of How Language Assistance Services Are Provided

Following the Four Factor Analysis, the City of McKinney will work with the transit provider to provide outreach material and vital documents (such as ADA complementary paratransit eligibility application, a Title VI complaint form, notice of a person's rights under Title VI, and other documents that provide access to essential services) in Spanish. The City of McKinney also has bilingual speaking person on staff. We will continue to work with the transit provider to ensure mechanisms are in place to reach LEP persons in the service area.

The City of McKinney also offers resources to the public at no cost to decrease the language barrier such as:

- English as a Second Language ("ESL") classes offered at Roy and Hellen Hall Memorial Library, McKinney High School, First Presbyterian Church;
- ESL programs with Collin County Adult Literacy Council and Denton ISD Adult Education and Literacy Program; and
- Pronunciator, online language learning tool, available to all library patrons. Over 80 new and 50 ESL language options

### **Language Assistance Measures**

Spanish speaking individuals with LEP have been identified as statistically significant populations that require access to vital information in their native languages regarding Transit Services. The City of McKinney and the transit provider will provide the following measures to ensure access to these individuals and other individuals with LEP:

- Translation services are available at all public meetings with advanced request.
- Translations of printed materials including service schedules, maps, or other necessary information to assist in effectively using public transit services or opportunities to comment on transit programs and services.
- Development of bilingual outreach materials using a translation service and assistance from bilingual staff.
- Review outreach activities and the frequency of contact with LEP individuals to determine whether additional language assistance services are needed.

### **Language Assistance Plan Monitoring and Update**

The City of McKinney reviews its Plan on an annual basis or more frequently as needed. In particular, the City of McKinney will evaluate the information collected through encounters with LEP persons as well as public outreach efforts to determine if adjustments should be made to the delivery of programs and services to ensure meaningful access to minority and LEP persons.

In addition, the City of McKinney will meet with the transit provider on an annual basis to ensure that the Title VI requirements are met.

### **Staff Training**

Department employees are oriented on the principles of Title VI and the City of McKinney's Language Assistance Plan. New employees will be provided guidance on the needs of clients provided Transit Services and how best to meet their needs within six months of their start date. Refresher training will be held biannually. The City of McKinney will ensure its transit provider/lessee also educates its staff on Title VI requirements, and specifically LEP provisions, and monitor that education/training on a quarterly basis.

If a driver, dispatcher or employee needs further assistance related to LEP individuals, he/she will work with the City of McKinney and the transit provider/lessee to identify strategies to meet the language needs of the participants of the program or service.

The City of McKinney will meet annually with our transit provider/lessee to discuss updates to the City of McKinney's Language Assistance Plan.

## **Section VII. – Additional Transit Requirements**

### **Minority Representation on Planning and Advisory Boards**

The McKinney Urban Transit District (“MUTD”) is currently governed by an 11-member board (the “Board of Directors” or “MUTD Board”) appointed by its participating member cities. There are currently two unfilled positions on the MUTD Board.

#### **A. Minority Representation Table – The table below depicts the MUTD Board’s racial breakdown**

The MUTD Board is comprised of elected City of McKinney Councilmembers and representatives from participating MUTD cities. The representatives from participating MUTD cities are not selected by the City of McKinney (recipient). Furthermore, we have no boards on which we can select members.

#### **B. Efforts to Encourage Minority Participation**

The City of McKinney recognizes the importance of diverse participation on its planning, advisory, and policy making bodies. While the Board of Directors are made up of MUTD participating members, the City of McKinney will encourage the appointing of members from all backgrounds and ethnicities. Additionally, the City of McKinney occasionally forms *ad-hoc* stakeholder work-groups to assist with project planning efforts for Transit Services. The City of McKinney attempts to ensure that these *ad hoc* work groups adequately reflect our diverse community.

*[Remainder of page intentionally left blank.]*

## **Section VIII. – Additional Transit Requirements**

### **Monitoring for Subrecipient Title VI Compliance**

The City of McKinney and the McKinney Urban Transit District do have a subrecipient and will monitor them according to FTA Circular 4702.1B.

### **System-wide Service Standards**

The City of McKinney does not operate fixed route transit, so the City is not required to implement the system-wide service standards and policy requirements explained in FTA Circular 4702.1B.

### **Siting Facility Equity Analysis**

The City of McKinney has not sited any facilities for equity analysis in the last three years.

### **Major Service Change and Disparate Impact Policies**

The City of McKinney and the MUTD do not operate a fixed route transit system, so the City and MUTD are not required to implement a Major Service Change Policy that addresses disparate impact, and disproportionate burdens according to FTA Circular 4702.1B.

However, in response to FTA guidance, the City of McKinney and MUTD developed and proposed an updated Major Service Change policy that includes disparate impact, disproportionate burden considerations, and a definition of “Major Service Changes.” The MUTD Board of Directors approved this updated policy on September 17, 2024, as part of City of McKinney’s 2024 Title VI Program update.

#### **A. “Major Service Change” Defined**

According to City of McKinney and the Board, a “Major Service Change” is a change that results in one or more of the following conditions:

1. Elimination or addition of a fixed route;
2. Any change in fixed routes in excess of 25% of the route’s mileage and/or annual revenue hours; or
3. Changes that would reduce or eliminate service to schools, elderly/public housing, hospitals or social service agencies.

All Major Service Changes will be subject to the public hearing process and implemented after public hearing and approval by the McKinney Urban Transit District Board.

### **B. “Disparate Impact” Defined**

City of McKinney and the Board establishes that a fare change, Major Service Change, or other policy has a Disparate Impact if the minority populations will experience five percent more or less of the cumulative burden or benefit compared to the non-minority populations. To avoid, minimize, or mitigate Disparate Impacts, City of McKinney and the Board will develop and assess alternatives and/or modifications to proposed changes in an effort to reduce or minimize adverse impacts.

City of McKinney and the Board will implement alternatives or modifications to proposed changes to address adverse impacts unless:

1. There is substantial legitimate justification for the change; and
2. No other alternatives exist that would serve the same legitimate objectives but with less disproportionate effects on the basis of race, color, or national origin.

### **C. Fare Change Policy**

The City of McKinney and the Board must solicit and consider public comment before implementation of all changes in fares or major changes in service. Public hearings will be held for all fare and Major Service Changes. Public hearing dates will be set and hearing notices appear in a newspaper of general circulation, identified by the City, approximately two weeks prior to the actual hearing. Hearings will be held during meetings scheduled in accordance with the Texas Open Meetings Act, Texas Government Code §§ 551.001, *et seq.*, in the McKinney City Hall. Hearings will be open to the public; anyone wishing to speak at the hearing will be afforded the opportunity to speak subject to any time limitations that may be established per person and per topic to facilitate the meeting. If someone is unable to attend the hearing, written comments will be accepted prior to the hearing. The Transit Administrator and/or Transit Coordinator will summarize all comments received prior to the public hearing. The summary and an analysis will be provided to the City Council and/or Board, as applicable, during the scheduled public hearing for consideration.

### **D. “Disproportionate Burden” Defined**

City of McKinney and the Board establishes that a Fare Change, Major Service Change, or other policy has a Disproportionate Burden if low-income populations will experience five percent more or less of the cumulative burden or benefit compared to non-low-income populations unless the disproportionate effects are mitigated.

**E. Public Engagement Process for Major Service Change Policy Development**

City of McKinney presented its proposed Major Service and Fare Change Policies, including proposed definitions of “Disparate Impact” and “Disproportionate Burden,” to the McKinney Urban Transit District Board on September 17, 2024. At this meeting, City of McKinney staff solicited feedback on the proposed policies from all in attendance. Information was posted on City of McKinney’s website with an online feedback form for input as well. None of the feedback provided was relevant to these policies; therefore, City of McKinney staff presented the updated Major Service and Fare Change Policy including definitions of Disparate Impact and Disproportionate Burden to the McKinney Urban Transit District Board unchanged. This presentation occurred on September 17, 2024, and resulted in Board approval. Attached to this Policy is a copy of the Board memo documenting adoption of the proposed Major Service and Fare Change Policy.