

SUNSET EMPIRE TRANSPORTATION DISTRICT



TITLE VI PROGRAM

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Introduction

Sunset Empire Transportation District (SETD) is committed to the public and ensures that no person shall, on the ground of race, color, national origin, religion, age, marital status, sexual orientation, gender identification or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity provided by SETD.

Title VI Complaint Procedures

Any person who feels they have been discriminated against on the basis of race, color, or national origin by SETD may file a complaint by submitting the Title VI complaint form. Members of the public may file a signed, written complaint to SETD up to one hundred and eighty (180) days from the date of alleged discrimination. Complaints must at a minimum contain the following information:

- Contact Information; name, mailing address, and how to contact complainant (i.e., telephone number, email address, etc.)
- How, when, where and why complainant alleges s/he was discriminated against. Include the location, names and contact information of any witnesses.
- Other significant information.

The complaint may be filed in writing with SETD at the following address:

Sunset Empire Transportation District
Attention: Executive Director
900 Marine Drive
Astoria Oregon 97103
Email address:
By Phone: (503) 861-5399
By Facsimile: (503) 325-1606

A sample Title VI Complaint Form can be found as *Attachment A*.

Record of Title VI investigations, complaints, or lawsuits

SETD will document, record and report to the United States Department of Transportation (USDOT) and the Oregon Department of Transportation (ODOT) all Title VI complaints and allegations of discrimination. Over the reporting period, SETD had no Title VI complaints, investigations or lawsuits filed against it.

Limited English Proficiency Plan & Outreach (LEP)

A full copy of the Limited English Proficiency Plan is included in **Attachment B**. Key elements of the plan include:

- SETD employment of Spanish speaking staff to translate, interpret or for communication in person or over the phone.
- All meeting notices will be posted in Spanish and English.
- The entire SETD website can function in English and in Spanish with the Google Translate feature.
- Advertising for new positions will include “Spanish Speaking is a plus”.

Notification of Sunset Empire Transportation Title VI Obligations

SETD publicizes its Title VI program by posting its commitment to providing services without regard to race, color or national origin in all buses, schedules, on the SETD website, in the Transit Center and on other written materials. The public notices, website and route schedules all include the following statements:

Sunset Empire Transportation District operates its programs without regard to race, color, religion, sex, sexual orientation, gender identification, national origin, marital status, age or disability in accordance with Title VI of The Civil Rights Act, ORS Chapter 659A or other applicable law.

SETD is committed to practicing non-discrimination.

Summary of Public Participation Efforts

In accordance with Oregon public meeting law, all public meetings including transportation planning meetings are open to the general public. Accommodations are available for those with limited English proficiency when requested in advance of the meeting.

Public Participation Plan

Purpose

The purpose of this Public Participation Plan (PPP) is to establish procedures that allow for, encourage and monitor participation of all citizens in the SETD region, including but not limited to low income, minority individuals and those with limited English proficiency. While traditional means of soliciting public involvement may not reach such individuals, or might not allow for meaningful avenues of input, the intent of this effort is to take reasonable actions throughout the planning process to provide opportunities for historically underserved populations to participate.

Goals and Objectives for the Public Participation Plan

Goal: The goal of the Public Participation Plan is to offer real opportunities in person, via the internet or phone and in writing, for the engagement of all citizens of the region to participate in and provide comment on transportation making decisions.

Objectives:

- To determine what cultural barriers exist to public participation within the region.
- To provide notifications of meetings, particularly when public input is sought in a manner that is understandable to all populations in the area.
- To hold meetings in locations which are accessible and reasonably welcoming to all area residents, including, but not limited to, low-income and minority members of the public?
To provide avenues for the two way flow of information and input from populations which are not likely to attend public meetings.

Identification of Stakeholders

Stakeholders are those who are either directly or indirectly affected by a plan, or the recommendations of that plan. Those who may be adversely affected, or who may be denied benefit of a plan's recommendation(s), are

of particular interest in the identification of specific stakeholders. Stakeholders are broken down into several groups: general citizens, minority and low-income persons, public organizations or agencies and private organizations and businesses.

General Public: Some of the techniques that can be used to engage the general population are public notices of meetings in the local newspapers, open house format public information meetings and use of local radio news media.

Minorities: Engaging minority and LEP populations can be challenging. Language and cultural differences may not be compatible with the more traditional means of engaging the public in the planning process. SETD will make reasonable efforts to engage minority populations using techniques such as including notations in public notices in Spanish that will provide a contact where the individual can be informed of the process/project, and will have the opportunity to give input. Advocacy groups can be a good source for contacts and dissemination of information to minority and LEP populations. Such advocacy groups or agencies can have insight into the needs of the under-represented populations, as well as providing valuable contacts or arenas for input. Contacts with local translators and a list of resources should be maintained and used as requested and needed.

Low-Income: While low-income individuals may have access to all of the traditional means of Public Involvement discussed under “General Public”, they may be less likely to become involved, or offer input. Some methods of gaining input either directly or indirectly from this portion of the population include focus groups, informal interviews and agency/advocacy group contacts.

Public Agencies: Public agencies can provide valuable input to the planning process, in addition to assisting in gaining participation from traditionally under-represented populations. Pertinent public agencies include those that have clients who fall into under-represented populations, including but not limited to minorities, low-income and LEP households. These agencies have great insight into the transportation needs of their clients and are useful partners in overcoming difficult barriers that may not be understood by professionals dealing more distinctly with the provision of transportation services.

Private Organizations and Businesses: Private organizations and businesses offer a number of perspectives that are valuable to the planning process. Often, transportation for employees is of critical concern to private sector employers. This is particularly true in a tourism area, such as ours, where many jobs are low-income and seasonal. Employees often cannot afford cars, insurance and maintenance so they must rely on our local transit system. For that reason, representation of private business interests will be welcome to participate in any planning process or other meetings that may be held.

Other techniques could also be determined to be useful at any particular stage of the process, and new and different techniques will be utilized as deemed appropriate.

Construction Projects Undertaken:

SETD has not undertaken any construction projects during this reporting period.

Section V.

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Section VI.

You may attach any written materials or other information that you think is relevant to your complaint. Signature and date are required below.

Signature

Date

Please submit this form in person at the address below, or mail this form to:
Sunset Empire Transportation District
Attn: Executive Director
900 Marine Drive
Astoria, OR 97103

Attachment B

Discrimination Complaint Procedure

1. Any person who believes that he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973 and the Civil Rights Restoration Act of 1987, as amended, may file a complaint with the SETD. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the Executive Director for review and action.
2. In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after:
 - a) The date of alleged act of discrimination; or
 - b) Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In either case, SETD may extend the time for filing or waive the time limit in the interest of justice, as long as SETD specifies in writing the reason for so doing.

3. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the alleged discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of SETD, the person shall be interviewed by the Executive Director. If necessary, Executive Director will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to SETD's Service Improvement and investigative procedures.
4. Within 10 days, the Executive Director will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation, and advise the complainant of other avenues of redress available, such as the Oregon Department of Transportation (ODOT) and U.S. Department of Transportation (USDOT).
5. The Executive Director will advise ODOT and/or USDOT within 10 days of receipt of the allegations. Generally, the following information will be included in every notification to ODOT and/or USDOT:
 - a) Name, address, and phone number of the complainant.
 - b) Name(s) and address(es) of alleged discriminating official(s).
 - c) Basis of complaint (i.e., race, color, national origin or sex)
 - d) Date of alleged discriminatory act(s).
 - e) Date complaint was received by the recipient.
 - f) A statement of the complaint.
 - g) Other agencies (state, local or Federal) where the complaint has been filed.
 - h) An explanation of the actions SETD has taken or proposed to resolve the issue in the complaint.
6. Within 60 days, the Executive Director will conduct an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the District's Board of Directors. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.
7. Within 90 days of receipt of the complaint, the Executive Director will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with ODOT, or USDOT, if they are dissatisfied with the final decision rendered by SETD. The

Executive Director will also provide ODOT and/or USDOT with a copy of this decision and summary of findings upon completion of the investigation.

8. Contact information for the state and federal Title VI administrative jurisdiction is as follows:

ODOT Public Transit Division
Sherrin K. Coleman
555 13th St NE
Salem, OR 97301
503-986-4305
503-986-4189 fax
sherrin.k.coleman@odot.state.or.us

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

Attachment C



PUBLIC PARTICIPATION PLAN

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STATEMENT OF COMMITMENT

Sunset Empire Transportation District is committed to providing an open and transparent decision-making process to which Clatsop County residents has equal access. SETD will actively solicit the involvement of citizens in the public decision-making process, through public notification, media exposure, community public meetings with comment opportunities in person, over the phone and in writing.

In addition efforts will be made to offer early and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions. This includes seeking out and considering the viewpoints of minority, low-income, and limited English proficiency (LEP) populations as well as older adults and persons with disabilities. These actions will ensure our compliance with the Federal Transit Administration (FTA) Circular 4702.1B (“Title VI Requirements and Guidelines for Federal Transit Administration Recipients”).

PUBLIC INVOLVEMENT PURPOSE

The Plan shall be designed to:

1. Ensure responsiveness to the level of interest and concern expressed by the public.
2. Ensure visibility, transparency and understanding by the agencies, groups and individuals who may participate in the process.
3. Ensure that public involvement is carefully and systematically included as part of the decision-making process.

PUBLIC INVOLVEMENT PRINCIPLES

The following principles will be used to develop and implement Public Involvement for SETD projects and programs:

1. When a project (e.g., construction activity) may affect a neighborhood, special neighborhood meetings will be scheduled early in the project planning process. Notices will be sent to organized neighborhood groups and any individual who has requested notification.
2. All public meeting notices shall be written in clear, concise and understandable language, and will incorporate graphics when it aids the message. The notices will clearly be identified as a SETD notice including our name and logo. The theme font will be consistent and font size will be no smaller than 14 and be printed in English and Spanish.
3. The Public Involvement Process will reflect SETD’s dedication to provide early and continuous opportunities for the public to be involved in the identification of the impacts of proposed decisions. It will also reflect SETD’s desire to seek out the viewpoints of minority, low-income, and Limited English Proficiency (LEP) populations, as well as

older adults and people with limited mobility, in the course of conducting public outreach and involvement activities, consistent with SETD's Title VI Program, Executive Order 13166 on access for individuals with Limited English Proficiency, and U.S. Department of Transportation (DOT) LEP Guidance.

4. Public meetings will be held in locations that are accessible to transit riders and people with disabilities, and will be scheduled at times that are convenient for members of the public.
5. Public meeting, special meeting and open house notices will be broadly advertised in the community in both English and Spanish (e.g., through posters onboard buses and at major transit stops and facilities, the SETD website, local print media, social media, and email notification to SETD's outreach mailing list) including the availability of onsite language assistance when requested.

TARGETED PUBLIC OUTREACH

During development of the Public Involvement Plan and/or planning for public engagement in general, SETD will incorporate strategies intended to promote involvement of minority and LEP individuals in public participation activities, as appropriate for the plan, project, or service in question, and consistent with federal Title VI regulations, Executive Order 13166 on Limited English Proficiency, and the U.S. Department of Transportation LEP Guidance.

At a minimum SETD staff will consider implementing the following public engagement strategies to complement the appropriate plan, project, or service:

- Use supplemental outreach strategies such as surveys and comment cards regarding SETD projects or proposed service changes.
- Partner and network with community organizations to engage members of the public who are less likely to attend traditional public meetings through means such as surveys and focus groups. SETD maintains a list of current and potential future community partners.
- Attend community events and meetings of neighborhood associations, faith-based organizations, advocacy groups, and other groups to solicit feedback from diverse members of the public.

SETD staff may consult FTA Circular 4703.1 ("Environmental Justice Policy Guidelines for Federal Transit Administration Recipients") for additional strategies that may be incorporated into the Public Involvement Plan.

PUBLIC COMMENT FOR FARE OR MAJOR SERVICE CHANGES

It is the commitment of SETD to solicit public opinion and consider public comment before raising fares or implementing a major service change.

A public hearing is required prior to implementation of a fare increase or a major service change. **A “major” service change is defined as a modification that affects 15% or more of a single route or 15% or more of all routes.** Additional public involvement strategies, such as public meetings, neighborhood meetings, or other outreach to affected individuals will be implemented as appropriate to solicit public comment for consideration in advance of the public meeting. Public comments received will be compiled and considered prior to finalizing SETD’s recommendation to the Board of Commissioners regarding a fare increase or major service change. A summary of the public comments received will be provided as part of the staff report submitted to the SETD Board of Commissioners for the fare increase or major service reduction in question. It will be entered as public comment into the appropriate meeting minutes. Information about scheduled public meetings is available via:

1. Bus Postings- Postings at transfer points and Major Bus Shelters
2. Transit Center Postings
3. SETD website
4. Appropriate venues, such as senior centers, human service organizations and with community partners
5. Email notification, email lists and social media

All comments received are reviewed by SETD staff and the Senior & Disabled Transportation Committee and considered in the final recommendations to the Board of Commissioners. The goal of SETD is to always provide the best possible service to the most current riders or potential riders.

Attachment D

Senior & Disabled Committee Members

Rae Goeforth/ Board Commissioner _____ *White/Caucasian*

Robert Sharp _____ *White/Caucasian*

Sylvia Davis _____ *White/Caucasian*

Patrick Preston _____ *White/Caucasian*

Larry Miller _____ *White/Caucasian*

Michael Hinton _____ *White/Caucasian*

Vacant _____

Attachment: E



LIMITED ENGLISH PROFICIENCY PLAN

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Introduction

This Limited English Proficiency (LEP) Plan has been prepared to address Sunset Empire Transportations Districts (SETD) responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, Federal Transit Administration Circular 4702.1B, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

Executive Order 13166, titled Improving Access to Services for Persons with Limited English Proficiency indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each federal agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. LEP persons include those individuals whose primary language is not English and who have a limited ability to speak, read, write or understand English. These persons have reported to the U.S. Census that they do not speak English well or do not speak English at all.

CLATSOP COUNTY

Population	
Total Population	37,039
Population that speaks languages other than English	
Spanish or Spanish Creole	5.7%
Other Indo-European Languages	1.5%
Asian and Pacific Island Languages	1.3%
Other Languages	0.5%
Population by Race	
White	33,680
African American	195
Asian	457
American Indian and Alaska Native	362
Native Hawaiian and Pacific Islander	86
Other	1,208

Identified by two or more	1,051
Persons 5 years and Over, Percent Speaking Non English at home	7.1

Plan Summary

Sunset Empire Transportation District operates local transportation services in Clatsop County. These services include fixed route transportation, ADA Paratransit transportation and Non-Emergent Medical transportation. SETD has developed this LEP plan to help identify the reasonable steps that are needed to provide language assistance to the Limited English speaking population of our county who wish to access our services. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available. SETD has conducted an analysis which surveyed and considered the following factors.

FOUR FACTOR ANALYSIS:

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter a SETD program, activity or service. The main language identified that SETD will encounter the most frequently is Spanish.
2. The frequency with which LEP individuals come in contact with the program. As a public transportation provider, it is necessary to recognize this segment of the general population. Through staff feedback and surveys it has been concluded that Spanish-speaking LEP persons have regular contact with the service. SETD will assess the frequency at which staff has or could possibly have contact with LEP persons. This includes examining census data, phone inquiries, requests for translated documents, and staff feedback. As a public transportation provider, it is necessary to recognize this segment of the general population. Phone inquiries and staff feedback also indicate that Spanish-speaking LEP persons have regular contact with the service.
3. The nature and importance of programs, activities or services provided by SETD to the LEP population. An LEP person’s inability to utilize effectively public transportation may adversely affect his or her ability to obtain health care, or education, or access to employment. All of the programs that are operated by SETD will be accessible to the LEP population. Transportation is of the utmost importance.
4. The resources available to SETD and overall cost to provide LEP assistance. This includes identifying bilingual staff, reviewing the cost of using a translation service, determining which documents should be translated, and deciding what level of staff training is needed.

LEP ASSISTANCE

SETD has assessed the available resources that could be used for providing LEP assistance, including determining how much a professional interpreter and translation service would cost on an as needed basis, which of its documents would be the most valuable to be translated if the need should arise, and taking an inventory of available organizations that SETD could partner with for outreach and translation efforts. The amount of staff and vehicle operating training that might be needed was also considered. Documents that are determined to be vital are translated into Spanish. Vital documents are defined as those documents without which a person would be unable to access services. The following are written communications that are to be available in print in Spanish:

- SETD fixed route bus schedules Weekday and Weekend including Connector schedules
- Temporary signs at bus stops and transit centers informing customers of any detours or route changes
- Honored Citizen Application
- Interior bus posters and stickers displaying safety or system information
- Fare information on fare boxes
- ADA Paratransit application and Brochure
- Onboard surveys
- Service Improvement Forms

LANGUAGE ASSISTANCE

There are numerous language assistance measures available to LEP persons, including both oral and written language services. There are also various ways in which SETD staff can communicate and respond to LEP persons, whether in person, by telephone or in writing.

1. SETD will network with local human service organizations and the local Community College that provides services to LEP individuals and seek opportunities to provide information on SETD programs and services.
2. SETD will place statements in notices and publications that interpreter services are available for public Board meetings, open house events, committee meetings and budget meetings with seven day advance notice. Route change information will be printed in Spanish.
3. SETD will conduct a survey of bus drivers, front-line staff, dispatchers, ADA Paratransit schedulers, and service development planners on their experience concerning any contacts with LEP persons during the previous year. This will help us track trends and identify how best to make changes to meet the needs of our LEP population.
4. We will provide Language Identification Flashcards at the Transit Center.
5. SETD will post the SETD Title VI Policy and LEP Plan on the agency website www.ridethebus.org
6. SETD will provide group travel training to LEP persons with the assistance of bilingual volunteers.
7. SETD will include language “Spanish speaking a plus” on staff and bus driver recruitment flyers and recruitment posters. Our organization will actively seek out bilingual employees.
8. A list of volunteers will be compiled to refer to when needed for translation. *See Resource List.*

STAFF TRAINING

The following trainings will be provided to SETD staff.

1. Information on the SETD Title VI Procedures, Statements and LEP responsibilities.
2. Description of language assistance services offered to the public.
3. Directions on how to use the Language Identification Flashcards.

4. Procedures for documentation of language assistance requests.
5. How to access and use a language line service.
6. How to document and handle a potential Title VI/LEP complaint.
7. How to use the booklet “Basic Spanish for Transit Employees”

OUTREACH TECHNIQUES

When staff prepares a document or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population. Interpreters will be available as needed. SETD will keep the LEP community engaged and aware of all types of changes in schedules, fares, programs or services. Open house events will be staffed with Spanish speaking staff.

MONITORING & UPDATING THE LEP PLAN

This plan is designed to be flexible, and should be viewed as a work in progress. As such, it is important to consider whether new documents and services need to be made accessible for LEP persons, and also to monitor changes in demographics and types of services, and to update the LEP plan when appropriate. At a minimum, SETD will follow the Title VI Program update schedule for the LEP plan. Each update should examine the following:

- How many LEP persons were encountered?
- Is the existing language assistance meeting the needs of LEP persons?
- What is the current LEP population in Clatsop County? Has that changed from the past year?
- Have available resources, such as technology, staff and finances changed?
- Were any complaints received?
- Do staff members understand the LEP plan policies and procedures?

There are several methods that can be used to assist in answering these questions. One method is to review customer comments and complaints in our Service Improvement Program forms to determine if there were any barriers to accessing service. Census data will also be reviewed as it becomes available to determine changes in the LEP population. Surveys of staff will assist in determining if additional measures need to be taken in the updating of the plan. These surveys will be conducted every 2 years.

DISSEMINATION OF THE LEP PLAN

A link to the SETD LEP Plan and the Title VI Procedures is included on the SETD website at www.ridethebus.org. Any person or agency with internet access will be able to view and download the plan from the SETD website. Alternatively, any person or agency may request a copy of the plan via telephone, fax, mail, or in person and will be provided a copy of the plan at no cost. LEP individuals may request copies of the plan in translation which SETD will provide within an appropriate amount of time. Questions or comments regarding the LEP Plan may be submitted to the Executive Director of SETD.