

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of Updating Columbia County
Rider's Policies and Procedures for
Compliance with Title VI of the Civil Rights
Act of 1964

ORDER NO. 71-2020

WHEREAS, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin; and

WHEREAS, 49 CFR Section 21.9(b) requires the County, as recipient of Federal funding, to develop procedures for investigations and tracking Title VI complaints filed against the County and to make its procedures for filing a complaint available to members of the public upon request, and

WHEREAS, 49 CFR Section 21.9(b) requires the County to prepare and maintain a list of any active investigations, lawsuits, or complaints naming the County and/or its subrecipients that allege discrimination on the basis of race, color, or national origin; and

WHEREAS, 49 CFR Section 21.9(b) requires the County to provide information to the public regarding its Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by Title VI; and

WHEREAS, the County may disseminate such information through such measures as posters, comment cards, or flyers placed at stations and in transit vehicles, at the County's discretion; and

WHEREAS, in 2008, the Board of County Commissioners approved Order No. 44-2008, adopting policies and procedures to comply with Title VI, hereinafter referred to as the Title VI Program; and

WHEREAS, the County's Title VI Program was submitted to and received approval from the Federal Transit Administration; and

WHEREAS, the County's Title VI Program was updated in 2012 by Order No. 43-2012;

WHEREAS, in compliance with 49 CFR part 21, the County in 2014 adopted a Title VI Program specifically for its Transit Department, Columbia County Rider (CC Rider) by Order No. 44-2014; and

WHEREAS, the County's 2014 Title VI Program for CC Rider was submitted to and received approval from the Oregon Department of Transportation (ODOT); and

WHEREAS, under 49 CFR 21.9(b), Title VI Program must be reviewed every three years;
and

WHEREAS, the County's 2017 Title Program, which received approval from ODOT, is due to expire and must be resubmitted for approval.

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. The Board of County Commissioners adopts the Title VI Civil Rights Notice, attached hereto as Attachment 1 and incorporated herein by this reference.
2. Copies of Attachment 1 shall, at a minimum, be made in pamphlet and poster form and shall be made available to the public.
3. The Board of County Commissioners amends the Columbia County Rider Transit System Title VI Program, attached hereto as Attachment 2 and incorporated herein by this reference, which has been revised to reflect the latest available data and changes in staff and language interpreter services.

Dated this 29, day of July, 2020.


Approved as to Form

By: 
Office of County Counsel

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: not present
Alex Tardif, Chair

By: 
Margaret Magruder, Commissioner

By: 
Henry Heimuller, Commissioner

COLUMBIA COUNTY RESPECTS CIVIL RIGHTS

Columbia County operates its programs without regard to race, color, religion, sex, national origin, marital status, age or disability in accordance with Title VI of the Civil Rights Act, ORS Chapter 659A or other applicable law. For more information contact Jacyn Normine, Board Office Administrator Interim Director, at 503-397-4322, John Dreeszen, Columbia County Rider Transportation (CC Rider), at 503-366-8503, or Jean Ripa, Human Resources Director, at 503-397-7264 for employment related Title VI information.

COLUMBIA COUNTY TITLE VI POLICY STATEMENT

Title VI of the Civil Rights Act of 1964 states:

“No person in the United States shall, on the grounds of race, color, or national original, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

Columbia County is committed to complying with the requirements of Title VI in all of its federal funded programs and activities.

MAKING A TITLE VI COMPLAINT

Any person who believes he or she has been aggrieved by an unlawful discriminatory practice Under Title VI may file a complaint with Columbia County. Any such complaint must be in writing and filed with Columbia County within 180 days following the date of the alleged discriminatory occurrence. For information on how to file: (1) an employment-related complaint, please contact Human Resources; (2) a CC Rider-related complaint, please contact CC Rider; and (3) any other complaint, please contact the Board’s Office, by any of the methods provided below:

**HUMAN RESOURCES
(employment related
complaints)**

Jean Ripa
Director
230 Strand Street, Room
St. Helens, OR 97051
503-397-7264
Fax: 503-366-3906

**CC RIDER
(transit related complaints)**

John Dreeszen
Interim Director
1155 Deer Island Rd.
St. Helens, OR 97051
503-366-8503

**BOARD OFFICE
(all other complaints)**

Jacyn Normine
Board Office Administrator
230 Strand Street, Room 331
St. Helens, OR 97051
503-397-4322
Fax: 503-397-7243



Columbia County Rider
Transit System

Title VI Program
October 1, 2014
(Revised July 2020)

John Dreeszen
Interim Transit Director
230 Strand Street
St. Helens, Oregon 97051
Phone: 503-366-8503
Email address: john.dreeszen@columbiacountyor.gov

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Introduction

In accordance with Title VI of the Civil Rights Act of 1964, this Plan reflects Columbia County Rider Transit System's commitment to ensuring that no person 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 provided by the Columbia County Rider Transit System (CCR).

Signed Policy Statement

A policy statement, which was adopted and signed by the Board of County Commissioners assuring CCR's compliance with Title VI of the Civil Rights Act of 1964, is attached hereto as **Attachment A** and incorporated herein by this reference.

Title VI Notice to the Public

The Columbia County Title VI Notice to the Public, attached hereto as **Attachment E** and incorporated herein by this reference, shall be posted at the following locations:

Columbia County Website
CCR Transit Offices
Columbia County Courthouse
On board buses operated by CCR System

Title VI Complaint Procedures

The County has a standard process for investigating all complaints. **Members of the public may file a signed, written complaint up to one hundred eighty (180) days from the date of alleged discrimination.** Full procedures for filing a complaint and CCR's procedures for investigating complaints are described in **Attachment B**, which is attached hereto and incorporated herein by this reference.

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

Complaint forms can be obtained by contacting:
Columbia County Rider Transportation
1155 Deer Island Road
St. Helens, OR 97051

Or calling 503-366-8504.

Record of Title VI Investigations, Complaints, or Lawsuits

CCR will maintain a list of any and all transit related Title VI investigations, complaints, and lawsuits at its administrative office at 1155 Deer Island Road, St. Helens, Oregon. This list will include: the date that the investigation, complaint or lawsuit was filed; a summary of the allegation(s); the status of the investigation, complaint or lawsuit; and any actions taken by CCR. The list will be available to the public on request.

Minority Representation on Non-elected Bodies

CCR has a Citizens Transit Advisory Committee (CTAC) that is appointed by the County Board of Commissioners. The Transit Advisory Committee is currently composed of six members who have self-identified their race as white.

Columbia County encourages the participation of minorities on the CTAC in the following ways:

- Information on participating on the Columbia County Citizen Transit Advisory Committee is published on the CCR's social media outlets and in *The Chronicle* newspaper..
- Information is available on our website <https://www.nworegontransit.org/agencies/columbia-county-rider/>; and
- We post information on our social media outlets informing riders of the Transit Advisory Committee meetings.
- All of our publications seeking Transit Committee Members includes a statement that we encourage all minority participation.

Title VI Public Participation Plan

The CCR Transit system shall strive to include minority and LEP (Limited English Proficiency) individuals in its decision making processes. This includes outreach to minority groups in Columbia County. See also **Attachment D**.

Summary of Ongoing Public Participation Efforts and Outreach

Columbia County has a very small minority and LEP population. The largest minority population, which is also the largest LEP population, are Hispanics. Yet, Hispanics represent just 5.6% of the county's population. Since the last Title VI reporting submission, CCR Transit conducted the following public outreach and involvement activities:

- In accordance with Oregon public meeting law, all public meetings including transportation planning meetings were advertised in the local papers and open to the general public. Accommodations are available for those with limited English proficiency if requested in advance of the meeting.
- CCR also promotes inclusive public participation through the following:
 - Columbia County contracts with Language Line for interpreter services. This service provides interpreters for riders needing trip planning and ride scheduling assistance, or who want to know about the Transit Advisory Committee meetings. Riders can contact the CCRider Dispatch using this service during the hours of 5:00 a.m. to 7:00 p.m. Monday through Friday to schedule rides and travel planning.
 - Google Translate allows riders to view information on our website in any language.
 - We also use Facebook and Flash Alert.
 - Actively seeking to present and provide information at senior centers, city councils, social service group gatherings, Oregon State social service agencies, etc., regarding public transit services in Columbia County.
 - Providing flexibility in scheduling meetings at times and locations that are convenient and accessible to minority communities, such as:
 - Holding meetings at various times, including after working hours and on weekends;
 - Holding meetings at locations with access to transit, such as at the Transit Center; and
 - Holding meetings in the community, such as at senior centers, churches, and other community centers.
 - Using social media, such as Facebook to post information and provide opportunities for public input and comment.
 - Employing different meeting formats, such as open format meetings and question-and-answer sessions; and
 - Providing information booths at community events, such as fairs and festivals.

Language Assistance Plan

CCR has applied FTA's four-factor analysis to determine who is entitled to language assistance and what specific services are available. The four-factor analysis evaluates: (1) the number of Limited

English Proficiency (LEP) Persons served; (2) how often LEP persons come into contact with the program; (3) the importance of the program to LEP communities; and (4) the resources available for and costs associated with LEP outreach. CCR's LEP analysis is attached as **Attachment D**.

The Department of Transportation's LEP Safe Harbor Provision provides that written translation of vital documents for LEP language groups that constitute five percent (5%) or 1,000 persons, whichever is less, is strong evidence of compliance with written translation obligations. Columbia County is well under the numbers identified as triggering the Safe Harbor provisions. As shown in Attachment D, Columbia County's biggest Limited English Proficient population, which is Spanish, constitutes 0.9% of the population or 432 people.

Primary recipients and monitoring sub recipients

CCR is not a primary recipient of FTA funds and does not have any sub-recipients.

Title VI equity analysis

There are no current planned facilities or construction projects that require a Title VI equity analysis.

Attachment A

**COLUMBIA COUNTY
TITLE VI
NON-DISCRIMINATION
POLICY STATEMENT**

The following policy statement was adopted by Board Order 43-2012 on September 19, 2012:

Title VI of the Civil Rights Act of 1964 states:

“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 financial assistance.”

Columbia County is committed to complying with the requirements of Title VI in all of its federally funded programs and activities.

Columbia County Board of County Commissioners

Attachment B

Discrimination Complaint Procedure

Any person who believes he or she has been discriminated against on the basis of race, color, or national origin by Columbia County Rider Transit (CCR) may file a Title VI complaint by completing and submitting the Columbia County Rider Title VI complaint form to: Transit Director, CCR Transportation, 1155 Deer Island Road, St. Helens, Oregon 97051. CCR will process complaints that are complete and submitted no more than 180 days after the alleged incident, in accordance with the following procedure:

1. 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 a person makes a verbal complaint of discrimination to an officer or employee of CCR, the person shall be interviewed by the Transit Director. If necessary, the Transit 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 CCR's investigative procedures.
2. Within 10 days of receiving the signed, written complaint, the Transit Director will send the complainant a letter that acknowledges receipt of the complaint, determines whether the CCR has jurisdiction over the complaint, informs the complainant of CCR's investigation procedure, and advises the complainant of other avenues of redress available, such as through the Oregon Department of Transportation (ODOT) and U.S. Department of Transportation (USDOT).
3. If more information is needed to resolve the case, the Transit Director may contact the complainant. Unless the Transit Administrator determines more time is needed, the complainant will have 10 days to submit the requested information to CCR. If CCR does not receive the requested information on or before the 10th day (or the time granted by the Transit Director, if different), CCR may administratively close the case. The case may also be closed at the complainant's written request.
4. The Transit 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, or national origin)
 - d) Date of alleged discriminatory act(s).
 - e) Date complaint received by the recipient.
 - f) A statement of the complaint.

- g) Other agencies (local, state, or Federal) where the complaint has been filed.
 - h) An explanation of the actions CCR has taken or proposed to resolve the issue in the complaint.
6. Within 90 days of receipt of the complaint (not including time granted to the complainant to submit additional information), the Transit Director will investigate the complaint and issue a Report of Findings. The Report of Findings will summarize the allegations and information obtained, inform the complainant of the Transit Director's final decision, including any action taken or proposed to resolve the matter, and notify the complainant of his or her appeal rights. 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. The Report of Findings will advise the complainant of his/her appeal rights with ODOT, or USDOT, if they are dissatisfied with the final decision rendered by CCR. The Transit 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:

Oregon Department of Transportation
Office of Civil Rights, MS 31
355 Capitol St. NE
Salem, OR 97301-3871
503-986-4305
503-986-4189 fax

Federal Transit Administration Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor - TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

Attachment C

CCR Title VI and ADA Complaint Form

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Were you discriminated against because of your (Circle all that apply):

Race

Disability

Color

National Origin

Other: _____

Date and time of the alleged incident: _____

Explain as clearly as possible what happened and how you were discriminated against. Indicate who was involved and, if applicable, the transit route and vehicle. Be sure to include the names and contact information of any witnesses. If more space is needed, please use additional pages.

Have you filed this complaint with any other federal, state or local agency or with any court? Yes / No

If yes, check and identify all that apply:

- Federal Agency _____
- Federal Court _____
- State Agency _____
- State Court _____
- Local Agency _____

Please provide information for a contact person at the Agency or Court where the complaint was filed.

Name: _____

Address: _____

City, State, & Zip Code: _____

Telephone number: _____

Please sign below. You may attach any additional written materials or other information you believe is relevant to your complaint.

Signature

Date

Please mail this form to:
CC Rider
Attn: Transit Director
1155 Deer Island Rd.
St. Helens, OR 97051

Attachment D

CCR TRANSIT SERVICES LANGUAGE ASSISTANCE PLAN

CCR Transit is required to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of our programs and activities of individuals who are Limited English Proficient (LEP). CCR Transit consulted the USDOT's LEP Guidance and performed a four factor analysis of our contact with the public to determine the appropriate mix of LEP services to offer.

Four Factor Analysis:

Factor 1: The number or proportion of LEP persons in the service area.

Columbia County's total population is 48,237 residents over 5 years of age. Of that total population number, 2.4% or 1,165 people speak Spanish at home. Of those who speak Spanish at home, only 432 people (0.9% of the total population) have difficulty speaking and understanding English.

Step 1: Prior experience with LEP individuals. Over the past year, our dispatchers have not taken any phone calls from LEP persons which have required the use of an interpreter.

Step 2: To identify information on persons who speak languages other than English at home and those who speak English less than well or not at all and would be classified as Limited English Proficient or "LEP", data was gathered from the Census Bureau's American Community Survey - 2018 ACS 5-Year Estimates Subject Tables (Table ID: S1601, Language Spoken at Home).

Step 3: In Columbia County, the most common language other than English spoken at home was Spanish, with 2.4% of the total population over age 5 years, recorded as speaking Spanish (Source: 2018 American Community Survey 5-Year Estimates, S1601, Columbia County, Oregon (<http://data.census.gov>). Of the 2.4% who speak Spanish, the data shows that 397 people in Columbia County (0.9% of the total population) speaks English less than "very well."

(Source:

https://data.census.gov/cedsci/table?q=S1601%3A%20LANGUAGE%20SPOKEN%20AT%20HOME&g=0500000US41009&layer=VT_2018_050_00_PY_D1&cid=S1602_C01_001E&tid=ACSST5Y2018.S1601&hidePreview=false&vintage=2018&t=Language%20Spoken%20at%20Home).

Factor 2: The frequency with which LEP individuals come into contact with the service.

CCR Transit serves LEP persons daily through the public transit service we provide. Over the past year, our dispatchers have taken NO phone calls from LEP persons which has required the use of an interpreter.

Factor 3: The importance of the service to LEP persons.

CCR Transit provides important transit services to the public through its fixed route and Dial-A-Ride service(s). CCR Transit is the only major public transportation provider in Columbia County and provides a link between residential areas, commercial centers, healthcare facilities, educational campuses, and social service offices. Riders experiencing issues with language barriers would be those using the Dial-A-Ride and Fixed Route systems as information, travel planning and trip scheduling is provided by our dispatch system.

Factor 4: The resources available to the recipient of the federal funds to assure meaningful access to the service by LEP persons.

Columbia County contracts with Language Line to provide professional interpreter services in Spanish, Russian, and other languages. Information on CCR's website can also be translated into multiple languages through Google Translate.

Processes for providing language assistance services by language

Based on the four factor analysis, CCR recognizes the need to provide language interpretation services to those who may need that service. A review of CCR relevant programs, activities and services that are being offered by CCR as of July 2020 include:

- Use of Language Line, a professional interpreter service for multiple languages.
- Information on the CCR Transit website can be translated into multiple languages through Google Translate.

Based on the demand for alternate language services, and considering the limited budget of the CCRider Transit programs, other activities and services that will continue to be provided over the next three years include:

- Language Line interpreter services will continue to be provided.
- Monitoring and updating the need to provide additional LEP Services will be reviewed annually.

CCR Transit's outreach and marketing initiatives have provided us with a list of community organizations that are most apt to serve populations with limited English proficiency. The following list of community organizations will be contacted to assist in gathering information and see what services are most frequently sought by the LEP population:

- Public School District
- Area Chambers of Commerce
- Community Action Team (CAT)
- Oregon Department of Health & Human Services
- Oregon Employment Department
- Aging and Disability Services
- Commission on Children and Families

Providing notice to LEP's of language assistance

Notice will be placed on the transit buses, transit website, and on the bus schedules, and brochures announcing the availability of Language assistance. The CCR Website can be translated into multiple languages through Google Translate. A new page will be added that provides instruction and information on route and schedule information that can be translated into any language, downloaded and printed by the rider.

Monitoring, evaluating and updating LAP

CCR Transit staff will contact the community organizations that serve LEP persons and perform a four factor analysis every three years to identify what, if any, additional information or activities might better improve transit services to assure non-discriminatory service to LEP persons. CCR will then evaluate the projected financial and personnel needed to provide the requested services and assess which of these can be provided cost-effectively.

Training Employees

CCR Transit will require its operations contractor to provide training and information in the driver manual for all employees, staff and volunteers regarding the language assistance services available to riders. Employees will be encouraged to use the services provided when contact with LEP individuals prevents or hinders communication. This training will be provided as a refresher course at least annually and when all new drivers are hired.

Attachment E

Notice to the Public

NOTIFYING THE PUBLIC OF RIGHTS UNDER TITLE VI COLUMBIA COUNTY, OREGON

- Columbia County operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes he or she has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with Columbia County.
- For more information on Columbia County's civil rights program, and the procedures to file a complaint, contact 503-366-8503 or email john.dreeszen@columbiacountyor.gov ; or visit our office at 1155 Deer Island Road, St. Helens, OR 97051. For more information visit www.nworegontransit.org.
- A complainant may file a complaint directly with the:
 - Federal Transit Administration
 - Office of Civil Rights
 - Attn: Title VI Program Coordinator
 - East Building, 5th Floor TGR
 - 1200 New Jersey Avenue, SE
 - Washington, DC 20590
- If information is needed in another language, contact 503-366-8503.
- Si se necesita informacion en otro idioma de contracto 503-366-8503