

# **TITLE VI / NON-DISCRIMINATION PLAN**

## **LINN COUNTY SPECIAL/RURAL TRANSPORTATION PROGRAM**

### **LINN COUNTY AS THE DESIGNATED LOCAL SPECIAL TRANSPORTATION FUND (STF) AGENCY**

#### **JULY 2017 UPDATE OF AUGUST 2014 PLAN**

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**Non-Discrimination Policy Statement**

In accordance with Title VI of the Civil Rights Act of 1964 and subsequent federal nondiscrimination directives such as the Federal-Aid Highway Act of 1973, the Rehabilitation

Act of 1987, Americans with Disabilities Act of 1990 (ADA), Executive Order 12898 (Environmental Justice), and Executive Order 13166 (Limited English Proficiency), the Linn County Special/Rural Transportation Program (administered and managed under provisions of State of Oregon laws which designate Linn County as the local Special Transportation Fund (STF) Agency) assures that no person shall, on the grounds of race, color, national origin, limited English proficiency, sex, income, age or disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any of its programs or activities.

Additionally, under Executive Order 12898 and the subsequent USDOT and FTA directives, the Linn County Special/Rural Transportation Program shall make every effort to identify and address, as appropriate, and recognizing the fiscal restraints of Linn County and local jurisdictions, disproportionately high and adverse human health or environmental effects of the Linn County Special/Rural Transportation Program policies, programs and activities on Title VI protected populations.

The Linn County Special/Rural Transportation Program recognizes that the Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of “programs and activities” to include all programs or activities of Federal Aid recipients, sub-recipients and contractors/consultants.

When federal transportation aid funds are distributed by Linn County, through its Special/Rural Transportation Program, to another governmental entity or a subcontractor, Linn County will include Title VI language in all written agreements and will monitor for compliance. The Linn County Special/Rural Transportation Coordinator is responsible for initiating and monitoring Title VI activities, preparing required reports and other responsibilities as required by Title 23 Code of Federal Regulations (CFR) Part 200 and Title 49 CFR Part 21.

## **Introduction and Federal Regulations**

During the past three years there have been relatively few changes to Linn County’s reported demographics. Data from the American Community Survey, for small cities and rural areas, is less accurate than the information provided in prior decennial U. S. Census reports. The current data available (2011-2015) is essentially the same as the data (2008-2012) used in the 2014 Title VI Plan. The exception is the (State of Oregon) data regarding the number of people who are employed. In 2013-2014 the unemployment rate was 10-

12% and the current rate is about 4%, the lowest since the state began tracking unemployment on a county-by-county basis in 1990.

**After careful review, it is affirmed that the August 2014 Title VI plan continues to reflect Linn County's commitment to ensuring that no person shall, on the ground of race, color, national origin, age, marital status, sexual orientation or disability under any program or activity provided by the Linn County Special/Rural Transportation Program.**

This update answers questions asked by the Oregon Department of Transportation's Office of Civil Rights. It also updates contact information regarding staff responsible for the administration of the Title VI program.

There have been no transit-related complaints filed with Linn County since the time the Title VI plan was approved in August 2014; and there are no pending investigations or lawsuit.

No facilities were constructed during the past three years and no facilities are anticipated to be constructed in the next three years.

Service standards for fixed route service is not provided in this document since the Linn County Special/Rural Transportation Program does not fund any fixed route service.

### **Introduction to Linn County**

Linn County was created in 1847 by the Provisional Legislature and serves its residents under the General Law provisions of Oregon law as described in Oregon Revised Statutes and Oregon Administrative Rules.

Under provisions of Chapter 391 of Oregon Revised Statutes, Linn County is designated as an "STF Agency" since no part of the county is located within the boundary of a mass transit district or a transportation district and or an Indian tribe that is eligible to receive Special Transportation Fund for Elderly and Disabled (STF) money.

STF funds are generated from a state tax on cigarettes, revenue from the sale of identification cards issued by the Oregon DMV, state General Funds and other sources.

As an STF Agency Linn County, through its Special/Rural Transportation Program, allocates STF funds to local transportation providers. Under provisions of the Oregon Department of Transportation, Linn County also allocates federal transit funds to local transportation providers. In many cases, ODOT by formula allocates money to each county for special/rural transportation programs. Linn County, following a review/recommendation by the Linn County Transportation Advisory Committee, allocates the funds to local programs, subject to ODOT's review and final approval. Direct agreements are thereafter developed between ODOT and local transportation programs. Currently Linn County, through its Special/Rural Transportation Program, directly administers federal funds for two programs: Section 5311 (Non-Urban) funds to the Senior

Citizens of Sweet Home, Inc. which, as a non-profit agency, is not eligible to directly receive transit operating funds from ODOT; and Section 5310 (Elderly and Disabled) funds related to purchased service (contract services provided by local programs) and MobilityManagement.

Under the provisions of Oregon law and administrative rules, the Linn County Board of Commissioners appoints members to the Linn County Transportation Advisory Committee to advise and assist it in carrying out the provisions of state and federal funds and programs including the STF Formula Program, the Special Transportation Operating Program and the STF Discretionary Grant Program.

Under provisions of Oregon Administrative Rules and federal law, Linn County adopted in 2007 the Linn County Coordinated Public Transit-Human Services Transportation Plan (updated in 2009 and currently being updated again) which established a framework to better support the delivery of transportation services to seniors, people with disabilities and residents with low income.

It is important to note that, consistent with the Coordinated Plan, the Linn County Special/Rural Transportation Program does not directly provide public transportation services. Linn County supports the delivery of transportation services by public and non-profit agencies through planning efforts, coordination, technical support, grant administration and the allocation and management of grants outlined above. But Linn County does not directly provide public transportation services.

## **Title VI and Related Legislation**

**Title VI of the Civil Rights Act of 1964, as amended, (42 USC 2000d to 2000-4) (23 CFR Part 200 and 49 CFR Part 21:** states 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 financial assistance.”

The following contains a compilation of additional legal regulations, statutes or orders that, along with Title VI, create the legal requirements for non-discrimination within Linn County:

**The Civil Rights Restoration Act of 1987, (Pub. L. No. 100-259):** Broadens the scope of Title

VI by expanding the definitions of terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors.

**Age Discrimination Act of 1975, (42 USC 6101):** Provides that no person in the United States shall, on the basis age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

**Americans With Disabilities Act of 1990, (Pub. L. No. 101-336):** Provides that no qualified individual with a disability shall, by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination by a department, agency, special purpose district, or other instrumentality of a state or a local government.

**Section 504 of the Rehabilitation Act of 1973:** Provides that no qualified handicapped person, shall, solely by reason of his/her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

**Environmental Justice - Executive Order 12898:** Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, states that "each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations."

**Limited English Proficiency - Executive Order 13166:** Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, further prohibits recipients of Federal financial assistance from discriminating based on national origin by failing to provide meaningful access to services to individuals who are Limited English Proficiency (LEP). This protection requires that LEP persons be provided an equal opportunity to benefit from or have access to services that are normally provided in English. A limited English proficient person is an individual who does not speak English as their primary language and who has a limited ability to read, write, speak, or understand English.

## **Linn County Demographic Profile**

It is important to understand the demographic profile of the county in order to help plan, develop and provide transportation services that meet the needs of residents.

For this demographic profile, data from United State Census Bureau (American Community Survey 2008-2012 Five Year Estimates) was used for the 2014 Plan (except where another source is noted) and the 2011-2015 data is essentially the same.

### **Population:**

The estimated population (2016) of Linn County is 122,315 and is distributed in a very diverse manner over 2,290 sq. miles. Albany has an estimated population of 52,540; Lebanon 16,435; Sweet Home 9,090; Harrisburg 3,650; and Brownsville 1,700. The remainder of the population lives in small cities and unincorporated rural areas. Source: Portland State University Population Research Center.

13.1% of the population is under the age of 10; a little higher than the statewide population of 12.3% of residents under the age of 10.

At the other end of the spectrum, 22.2% of Linn County's population is over the age of 60; compared to the statewide number of 20.3%.

93.6% of the population is white (the U.S. Census reports 8.1% of this population is Hispanic); compared with a statewide white population of 88.3% (with the U.S. census reporting 12.2% of this population is Hispanic). 1.5% of Linn County's residents are American Indian or Alaska Native; compared with a statewide population of 1.8%. The Asian population in Linn County is 1.1% of the total population; compared with a statewide Asian population of 4.0%. 4.6% of Linn County residents were born outside of the United States, with 63.1% of these residents born in Latin America; compared with 9.8% of all Oregonians, of which 47.0% were born in Latin America.

### **Income and Employment:**

The annual per capita income (in 2012 dollars for the 2008-2012 reporting period) was \$21,911; compared with Oregon's average of \$26,702. The annual median household income reported by the U.S. Census Bureau for this period was \$47,129; compared with Oregon's statewide annual median household income of \$50,036.

16.7% of Linn County's population have an income below the poverty level (estimates for the 2008-2012 reporting period); compared with 15.5% of Oregonians below the poverty level.

An estimated 12.0% of Linn County's families have an annual income below the poverty level; compared with 10.8% of Oregonians below the poverty level. An estimated 39.5% of families in Linn County with a female householder and no husband present have an income below the poverty level; compared with 31.7% on a statewide basis.

The current unemployment rate is approximately 4%, a dramatic change from the 10-12% unemployment rate reported in 2013-2014. Source: Oregon Department of Employment.

The economic challenges are generally spread equally throughout Linn County, with limited difference between individual communities. The American Community Survey estimates 16.7% of Albany's population have an annual income below the poverty level; with 12.0% of families below the poverty level. Lebanon is reported as 17.0% population; 14.4% families. The

percentage of people below the poverty level in Sweet Home is somewhat higher with an estimate of 21.8% of the population; 17.4% families. The American Community Survey is based on sampling and the margin of error is larger for small communities. But the information for the two small cities near Albany is about the same as Albany. Millersburg is reported as 14.0% population; and 6.4% families. Tangent is reported as 17.7% population; and 11.1% families.

The American Community Survey is less accurate for small cities but two small rural communities are reported as having fewer people, by percentage, below the poverty level. Brownsville is reported as 11.2% population; and 6.1% families. Harrisburg is reported as 7.4% population; and 4.3% families.

**Disability:**

16.4% of Linn County's total population reported having a disability; compared with 13.5% of Oregonians. 42.2% of the county's population over 65 years of age reported a disability; compared with 37.8% of the state's population.

**LINN COUNTY SPECIAL/RURAL TRANSPORTATION PROGRAM  
Title VI / Non-Discrimination Program**

In accordance with Title VI of the Civil Rights Act of 1964, this Title VI / Non-Discrimination Plan reflects the Linn County Special/Rural Transportation Program's commitment to ensuring that no person shall, on the ground of race, color, national origin, religion, age, marital status, sexual orientation, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity provided by the Linn County Special/Rural Transportation Program that is fully or partially covered by federal financial resources. To ensure this the Linn County Special/Rural Transportation Program, under the direction and approval of the Linn County Board of Commissioners and in consideration of recommendations of the Linn County Transportation Advisory Committee, will complete the following actions in addition to any activities outlined in the Federal Department of Transportation's Standard Assurances:

**1. Adopt a policy statement**

A signed policy statement assuring compliance with the Title VI of the Civil Rights Act of 1964.

**2. Designate a Title VI Coordinator**

The Linn County STF Coordinator, in coordination with the Linn County Board of Commissioners, shall serve as the Title VI Coordinator and shall be responsible for initiating and monitoring Title VI activities, preparing reports and completing other responsibilities as

required.

### **3. Develop and implement a Public Participation Plan**

The Linn County Special/Rural Transportation Program has a Public Participation Plan that outlines actions which encourage the inclusion of minorities and those of Limited English Proficiency in the planning, programming and decision-making processes. The Public Participation Plan is designed to:

- Respond to the need to involve citizens.
- Encourage citizen participation.
- Reach out to all communities in Linn County to encourage participation.
- Ensure participation of Title VI protected groups, and address physical accessibility, language issues and other accommodations for Title VI protected groups.

### **4. Demonstrate consideration of Limited English Proficiency**

As a recipient of federal funds Linn County, through its Special/Rural Transportation Program, must take reasonable steps to ensure meaningful access to its planning processes and the information and services it provides. To ensure that those of Limited English Proficiency can access and participate in planning, programming and decision-making processes, the Linn County Special/Rural Transportation Program has completed a four-factor analysis regarding the Language Assistance Plan as shown in Attachment 2. It is important to note that, consistent with the Linn County Coordinated Plan Coordinated Public Transit-Human Services Transportation Plan, the Linn County Special/Rural Transportation Program does not directly provide public transportation services. Linn County supports the delivery of transportation services by public and non-profit agencies through planning efforts, coordination, technical support, grant administration and the allocation and management of grants. Each of the programs which receives federal transportation funds is also required to ensure meaningful access to the services it provides.

### **5. Demonstrate consideration of Environmental Justice**

The Linn County Special/Rural Transportation Program shall ensure that its activities and projects will avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority and low-income populations.

### **6. Provide Title VI notice to the public**

A Title VI / Nondiscrimination Statement, an example of which is shown as Attachment 3, will be posted on the program's website as well as planning and programming documents as applicable. It will also be posted at the Linn County Courthouse, 300 4<sup>th</sup> Avenue SW, Albany,

Oregon. Local transit programs which receive federal transit funds allocated through Linn County's grant programs will post a Title VI/Nondiscrimination Statement at their office.

All agendas for the Linn County Transportation Advisory Committee meetings will also include a statement regarding ADA accessibility of meeting locations and a number to call for special accommodations, including interpretation services.

**7. Establish a public complaint process**

The Linn County Special/Rural Transportation Program shall institute and publish a public complaint and investigation process as outlined in Attachment 4. Members of the public may file a signed, written complaint up to one hundred eighty (180) days from the date of alleged discrimination. Complaints may be filed through any of the methods listed below. A sample Title VI Complaint Form is shown as Attachment 5.

Copies of the complaint form and complaint procedure are available at the Board of Commissioners office: Linn County Courthouse Room 201, 300 4<sup>th</sup> Avenue NW, Albany, Oregon or by contacting Mark Volmert, the Special/Rural Transportation Title VI Coordinator.

Complaints may be submitted:

By Mail: Linn County Special/Rural Transportation Coordinator and Title VI Coordinator  
Room 201, Linn County Courthouse  
300 4<sup>th</sup> Avenue, NW, Albany  
P. O. Box 100  
Albany, OR 97321

By Email: mvolmert@co.linn.or.us

By Phone: 541-231-8903

By Facsimile: 541-967-4651

**8. Maintain a record of Title VI complaints**

The Special/Rural Transportation Program Title VI Coordinator will maintain a log of all complaints, investigations or lawsuits and will maintain the log at the Linn County Board of Commissioners Office: Room 201, Linn County Courthouse, 300 4<sup>th</sup> Avenue NW, P. O. Box 100, Albany OR 97321. Records and investigative working files will be retained four years internally.

## 9. Reporting and Compliance

The Linn County Special/Rural Transportation Program shall:

- a. Submit to the Oregon Department of Transportation Annual *Federal Certifications and Assurances*.
- b. Ensure that all sub-recipients submit to the Oregon Department of Transportation Annual *Federal Certifications and Assurances*.
- c. Working with ODOT's Office of Civil Rights and ODOT's Public Transit Division, ensure that transportation providers in Linn County that receive FTA funds have a Title VI/ Non-Discrimination Plan.
- d. Ensure that all Linn County agreements with subrecipients, contractors or subcontractors include a summary of Federal Requirements and Incorporating by Reference Annual List of Certifications and Assurances for FTA Grants and Cooperative Agreements and Federal Transit Master Agreement. (Attachment 1)

## **Attachment 1: USDOT Standard Assurances**

### **Summary of Federal Requirements and Incorporating by Reference Annual List of Certifications and Assurances for Federal Transit Administration Grants and Cooperative Agreements and Federal Transit Administration Master Agreement**

Recipient and Recipient's subrecipient(s), contractor(s), or subcontractor(s), at any tier, if any, must comply with all applicable federal requirements contained in the Certifications and Assurances available at [http://www.fta.dot.gov/grants/12825\\_93.html](http://www.fta.dot.gov/grants/12825_93.html). The Certifications and Assurances, including as they may be changed during the term of this Agreement, are by this reference incorporated herein.

Recipient must submit to the State on or before July 1 of each year during the term of this Agreement an executed copy of the Certifications and Assurances by either (1) printing the form available at [http://www.fta.dot.gov/grants/12825\\_93.html](http://www.fta.dot.gov/grants/12825_93.html), completing the form and sending it to the State or (2) logging in to FTA's TEAMWeb system, at <https://ftateamweb/fta.dot.gov/teamweb/teamLogin.asp?> and completing the form and sending to the State a screen print of the submittal page.

Recipient further agrees to comply with all applicable requirements included in the Master Agreement that is signed and attested to by the State. This Master Agreement is incorporated by reference and made part of this Agreement. Said Master Agreement is available upon request from State by calling (503) 986-3300, or at <http://fta.dot.gov/documents/19-Master.pdf>. Without limiting the foregoing, the following is a summary of some requirements applicable to transactions covered by this Agreement and the funds described in the Exhibits:

1. Recipient shall comply with Title VI of the Civil Rights Act of 1964 (78 State 252, 42 U.S.C. 2000d) and the regulations of the United State Department of Transportation (49 CFR 21, Subtitle A). Recipient shall exclude no person on the grounds of race, religion, color, sex, age, national origin, or disability from the benefits of aid received under this Agreement. Recipient will report to the State on at least an annual basis the following information: any active lawsuits or complaints, including dates, summary of allegation, status of lawsuit or complaint including whether the parties entered into a consent decree.
2. Recipient shall comply with FTA regulations in Title 49 CFR Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance which implements the Rehabilitation Act of 1973, as amended, the Americans with Disabilities Act of 1990, 49 CFR 37, and 49 CFR 38.
3. Recipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any USDOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. Recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of USDOT-assisted contracts. Recipient's DBE program, if applicable, as required by 49 CFR Part 26 and as approved by USDOT, is incorporated by reference in

this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the State of its failure to carry out its approved program, the Department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

4. Recipient must include the following language in each subagreement Recipient signs with a subcontractor or subrecipient:

*The contractor, subrecipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this Agreement. The contractor, subrecipient, or subcontractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of USDOT-assisted contracts. Failure by the contractor, subrecipient, or subcontractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as Recipient deems appropriate.*

## **Attachment 2: Language Assistance Plan and Four Factor Analysis**

As a recipient of federal funds, the Linn County Special/Rural Transportation Program must take reasonable steps to ensure that those of Limited English Proficiency (LEP) have meaningful access to the information and services provided by the Linn County Special/Rural Transportation Program. As stated in Federal Register, Volume 70; Number 239, there are four factors to consider when determining “reasonable steps.” This is known as “the four-factor analysis” and is outlined below:

- Factor 1:** The number of proportion of LEP persons eligible to be served or likely to encounter a Linn County Special/Rural Transportation Program activity, program or service.
- Factor 2:** The frequency with which LEP individuals come in contact with a Linn County Special/Rural Transportation Program activity, program or service.
- Factor 3:** The nature and importance of the activity, program or service provided by the Linn County Special/Rural Transportation Program to LEP community.
- Factor 4:** The resources available to the Linn County Special/Rural Transportation Program and overall costs.

It should be noted that for planning purposes, people that speak English “less than very well” are considered ‘LEP’ and area included in the analysis.

**Factor 1: The number of proportion of LEP persons eligible to be served or likely to encounter an a Linn County Special/Rural Transportation Program activity, program or service.**

The first step is to collect demographic data on the number of LEP persons in Linn County who are eligible to be served, likely to be served, or likely to be encountered by the Linn County Special/Rural Transportation Program. Table 6 is derived from the U.S. Census Bureau’s 2008-2012 American Community Survey 5-year estimates. It shows the number and percent of LEP persons 5 years and over, in total and by ability to speak English or other languages in Linn County. The table shows that an estimated 2.5% of the population (aged 5 and over) in Linn County speak English “less than very well”, and that the majority of those individuals are Spanish speaking. The numbers are generally similar to the 2008-2012 American Community Survey related to the language spoken at home for workplace geography (workers 16 years and older).

The Department of Justice has established a safe harbor stating that grantees provide language services for vital documents where populations speaking those languages are 5% or 1,000 whichever is less. A vital document is a document that, if it were not translated, would deny LEP individual(s) access to a service, for example, a Title VI complaint form.

**Table 6: Language Spoken at Home in Linn County**

<b>Language Spoken at Home</b>	<b>Estimate</b>	<b>Percent</b>
Population 5 years and over	109,257	
English only	101,828	93.2%
Language other than English	7,429	6.8%
<b>Speak English less than "very well"</b>	<b>2,778</b>	<b>2.5%</b>
Spanish	5,428	4.9%
<b>Speak English less than "very well"</b>	<b>2,399</b>	<b>2.2%</b>
Other Indo-European languages	1,088	1.0%
<b>Speak English less than "very well"</b>	<b>166</b>	<b>0.15%</b>
Asian and Pacific Islander languages	640	0.6%
<b>Speak English less than "very well"</b>	<b>146</b>	<b>0.13%</b>
Other languages	221	0.2%
<b>Speak English less than "very well"</b>	<b>49</b>	<b>0.05%</b>

**Factor 2: The frequency with which LEP individuals encounter a Linn County Special/Rural Transportation Program activity, program or service.**

The four-factor analysis identified Spanish as the most significant language spoken by the LEP population in Linn County. As previously noted, consistent with the Coordinated Plan, the Linn County Special/Rural Transportation Program does not directly provide public transportation services. People who are interested in specific transportation services, therefore, usually directly contact the transportation providers rather than the Special/Rural Transportation Coordinator or Linn County offices. To date, the Linn County Special/Rural Transportation Program has not received any formal requests by LEP individuals for language translation of any document or any requests for an interpreter at any public activity.

Local transportation providers report dispatchers rarely have required the use of an interpreter. The City of Albany reported the most requests, with less than 10 in the past year); with other programs reporting between zero and five requests in the past year. Local transportation providers report very few requests for schedules printed in Spanish. Although local programs have provided their drivers with Spanish translation booklets/aids, they report no one has needed the booklets/aids to assist passengers in the past year.

**Factor 3: The nature and importance of the activity, program or service provided by the Linn County Special/Rural Transportation Program to the LEP community**

The Linn County Special/Rural Transportation Program, through planning efforts, coordination, technical support, grant administration and the allocation and management of grants supports the delivery of important transportation services by public and non-profit agencies. This includes paratransit service related to medical, shopping and supportive services; volunteer-based services which assist seniors, particularly in their efforts to safely remain in their own homes; transportation related to college classes and vocational training; and service to the general public, particularly related to employment.

Consistent with the Linn County Coordinated Public Transit-Human Services Transportation Plan, the Linn County Special/Rural Transportation Program, working in partnership and coordination with local transportation programs, considers the potential impacts of proposed transportation investments on underserved and underrepresented populations during the planning of transportation services and the allocation of funds.

To encourage involvement, the Linn County Special/Rural Transportation Program assists local transportation providers with their public outreach efforts. There is a distinction between “open to the public” transit programs and “client only” programs which serve a specific/defined population (primarily vocational and residential programs serving people with developmental/intellectual disabilities which provide transportation services only to their clients and receive limited federal funds for preventive maintenance of vehicles). The program also reaches out directly to stakeholder groups; encourages public participation through the Linn County Transportation Advisory Committee; works in partnership with ODOT and other public agencies to inform the public, increase awareness and promote public participation; and is currently developing a public website.

**Factor 4: The resources available to the Linn County Special/Rural Transportation Program**

Given the relatively small size of the LEP population in the Linn County area, the general lack of requests for language translation and current financial constraints, full multi-language translations of large transportation planning documents and maps are not warranted at this time. The Linn County Special/Rural Transportation Program will complete the actions listed below as part of its LEP outreach strategy.

**Plan for Assisting Persons of Limited English Proficiency**

The Linn County Special/Rural Transportation Program will complete the following ongoing actions as part of its LEP outreach strategy:

- Monitor and evaluate, in coordination with the ODOT Office of Civil Rights, the efforts of public transportation providers which receive federal funds allocated by Linn County and provide assistance in the implementation of their Title VI efforts. This includes the development of route maps/schedules and website information in Spanish; the development of LEP chapters of their Title VI Plans; as well as surveys conducted by local transportation program. Translation booklets to assist drivers (including the *Basic Spanish for Transit Employees* handbook published by the Colorado DOT) with appropriate training, will continue to be provided. The effort also includes a review of Civil Rights complaints that are filed, as well as ensuring that annual Certifications and Assurances are executed.
- As needed, Spanish-speaking residents who contact the Linn County Special/Rural Transportation Program and require translation and interpretation services will be directed to the Cascades West RideLine which maintains Spanish speaking capabilities; and can also provide assistance for other non-English language residents.

- Include Title VI Non-Discrimination Statements on the website as well as in planning and programming documents as applicable.
- Include on all meeting agendas a statement regarding accessibility of Linn County Transportation Advisory Committee and Linn County Board of Commissioner meeting locations and a number to call for special accommodations, including interpretation services.

## **Attachment 3: Discrimination Complaint Procedure**

### **Introduction**

The complaint procedures outlined herein apply to the Linn County Special/Rural Transportation Program and other primary recipients and sub-recipients of Federal financial assistance. These procedures cover discrimination complaints filed under Title VI of the Civil Rights Act of 1964, Civil Rights Restoration Act of 1987, Section 504 of the Rehabilitation Act of 1973, and other non-discrimination authorities relating to any program, services, or activities administered by the Linn County Special/Rural Transportation Program and the county's sub-recipients, consultants, and contractors.

The Linn County Special/Rural Transportation Program will make every effort to obtain early resolution of complaints at the lowest level possible. Complaints of alleged discrimination will be investigated by the appropriate authority. The option of informal mediation meeting(s) between the affected parties and the Linn County Special/Rural Transportation Program Title VI Coordinator may be utilized for resolution. Upon completion of each investigation, the Linn County Special/Rural Transportation Title VI Coordinator will inform every complainant of all avenues of appeal.

The purpose of these discrimination complaint procedures is to describe the process used by the Linn County Special/Rural Program for processing complaints under Title VI of the Civil Rights Act of 1964, related statutes and authorities.

### **Complaint Procedure**

1. Any person who believes 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, or the Civil Rights Restoration Act of 1987, as amended, may file a complaint with the Linn County Special/Rural Transportation Program. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the Linn County STF/Title VI Coordinator 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, the Linn County Special/Rural Transportation Program may extend the time for filing or waive the time limit in the interest of justice, as long as the Linn County Special/Rural Transportation Program 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 a person makes a verbal complaint of discrimination to the Linn County Special/Rural Transportation Program Title VI Coordinator, the Coordinator will assist, in necessary, the person in transcribing the complaint into written form. The signed written complaint shall then be handled according to Linn County Special/Rural Program's investigative procedures.
4. Complaints may be submitted to Mark Volmert, the Linn County Special/Rural Transportation Program Title VI Coordinator through the following methods:
  - By Email:        mvolmert@co.linn.or.us
  
  - By Mail:        Linn County Special/Rural Transportation Program Title VI Coordinator  
                  c/o Linn County Board of Commissioners  
                  Room 201 Linn County Courthouse  
                  P.O. Box 100  
                  Albany, Oregon 97321
  
  - By Phone:        541-231-8903
  
  - By Facsimile:    541-967-4651
5. Within 10 days, the Linn County Special/Rural Transportation Program Title VI Coordinator 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).
6. The Linn County Special/Rural Transportation Program Title VI Coordinator 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 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 the Linn County Special/Rural Transportation Program Title VI Coordinator has taken or proposed to resolve the issue in the complaint.
7. Within 60 days, the Linn County Special/Rural Transportation Coordinator Program Title VI Coordinator 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 Chair of the

Linn County Board of Commissioners. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.

8. Within 90 days of receipt of the complaint, the Linn County Special/Rural Transportation Program Title VI Coordinator 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 Linn County STF Special/Rural Transportation Program. The Linn County STF Special/Rural Transportation Program Title VI Coordinator will also provide ODOT and/or USDOT with a copy of this decision and summary of findings upon completion of the investigation.
9. Contact information for the state and federal Title VI administrative jurisdiction is as follows:

Oregon Department of Transportation

Mail: Office of Civil Rights  
Oregon Department of Transportation  
Attn. Title VI Officer  
955 Center St. NE, Suite 471  
Salem, Oregon 97301

Phone: 503-986-4350

Facsimile: 503-986-6382

Federal Transit Administration Office of Civil Rights

Mail: Attention: Title VI Program Coordinator  
East Building, 5th Floor – TCR  
1200 New Jersey Avenue, SE  
Washington, DC 20590

# Attachment 4: Linn County Special/Rural Transportation Program

## Title VI Complaint Form and Instructions

The Linn County Special/Rural Transportation Program, as a recipient of federal financial assistance, is required to ensure that all of its activities and any benefits from these activities are conducted in a manner consistent with Title VI of the Civil Rights Act of 1964, as amended. Any person who believes that he or she has been subjected to discrimination under any of Linn County Special/Rural Transportation Program's activities or programs based on their race, color, national origin, limited English proficiency, sex, income, age or disability may file a written complaint with the Linn County Special/Rural Transportation Program.

### Complainant

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_

### Person discriminated against (if other than the complainant)

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_

Were you discriminated against because of your:

- |                                     |  |
|-------------------------------------|--|
| <input type="checkbox"/> Race       | <input type="checkbox"/> National Origin |
| <input type="checkbox"/> Color      | <input type="checkbox"/> Age             |
| <input type="checkbox"/> Gender     | <input type="checkbox"/> Income Status   |
| <input type="checkbox"/> Disability | <input type="checkbox"/> Other           |

\_\_\_\_\_

Date and Time of Alleged Incident: \_\_\_\_\_

Explain as clearly as possible what happened and how you were discriminated against. Indicate who was involved and any Linn County Special/Rural Transportation Program projects, plans or programs that may have led to the situation you are describing. Be sure to include the names and contact information of any witnesses. If more space is needed, please use additional pages.

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

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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 submit this signed form to and any attachments to:**

Linn County Special/Rural Transportation Program Title VI Coordinator  
c/o Linn County Board of Commissioners  
Room 201 Linn County Courthouse, 300 4<sup>th</sup> Avenue NW  
P. O. Box 100  
Albany, Oregon 97321

Complaint Form and Instructions Posted at the Office of the Linn County Board of Commissioners

Room 201, Linn County Courthouse 300 4<sup>th</sup> Avenue SW, Albany OR.

[www.co.linn.or.us/comm](http://www.co.linn.or.us/comm)

## Attachment 5: Linn County/Special Rural Transportation Program

### Title VI Non-Discrimination Notice

**LINN COUNTY SPECIAL/RURAL TRANSPORTATION PROGRAM'S TITLE VI NOTICE TO PUBLIC**  
**LINN COUNTY SPECIAL/RURAL TRANSPORTATION PROGRAM'S TÍTULO VI COMUNICACIÓN PÚBLICA**

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.”*

The Linn County Special/Rural Transportation Program (administered and managed under provisions of State of Oregon law which designates Linn County as the local Special Transportation Fund Agency) is committed to complying with the requirements of Title VI in all of its programs and activities. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the Linn County Special/Rural Transportation Program. A complainant may also file a complaint directly with the Federal Transit Administration by addressing the complaint to the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5<sup>th</sup> Floor - TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.

For more information about the Linn County Special/Rural Transportation Program's Title VI / Non-Discrimination Program, including procedures for filing a complaint, contact the Linn County STF Coordinator at 541 231-8903; by e-mail to [mvolmert@co.linn.or.us](mailto:mvolmert@co.linn.or.us); by visiting the Linn County Board of Commissioner's Office at Room 201, Linn County Courthouse, Albany, Oregon; or by sending a request to Mark Volmert c/o Linn County Board of Commissioners Office, Room 201, Linn County Courthouse, P.O. Box 100, Albany Oregon 97321.

Title VI Notice Posted at the Office of the Linn County Board of Commissioners

Room 201, Linn County Courthouse 300 4<sup>th</sup> Avenue SW, Albany OR.

[www.co.linn.or.us/comm](http://www.co.linn.or.us/comm)

## **Attachment 6: Minority Representation and Outreach Information**

There are seven current members of the Linn County Transportation Advisory Committee. All 7 self-reported they are white. Four are female. Four of the members reported they are over sixty years of age.

Linn County is certainly committed to active public participation by all residents. As indicated in the Public Participation Plan, “the goal is to promote awareness, information and education...and to increase public involvement by all residents of Linn County”. An important objective “in all phases of decision-making is to provide residents an early, open, continuous and meaningful opportunity to influence decisions.”.

It is sometimes a challenge for cities and counties to find people with an interest and with time to serve on boards and commissions. With a county population that is 93% white it is sometimes difficult to find people of color to serve on boards and commissions. There is a particular challenge to find people to serve on the Linn County Transportation Advisory Committee because of the eligibility requirements of ODOT (ORS 732-005-0031).

Specific efforts have been made with local cities, senior citizen centers, local and regional advisory committees, non-profit agencies and community-based groups to recruit TAC members. This specifically has included volunteer-based groups which play a particular role in representing and involving traditionally underrepresented populations.

In addition to assistance provided to residents with Limited English Proficiency outlined on pages 17-18, specific outreach efforts have included partnerships with the Linn County Department of Health Services, the Linn-Benton Hispanic Advisory Committee and the Linn-Benton Health Equity Alliance.