

Morrow County Public Transit: The Loop Title VI Program Policy

April

2024

Includes Program, Public Participation Plan, Language Assistance Plan, and Policies;
Appendices include Title VI Notice, Complaint Form and Investigations List.

Updated April 09, 2024

THE LOOP MORROW COUNTY PUBLIC TRANSIT
TITLE VI PROGRAM POLICY

Ref: FTA Circular 4702.B (October 1, 2012), Title VI Dependent Guidelines for Federal Transit Administration (FTA) Recipients, 49 CFR Part 21

Purpose: The purpose of this policy is to establish guidelines to effectively monitor and ensure that The Loop Morrow County Public Transit is in compliance with all FTA Title VI requirements and regulations in order to carry out the provisions of the Department of Transportation's (DOT) Title VI of the Civil Rights Act of 1964, 49 CFR Part 21, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act of 1967, Civil Rights Restoration Act of 1987, the Americans with Disabilities Act of 1990, Executive Order 12898 Environmental Justice, Executive Order 13166 Limited English Proficiency and applicable Department policies. Any person who feels that he or she has been subjected to discrimination on the basis of race, color, national origin, gender, age, disability, or because they are low income, has the right to file a complaint. The procedure is to describe the process used by the Office of Civil Rights (OCR).

Policy: Discrimination is defined as an intentional or unintentional action through which a person feels that he or she has been subjected to discrimination, (unequal treatment) under a program or activity on the basis of race, color, national origin, gender, age, disability, or because they are low income has the right to file a complaint. The procedure is to describe the process used by the Office of Civil Rights (OCR). The Loop Morrow County Public Transit is committed to creating and maintaining public transit service that is free of all forms of discrimination. No person or group of persons shall be discriminated against. The Loop Morrow County Public Transit will take whatever preventive, corrective or disciplinary action necessary for behavior that violates this policy or the rights and privileges it is designed to protect.

Title VI Complaints must be filed within 180 days of:

- The alleged act of discrimination; or
- The date when the person(s) became aware of the alleged discrimination; or
- Where there has been a continuing course of conduct, the date on which the conduct was discontinued.

PROGRAM

Providing information

The Loop Morrow County Public Transit shall provide information to the public regarding The Loop Morrow Public Transit's Title VI obligations and advise members of the public of the protections against discrimination afforded to them by Title VI. The Loop Morrow County Public Transit has information on its web site (www.co.morrow.or.us) as well as signage posted on all buses and appropriate links on transit bus schedules. (Appendix A). The Title VI notice will include, at a minimum:

The Loop Morrow County Public Transit operates programs without regard to race, color, or national origin.

Additional information about The Loop Morrow County Public Transit Title VI obligations are located in The Loop Morrow County Public Transit Office at 215 N Main St. Irrigon, Oregon. This includes such items as how to file a complaint, the location of the complaint form, etc.

Information on how to request Title VI information in other languages are available in The Loop Morrow County Public Transit Office.

Procedures for complaints

The Loop Morrow County Public Transit has developed procedures for investigating and tracking Title VI complaints filed against The Loop Morrow County Transportation. The Discrimination Complaint Process information is available at The Loop Morrow County Transportation's Office located at: 215 N Main St. Irrigon, OR 97844 for the Discrimination Complaint process.

These procedures are as follows:

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by The Loop Morrow County Public Transit may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form (Appendix B). The completed form may be submitted by mail, drop off or email and must be received within 180 days after the alleged incident occurred.

Once the complaint is received, the Morrow County Title VI Officer (Transit Manager) will review the complaint and forward immediately to the legal department of City County Insurance Services for investigation. Complaints may also be filed with:

ODOT-Civil Rights Office
FHA-Federal Highway Administration
FTA-Federal Transit Administration
USDOT-U.S. Department of Transportation

The complainant will be sent a letter acknowledging receipt of the complaint and where it has been forwarded for investigation within 10 working days after receiving the complaint in The Loop Morrow County Transit office.

If more information is needed to resolve the case, the investigator may contact the complainant in 30 working days.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be

closed. An LOF summarizes the allegations and the interviews regarding the alleged incident. It explains whether any disciplinary action, additional training of the staff or other action will occur. If the complainant wishes to appeal the decision, s/he has 30 days after the date of the letter or the LOF to do so.

For additional information, help or filing the customer may:

- Phone the transit office at (844) 676-5667
- E-mail the transit office at theloop@co.morrow.or.us
- Come to the transit office located at 215 N Main St. Irrigon, OR 97844
- Mail written complaint to PO Box 495, Heppner, OR 97836

A person may also file a complaint directly with the Federal Transit Administration if not fully satisfied at:

Federal Transit Administration Office of Civil Rights
Attention: Title VI Program Coordinator
1200 New Jersey Avenue SE
Washington, DC 20590

TTY= 1-800-877-8339, Voice= 1-866-377-8642, VCO= 1-877-877-6280

Transit -related Title VI Investigations, Complaints and Lawsuits List

The Loop Morrow County Public Transit shall maintain a list of any active investigations, lawsuits or complaints conducted by entities other than the FTA that name The Loop Morrow County Public Transit and allege discrimination on the basis of race, color, or national origin (See Appendix C). This list shall include the date of filing, a summary of the allegation(s), the status, and actions taken by the recipient in response. The Loop Morrow County Public Transit Title VI Complaint Coordinator maintains these files. The Loop Morrow County Public Transit has had no Title VI investigations, complaints or lawsuits.

Reporting

The Loop Morrow County Public Transit will report certain general information to determine their compliance with Title VI annually to ODOT RPTD as part of The Loop Morrow County Transportation's Title VI Program. To ensure compliance with 49 CFR Section 21.9(b), The Loop Morrow County Public Transit will submit a Title VI Program to FTA's designated recipient, ODOT RPTD, once every three years.

The Loop Morrow County Public Transit Responsibilities:

It is the responsibility of all The Loop Morrow County Public Transit employees and volunteers to follow the intent of these guidelines in a manner that reflects The Loop Morrow County Public Transit policy.

The Transit Manager and staff/volunteers receiving information regarding violation(s) of this order shall determine if there is any basis for the allegation and shall proceed with resolution as stated in the section Complaint Procedure. They shall:

- Ensure that there are no barriers to service or accommodation that would prevent public transit usage or access.
- Train subordinates as to what constitutes discrimination and barriers to access.
- Take prompt and appropriate action to avoid and minimize the incidence of any form of discrimination.
- Notify the Transit Manager in writing of the circumstances surrounding any reported allegations of discrimination no later than the next business day.

Public Participation Plan

The Loop Morrow County Public Transit's public participation strategy offers, in conjunction with Morrow County (the County), early and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions. Transportation decisions include and are not limited to transportation development and Coordinated Plans, service design changes, new services, fare changes, and changes of service policy that may limit access to service. The Loop Morrow County Public Transit and the County will seek out and consider the viewpoints of minority, low-income, and LEP populations in the course of conducting public outreach and involvement activities. The Loop Morrow County Public Transit and the County will comply with grant-related public involvement requirements as defined by grant application documents.

The Loop Morrow County Public Transit's public involvement will be proactive in providing information, timely public notice, full public access to key decisions, and opportunities for early and continuing participation.

This involves:

- the identification of social, economic, and environmental impacts of The Loop Morrow County Public Transit's proposed transportation changes
- timely information about transportation issues and processes to citizens, Morrow County, other affected public agencies, other providers of transportation, other interested parties and segments of the community who would be affected by The Loop Morrow County Public Transit's transportation plans, programs, and projects
- adequate public notice of public involvement activities and time for public review and comment at key decision points
- seeking out and considering the needs of those who may be underserved by existing transportation systems, including persons with low-income, minority populations and those with limited English proficiency (LEP)
- contact of agencies and individuals who are, or who represent, minorities, people with low-incomes, and people with low English proficiency to participate in The Loop Morrow County Public Transit's program.

- a process for demonstrating explicit consideration and response to public input during the planning and program development process
- periodic review of the effectiveness of the public involvement process to ensure that the process provides full and open access to all

The processes to be used will vary from time to time depending on the subject, purpose and scope of the program, policy and funding decisions. They include but are not limited to:

- Public surveys
- Stakeholder advisory committees
- Website information
- Formal solicitation of comments within a public announcement
- Open public meetings
- All The Loop Morrow County Public Transit Advisory Committee meetings
- Morrow County Board of Commissioners Meetings

Meetings

- All meetings shall be held in accessible locations, at convenient meeting times and with appropriate notice. As a public body, all meetings are consistent with Oregon's Public Meetings Law.
- Meeting materials are prepared in alternative formats for people with disabilities if requested.
- Provide adequate public notice
- All meeting agendas will include time for public comment. The meetings are open to the public; the meeting schedule and agenda are published with the local newspaper; meeting information and a contact number are posted on the Morrow County Transit website
- When possible, committee members should represent people with disabilities, people with low-income and seniors, as well as the transit community and local government.
- Ensure that program and planning timelines include a public comment period.
- Offer time for adequate review of material at key decision points.
- Demonstrate explicit and considered responses to input by maintaining documentation of responses.
- Record advisory meeting minutes and post on the County's website.

Announce new information to participants and stakeholders at meetings, on the website, and by email.

Title VI Language Assistance Plan

The Loop Morrow County Public Transit Needs Assessment for LEP using the U.S. Department of Transportation (DOT)'s Four Factor Analysis was done to determine the presence of LEP individuals. Morrow County is a rural area with 5 towns in it, 3 located on Oregon Hwy 74, one located on Interstate 84 and one located on Oregon Hwy 730.

Four Factor Analysis:

Factor 1. Demography or the number or proportion and LEP persons served and languages spoken in the service area.

The Loop Morrow County Public Transit used U.S. Census's Estimates data for Morrow County to determine the percentages of LEP people.

Population – 12,300

| | <u>Percentages</u> |
|-----------------------------------|--------------------|
| Speak only English | 64.7% |
| Speak language other than English | 35.3% |
| Spanish | 33.7% |
| Indo-European | 0.4% |
| Asian and Pacific Islander | 0.7% |
| Other | 0.5% |

Factor 2. Frequency of contact with LEP persons

Morrow County is a rural area with a population of 12,186 and 5 very small towns in it, 3 located along Hwy 74, 1 located on I-84 and 1 located on Hwy 730. The Loop Morrow County Transportation, has monthly contact with LEP people. The Loop Morrow County Public Transit is a dial-a-ride only rural service running 5 days a week. It travels to Hermiston, Pendleton, The Dalles, and Portland, Oregon and Walla Walla and the Tri-Cities, Washington areas for shopping, medical & personal business.

Factor 3. Nature and Importance of the program or service affected people's lives

The Loop Morrow County Public Transit is a curb to curb dial a ride request service throughout Morrow County. Common destinations of riders include medical services & hospitals, entertainment and shopping. The Loop Morrow County Public Transit is the only public transportation service provider within Morrow County and provides an important link to anyone wishing to travel that does not have or cannot afford a vehicle to be able to get to services outside of the area.

Factor 4. Available Resources and Costs

Because of the very low population density, people who use The Loop Morrow County Public Transit are scattered throughout Morrow County. LEP individuals who need a ride can call Columbia River Health and they will translate and schedule the ride for the client to use our service. The Loop Morrow County Public Transit's brochure is in both English and Spanish and are distributed throughout Morrow County for LEP individual information about the services.

Analysis Conclusion: Title VI and its implementing regulations require that FTA recipients take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP). If other language groups are identified, The Loop Morrow County Public Transit will respond by providing instructions on how to use the public transit system in their language with County Court approval. The plan monitored by the Transportation Coordinator and updated every three years as per ODOT regulations.

Minority Representation Table per (<https://datausa.io/profile/geo/morrow-county-or/#demographics>)

| | Caucasian | Hispanic/Latino | African American | Asian | Native American | Pacific Islander |
|-------------------------|-----------|-----------------|------------------|-------|-----------------|------------------|
| Service Area Population | 57.7% | 26.97% | .53% | 0.64% | .85% | 0.42% |
| STF Advisory Committee | 100% | 0% | 0% | 0% | 0% | 0% |

Vehicle Load Standards

The average of all loads during the peak operating period does not exceed the vehicles' achievable capacity of 12-14 seated passengers for a 23' cutaway bus.

Vehicle Headway Standards and Periods of Operation

Dispatch for all services is open from 8:00 a.m-5:00 p.m. Monday through Saturday, with a 48-hour headway.

On-Time Performance Standards

A vehicle is considered on time if it departs a scheduled time and is no more than 10 minutes late. The Loop Morrow County Public Transit buses are on time approximately 95% of the time. Construction is an issue in the summer at certain locations and weather can be a factor in the winter.

Our vehicles stop curb-to curb in all 5 towns, and make other stops along the route as needed.

Vehicle Assignment Standard

Vehicles are assigned for rides according to the fit of access ease, lift or ramp as needed, appropriate for weather conditions, number of seats needed and if maintenance is scheduled for a particular vehicle are all important considerations.

Appendix A

Title VI Notice

Morrow County Public Transit

Morrow County Public Transit operates its programs and services without regard to race, color, or national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been subjected to any unlawful discriminatory practice under Title VI may file a complaint with Morrow County Public Transit.

MCST has information on its web site (www.co.morrow.or.us) as well as signage posted on all buses and on transit bus brochures. For more information on Morrow Public Transit's civil rights program, and the obligations and procedures to file a complaint, contact 541-676-5667 (1-844-676-5667) or TTY 1-800-235-2900 for Telecommunications Relay Service), email at theloop@co.morrow.or.us or visit The Loop Morrow County Public Transit office at 215 N Main St, Irrigon Oregon 97844.

A person may also file a complaint directly with the Federal Transit Administration: Office of Civil Rights, Attn: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.

Appendix B
Consolidated Civil Rights Complaint Form

Note: The following information is needed to assist in processing your complaint.

Complainant's Information:

Name: _____
Address: _____
City/State/Zip: _____
Telephone Number (Home): _____
Telephone Number (Work): _____

Person Discriminated Against (someone other than complainant):

Name: _____
Address: _____
City/State/Zip: _____
Telephone Number (Home): _____
Telephone Number (Work): _____

Which of the following best describes the reason you believe the discrimination took place:

Race (Title VI) Color (Title VI) National Origin (Title VI):
VI):
Disability (ADA):

On what date(s) did the alleged discrimination take place: _____

Please describe the alleged discrimination incident. Provide the names and titles of all employees involved, if available. Explain what happened and whom you believe was responsible. Please use the back of this form if more space is required. NOTE: This form consolidates information required by multiple federal civil rights programs. Information will be shared based on the type of discrimination identified above. Title VI of the Civil Rights Act covers Race, Color, and National Origin complaints ONLY. Americans with Disabilities Act covers Disability complaints.

Have you filed this complaint with any other federal, state, or local agency, or with a federal or state court? Check all that apply.

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

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

Agency Name: _____
Address: _____
City/State/Zip: _____
Agency Contact Name (if available) _____
Telephone Number (Work): _____

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

Complainant Signature: _____
Date

Print Name: _____

Attachments: Yes _____ No _____

Submit form and any additional information to:

Morrow County Public Transit
Title VI / ADA Compliance Officer
PO Box 495
Heppner, OR 97836
215 N Main St.
Irrigon, OR 97844
Phone: (541) 575-2370
Fax: (541) 575-2162

If you need this information in another language, contact (541) 676-5667.

Si necesita información en otro idioma, favor de llamar al (541) 676-5667.

