

Lower Columbia



Title VI Plan

*For the Federal Transit Administration
And
Washington State Department of Transportation*

*Adopted 2010
Updated and Approved 2/24/2021*

Lower Columbia CAP Title VI policy

Section I

Lower Columbia CAP (CAP Transit) operates its programs without regard to race, color, and national origin. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color and national origin in programs and activities receiving federal financial assistance. Specifically, Title VI provides that:

No person in the United States shall, on the ground 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. (42 U.S.C. Section 2000d)

Lower Columbia CAP is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B.

To receive additional information on its discrimination obligations, including its complaint procedures, please contact Kelly Wagoner at (360) 200-4910 or kellyw@LowerColumbiaCAP.org

Legal notice has been posted on our agency website, www.LowerColumbiaCAP.org and is printed on the transit schedule.

Section II

HOW TO FILE A TITLE VI COMPLAINT

If anyone believes they have been subjected to discrimination under Title VI, they may file a complaint. The complaint must be written, signed, and submitted within 180 days from the date the complainant became aware of the incident. The complaint should include the following information:

- Complainant's name, mailing address, and how to contact them (i.e. telephone number, email address, etc.)
- How, when, where and why the complainant believes they were discriminated against. Include the location, names and contact information of any witnesses.
- Other information that the complainant deems significant.

A complaint form (English or Spanish version) is available at Lower Columbia CAP's website: www.lowercolumbiacap.org. The complaint may be filed with Lower Columbia CAP using one of the following methods:

U.S. Mail:

Lower Columbia CAP
1526 Commerce Avenue, Longview WA 98632
Attn: Human Resources

E-Mail:

kathyb@lowercolumbiacap.org

Fax:

360-414-8974 Attn: Human Resources

For more information, contact Lower Columbia CAP's Human Resources Director at (360) 425-3430 x205.

Lower Columbia CAP encourages all complainants to certify all mail that is sent through the U.S. Postal Service, and/or ensure that all written correspondence can be easily tracked. For complaints originally submitted by facsimile, an original signed copy of the complaint must be mailed to Lower Columbia CAP's Human Resources Director as soon as possible, but no later than 180 days from the date the complainant became aware of the incident.

HOW LOWER COLUMBIA CAP PROCESSES A TITLE VI COMPLAINT

All complaints alleging discrimination based on race, color or national origin in a service or benefit provided by Lower Columbia CAP will be directly addressed by Lower Columbia CAP. Lower Columbia CAP will provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, Lower Columbia CAP will make every effort to address all complaints in an expeditious and thorough manner.

The identification of the person filing a complaint will be kept confidential. The complaint investigation tracking and recording will be conducted as described in the section; INVESTIGATIONS, COMPLAINTS, OR LAWSUITS. The timeline for investigating the complaint is as follows:

- Lower Columbia CAP will mail a letter to the complaint acknowledging receipt of the complaint with five (5) business days.
- In instances where additional information is needed for investigation of the complaint, Lower Columbia CAP will request the complainant to provide this needed information. A complaint's failure to provide the requested additional information may result in the administrative closure of the complaint.
- Once sufficient information for investigating the complaint is received, Lower Columbia CAP will take up to ten (10) business days to prepare a written response letter.

COMPLAINANT'S RIGHTS TO APPEAL A TITLE VI COMPLAINT RESPONSE

Lower Columbia CAP will send the complainant a final written response within ten (10) business days. In this response letter, Lower Columbia CAP will advise the complainant

of their right to either appeal Lower Columbia CAP’s response and/or file a complaint to an external agency as follows:

The complainant has seven (7) calendar days, from the date of receipt of the final written response letter from Lower Columbia CAP, to submit an appeal of the decision with Lower Columbia CAP.

Customer Appeals Process: Any person who is dissatisfied with the response they receive from Lower Columbia CAP is welcome to appeal the decision. A review team consisting of the Human Resources Director, Community Services Manager, and Transportation Manager will review customer appeals. Complainant(s) who are not satisfied with the outcome of their complaints that are for discrimination based on race, color, or national origin have the ability to file a complaint with WSDOT, FTA or the DO have the right to file a complaint or lawsuit with one of the following organizations:

<i>Washington State Department of Transportation</i> Public Transportation Division Attn: Title VI Coordinator PO Box 47387 Olympia, WA 98504-47387	<i>Federal Transit Administration</i> Attn: Title VI Program Coordinator East Building, 5 th Floor- TCR 1200 New Jersey Ave SE Washington, DC 20590	<i>U.S. Department of Justice Civil Rights Division</i> Coordination and Review Section – NWB 950 Pennsylvania Ave NW Washington, DC 20530
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Information about Policy: Information about the Customer Complaint Policy, including how to submit a complaint, will be made available to riders:

1. On comment cards available on all transportation vehicles
2. On the website, www.LowerColumbiaCAP.org

Reporting: The Transportation Manager shall compile a summary of rider responses for the board, staff, and employees for use in reviewing and evaluating service.

Tracking: Lower Columbia CAP shall maintain a tracking system for all complaints that contains: Type of complaint; Date of complaint; Summary of the allegation(s); Status of the complaint; Actions taken in response to complaint, investigation or lawsuit.

Protection from Retribution: Customers of Lower Columbia CAP should be able to submit feedback without fear of retribution from the agency. If a rider feels like they are being treated unfairly in response to the feedback that they provided, they should contact the Human Relations Director at 360.425.3430. LOWER COLUMBIA CAP will appropriately discipline any employee that retaliates against a customer.

LIST OF TRANSIT-RELATED TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS

Lower Columbia CAP shall track and report complaints received by our organization related to Equal Employment Opportunity, Title VI and ADA protections to WSDOT in the quarterly progress report form. Also, Lower Columbia CAP will track and report to WSDOT any complaints that develop into investigations or lawsuits. The information Lower Columbia CAP shall collect and report includes, but is not limited to:

	Date of the Complaint (Month, Day, Year) 2018 2019 2020	Summary (Include basis of complaint: race, color or national origin)	Status	Action(s) Taken	Action(s) taken by any outside organization involved.
Investigations:	0				
1.					
2					
Lawsuits	0				
1.					
2.					
Complaints	0				
1.					
2.					

All documents will be retained for six (6) years past the close of service or past the usage of the vehicle that the complaint was received.

Section III

LIMITED ENGLISH PROFICIENCY (LEP) PLAN

Lower Columbia CAP’s Commitment

Lower Columbia CAP is committed to breaking down language barriers by implementing consistent standards of language assistance across its service area.

CENSUS DATA ON LIMITED ENGLISH PROFICIENCY

The United States is home to millions of national origin minority individuals who are Limited English Proficiency (LEP). That is, their primary language is not English and they cannot speak, read, write or understand the English language at a level that permits them to interact effectively with recipients of Federal financial assistance.

Because of language differences and the inability to effectively speak or understand English, persons with LEP may be subject to exclusion from programs or activities, experience delays or denials of services. These individuals may be entitled to language assistance with respect to a particular type of service. The federal government and those receiving assistance from the federal government must take reasonable steps to ensure that LEP persons have meaningful access to the programs, services and information those

entities provide. This will require agencies to establish creative solutions to address the needs of this ever-growing population of individuals, for whom English is not their primary language.

Reasonable Access to services for clients with limited English proficiency (LEP)

Lower Columbia CAP is committed to providing reliable, safe, and satisfying transportation options for the community and to reduce potential barriers to service(s) whenever possible.

Factor No. 1

- 1) Based on U.S. Census Bureau's *American Community Survey*, and Washington State DOT ALPACA data, there is a 9.3% Hispanic or Latino population LEP clients.

Factor No. 2

- 2) Based on ridership data, by direct driver observation and client office contact(s), less than ten (10) LEP clients are served per month.

Factor No. 3

- 3) The transportation services offered by Lower Columbia CAP assure LEP clients have affordable, reliable access to cultural, services, recreational, medical, education, shopping opportunities in larger metro areas. Transportation services play a key role in helping LEP clients when other options simply aren't available, especially at a reasonable cost, or when family members can not fill the need.

Factor No. 4

- 4) In order to better serve the communities growing ethnic population(s) step have been taken to reach our non-English speaking riders. Bus schedules are now available in Spanish, building signage will be updated shortly, and additional translation services available to aid clients and drivers by phone.

Interpreter/Translator Services:

Ethnic Support Council, 360-636-2791- Spanish, Vietnamese, Cambodian, & Russian

Language Line Personal Interpreter Service, 1-888-808-9008

IMPLEMENTATION PLAN

Lower Columbia CAP has implemented its plan to provide services to persons with Limited English Proficiency (LEP). An annual review will take place (in the 1st Quarter) to make sure that the LEP population is receiving the communication needed to fully utilize Lower Columbia CAP's services. The implementation plan is as follows:

1. Lower Columbia CAP will track requests for translation services, maintain a data base that indicates the frequency of LEP contacts, the language used, and how the contacts were handled with the LEP person(s).
2. Lower Columbia CAP will identify LEP persons in the service area by reviewing the latest U.S. Census Bureau, American Community Survey 5-year estimates for the Lower Columbia CAP service area.
3. Lower Columbia CAP will encourage bilingual persons that can speak and write in English and Spanish to apply for positions of employment with the agency.

4. Lower Columbia CAP will publish information on services in both English and Spanish.

Lower Columbia CAP is dedicated to identifying and removing the language barriers that could artificially limit access to the services provided.

NOTIFYING BENEFICIARIES OF THEIR RIGHTS UNDER TITLE VI

In order to comply with 49 CFR 21.9 (d), Lower Columbia CAP and its sub-recipients must provide information to beneficiaries regarding their Title VI obligations and inform beneficiaries of the protections against discrimination afforded them by Title VI. Lower Columbia CAP has established statements for rights and a policy statement to inform individuals of their Title VI rights and posts these statements of rights as follows:

For all printed materials that will be seen by the public; posted on website, within vehicles, at transit stops, and Lower Columbia CAP lobby, following are the statements of rights in both English and Spanish:

LOWER COLUMBIA CAP

Title VI Statement

It is Lower Columbia CAP's policy to assure that no person shall, on the grounds of race, color, national origin, or sex, as provided by Title VI of Civil Rights Act of 19645, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its federally funded programs and activities. Any person who believes his/her/their Title VI protection has been violated may file a complaint with Lower Columbia CAP's Human Resources Director. For additional information regarding Title VI complaint procedures and/or information regarding our non-discrimination obligations, please contact the Human Resources Director 360-425-3430 x205. This material can be made available in an alternate format by emailing Lower Columbia CAP's Human Resources Director at kathyb@lowercolumbiacap.org or by calling 360-425-3430 x205. Persons who are deaf or hard of hearing may make a request by calling the Washington Relay Service at 711.

LOWER COLUMBIA CAP

Declaracion del Titulo VI

Es política de Lower Columbia CAP asegurar que ninguna persona, por motivos de raza, color, origen nacional o sexo, según lo dispuesto por el Título VI de la Ley de Derechos Civiles de 19645, sea excluida de participar en los beneficios de, o ser discriminado de otra manera en virtud de cualquiera de sus programas y actividades financiados por el gobierno federal. Cualquier persona que crea que se ha violado su protección del Título VI puede presentar una queja ante el Director de Recursos Humanos de Lower Columbia CAP. Para obtener información adicional sobre los procedimientos de quejas del Título VI y / o información sobre nuestras obligaciones de no discriminación, comuníquese con el Director de Recursos Humanos al 360-425-3430 x205. Este material puede estar disponible en un formato alternativo enviando un correo electrónico al Director de Recursos Humanos de Lower Columbia CAP a kathyb@lowercolumbiacap.org o

llamando al 360-425-3430 x205. Las personas sordas o con problemas de audición pueden hacer una solicitud llamando al Servicio de Retransmisión de Washington al 711.

Section IV

INCLUSIVE PUBLIC PARTICIPATION

Cowlitz County Population Analysis by Race (*Census data: ACS 2019*)

White	83.2%
Black	0.6%
Native	0.6%
Asian	1.3%
Islander	0.2%
Other	0%
Two +	4.8%
Hispanic	9.3%

Community Outreach is a requirement of Title VI. Recipients and sub-recipients shall seek out and consider the viewpoints of minority and low-income populations in the course of conducting public outreach. Recipients have wide latitude to determine what specific measures are most appropriate and should make this determination based on the composition of the affected population, the public involvement process, and the resources of Lower Columbia CAP. Lower Columbia CAP has engaged the public in its planning and decision-making processes. Elements of Lower Columbia CAP’s public involvement process are described below:

Customer Focus Groups

Lower Columbia CAP solicits input regarding customer satisfaction and service offerings. Meetings are to be announced on the agency website, Facebook page, within the agency, at bus stop(s), local laundromat(s), child care facilities, hispanic grocery stores, houses of worship, and on all transportation vehicles. All announcements will be provided in English and Spanish.

Major Service Change or Fare Increase

Prior to any major service changes or fare increases, Lower Columbia CAP solicits public input on the proposed change(s) by holding public meetings. All written information is provided in both English and Spanish. Meetings announcement will follow the same process used for Customer Focus Groups.

Customer Complaint Process

Customer complaint forms are available in both English and Spanish at Lower Columbia CAP’s website: www.lowercolumbiacap.org. Customers can also call in their complaint or use printed complaint forms that are available on all buses. Lower Columbia CAP reviews and logs all complaints. Title VI and ADA complaints are addressed according to Lower Columbia CAP’s Title VI and ADA policies.

TABLE DEPICTING MINORITY REPRESENTATION ON COMMITTEES AND COUNCILS SELECTED BY THE RECIPIENT

Lower Columbia CAP’s Board of Directors is our governing body that is elected and sets policy, develops the strategic business plan and establishes the mission, values, and direction of long-term performance with the conservation and expansion of assets in coordination with agency staff. Lower Columbia Cap’s Board of Directors approves the Title VI policy, documentation of approval is provided and retained with the Board of Director minutes.

	White	Hispanic	Black	Asian	Native	Islander	Two +	Unspecified
Population	83.2%	9.3%	0.6%	1.3%	0.6%	0.2%	4.8%	
Citizens Advisory Council								
Board of Directors	57%		7%					36%



Title VI Complaint Form

Title VI of the 1964 Civil Rights Act requires that “No person in the United States shall, on the ground 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”. If you feel you have been discriminated against in transit services, please provide the following information in order to assist us in processing your complaint and send it to:

Lower Columbia CAP
Title VI Coordinator
1526 Commerce Avenue
Longview, WA 98632
(360) 425-3430
(360) 414-8974 (fax)

Please print clearly or type your response. Thank You

You may file a signed, written complaint up to one hundred and eighty (180) days from the date of alleged discrimination.

Name: _____

Address:

City, State, Zip Code:

Telephone: _____

Person discriminated against:

Address of person discriminated against:

City, State, Zip Code:

Please indicate why you believe the discrimination occurred:

_____ Race _____ Color _____ National Origin

What was the date of the alleged discrimination?

Where did the alleged discrimination take place?

Please describe the circumstances as you saw it:

Please list any and all witnesses' names and phone numbers:

Please attach any documents you have which support the allegation(s). Please sign and date this form and send to the Title VI Coordinator at the address listed on page one (1) of this document.

Your signature

Print your name

Date



Formulario de queja del Título VI

El Título VI de la Ley de Derechos Civiles de 1964 requiere que "ninguna persona en los Estados Unidos, por motivos de raza, color u origen nacional, será excluida de la participación, se le negarán los beneficios de, o será objeto de discriminación bajo cualquier programa o actividad que reciba asistencia financiera federal". Si usted siente que ha sido discriminado en los servicios de tránsito, proporcione la siguiente información para ayudarnos a procesar su queja y enviarla a:

CAP de Columbia Inferior
Coordinador del Título VI
1526 Commerce Avenue
Longview, WA 98632
(360) 425-3430
(360) 414-8974 (fax)

Por favor, imprima claramente o escriba su respuesta. Gracias

Puede presentar una queja firmada por escrito hasta ciento ochenta (180) días a partir de la fecha de supuesta discriminación.

Nombre:

—

Dirección:

Ciudad, Estado, Código Postal:

Teléfono: _____

Persona discriminada contra:

Dirección de la persona discriminada contra:

Ciudad, Estado, Código Postal:

Por favor, indique por qué cree que ocurrió la discriminación:

_____ Raza _____ Color _____ Origen Nacional

¿Cuál era la fecha de la supuesta discriminación?

¿Dónde tuvo lugar la supuesta discriminación?

Describa las circunstancias tal como las vio:

Por favor, enumere todos y cada uno de los nombres y números de teléfono de los testigos:

Adjunte cualquier documento que tenga que respalde la(s) alegación(es). Firme y fecha este formulario y envíelo al Coordinador del Título VI a la dirección que aparece en la página uno (1) de este documento.

Su firma

Imprime tu nombre

Fecha