



## **WASCO COUNTY TITLE VI PLAN**

Adopted 05/15/2019

### **INTRODUCTION**

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.

Wasco County passes through responsibility of transportation services to Mid-Columbia Economic Development District (MCEDD) and is committed to ensuring that no person is excluded from participation in, or denied the benefits of its programs and services on the basis of race, color, sex, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B

### **TITLE VI COMPLAINT PROCEDURES**

In order to comply with 49 CFR Section 21.9(b), Wasco County has developed procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public upon request. Complainants, or their representative, may file a written complaint with the Title VI Complaint Coordinator at any time within one hundred and eighty (180) days from the date of the alleged discriminatory act.

If you believe you have been subjected to discrimination under Title VI, you may file a complaint.

### **HOW TO FILE A TITLE VI COMPLAINT**

You may file a signed, written complaint up to one hundred and eighty (180) days from the date of alleged discrimination by delivering, mailing or faxing your complaint to Wasco County. The complaint should include the following information:

- Your name, mailing address, and how to contact you (i.e., telephone number, email address, etc.)
- Name, address, phone number and relationship of Representative to Complainant, if applicable
- How, when, where and why you believe you were discriminated against. Include the location, names and contact information of any witnesses.
- Other information that you deem significant

**The complaint may also be filed in writing with Wasco County at the following address:**

Wasco County  
ATTN: Title VI Complaint Coordinator  
511 Washington St, Suite 101  
The Dalles, OR 97058

By phone: 541-506-2520

By fax: 541-296-2551

*NOTE: Wasco County 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 tracked easily. For complaints originally submitted by facsimile, an original, signed copy of the complaint must be mailed to the Title VI Coordinator as soon as possible, but no later than 180 days from the alleged date of discrimination.*

### **What happens to your complaint after it is submitted to Wasco County?**

All complaints alleging discrimination based on race, color or national origin in a service or benefit provided by Wasco County will be directly addressed by Wasco County. Wasco County provides for staff to take complaints and forward them to the Title VI Complaint Coordinator (Office Administrator) who categorizes, tracks them, and develops responses and forwards them to the Wasco County Administrator for approval. The Administrator will investigate the complaint and make a determination. Formal investigation of the complaint will be confidential and will include, but is not limited to, details of the specific incident, frequency and dates of occurrences and names of any witnesses. Customer will be notified of resolution.

Wasco County shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, Wasco County shall make every effort to address all complaints in an expeditious and thorough manner.

In instances where additional information is needed for investigation of the complaint, Wasco County will contact the complainant in writing. Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information within thirty (30) calendar days may result in the administrative closure of the complaint.

Once sufficient information for investigating the complaint is received by Wasco County, a written response will be drafted, subject to review by the County's attorney. If appropriate, Wasco County's attorney may administratively close the complaint. In this case, Wasco County will notify the complainant of the action as soon as possible.

### **How you will be notified of the outcome of your complaint:**

Wasco County will send a final written response to the complainant and advise the complainant of his or her right to 1) appeal within seven (7) calendar days of receipt of the final written decision from Wasco County, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration. Every effort will be made to respond to Title VI complaints within 60 working days of receipt of such complaints, if not sooner.

A written appeal requesting review of a determination of unlawful denial of access or accommodation to services must include the customer's name, address, and telephone contact number. A statement of reason(s) why the applicant believes the denial of accommodation request or access to services was inappropriate is recommended. The Wasco County Board of Commissioners will set a mutually agreed-upon time and place for the review process with the applicant and/or representatives within 30 days of the request. The applicant may submit documents or other information to be included with the record

and considered in the review process. Anyone needing special accommodations may contact Wasco County at 541-296-2520 for assistance.

The right of the appellant to a prompt and equitable resolution of the complaint must not be impaired by the appellant's pursuit of other remedies, such as filing of a complaint with the Department of Justice or other appropriate federal agency or the filing of a suit in state or federal court. Use of this procedure is not a prerequisite to the pursuit of other remedies.

***In addition to the complaint process described above, a complainant may file a Title VI complaint or lawsuit with the following offices:***

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

Oregon Department of Transportation  
 Office of Civil Rights, MS 23  
 3930 Fairview Industrial Drive SE  
 Salem, OR 97302

U.S. Department of Justice  
 Civil Rights Division  
 Coordination and Review  
 Section – NWB  
 950 Pennsylvania Ave, NW  
 Washington, DC 20530

**Disposition of Complaints and Resolution**

***Sustained Complaints-*** If the complaint is substantiated and a probable cause of a discriminatory practice based on race, color, or national origin is found to exist, Wasco County shall endeavor to eliminate said practice by means of a Remedial Action Plan. The Remedial Plan shall include: a list of all corrective actions accepted by the agency; description of how the corrective action will be implemented; and a written assurance that the agency will implement the accepted corrective action in the manner discussed in the plan.

***Unsustained Complaints-*** If there is insufficient evidence to either prove or disprove the allegation(s) both parties to the complaint will be informed of the reason(s) for this disposition.

***Unfounded Complaint-*** If it is determined that an act reported pursuant to this policy/procedure did not in fact occur, a finding of unfounded shall be made.

**Exonerated Complaints-** If it is determined that an act reported pursuant to this policy/procedure did in fact occur, but was lawful and proper within the guidelines established herein, a finding of exonerated shall be made.

**Recording Title VI Investigations, Complaints and Lawsuits**

In order to comply with 49 CFR Section 21.9(b), Wasco County prepares and maintains a list of any active investigations conducted by entities other than the FTA, lawsuits, or complaints naming Wasco County that allege discrimination on the basis of race, color, or national origin. This list includes the date of the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response to the investigation, lawsuit, or complaint. The Wasco County Title VI Complaint Coordinator (Office Administrator) maintains these files until closed. The Wasco County Title VI Complaint Coordinator will also maintain a log of all complaints received. Records will be stored according to state and federal record retention requirements. Tracked information will be reported to ODOT as the grantor of the funds as required.

**Additional Information Upon Request**

At the discretion of FTA, information other than that required by the referenced circular may be requested, in writing, from Wasco County in order to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI requirements. The Wasco County Title VI Complaint Coordinator is available to provide additional information as needed and to respond to any inquiry.

**BOARD COMPOSITION AND MINORITY REPRESENTATION ON NON-ELECTED BODIES**

Wasco County is overseen by a Board of Commissioners, and the table depicting the membership of this Board as of May 2019 is below:

	Caucasian	Hispanic or Latino	Black or African American	Asian	Native Hawaiian	American Indian or Alaskan Native	Two or more races
Population (2010 Census)	22,919	4639	176	303	2017	983	630
Wasco County Board of Commissioners	3						

For the Board of Commissioners and Committees advising the Wasco county Board and transportation operations, Wasco County encourages participation of minorities on the Board and committees in the following manners:

- Posting information about the ability to participate on our website, through our social media platforms and through our newsletter.
- Sending press releases to the local newspapers in our regional service area.

- Conducting direct outreach to organizations and agencies representing the interests of minority populations and/or providing direct services to minority individuals.

## **RECORD OF TITLE VI OR OTHER CIVIL RIGHTS INVESTIGATIONS, COMPLAINTS OR LAWSUITS**

To date, there have been no Title VI investigations, complaints or lawsuits.

## **LIMITED ENGLISH PROFICIENCY PLAN**

Wasco County is committed to breaking down language barriers by implementing consistent standards of language assistance across its service area. Wasco County leverages the MCEDD updated Limited English Proficiency Plan as part of our Title VI policy, which can be found on their website.

## **NOTIFYING BENEFICIARIES OF THEIR RIGHTS UNDER TITLE VI**

Our website includes our Title VI policy and complaint form. The website also states the Anti-Discrimination Statement as listed in this plan. Wasco County's Title VI policy and complaint form are also posted at Wasco County's office (located at 511 Washington St, Suite 101, The Dalles, OR). The Title VI Compliance Statement is included in rider guides and bus schedules as appropriate. Finally, the Title VI Compliance Statement is posted inside vehicles used for public transportation. Individuals who believe they have been discriminated against may request a complaint form from the Office Administrator at Wasco County's office.

## **ANALYSIS OF CONSTRUCTION PROJECTS**

Over the last three years Wasco County has not completed a construction project requiring an environmental assessment (EA) or environmental impact statement (EIS).

## **INCLUSIVE PUBLIC PARTICIPATION**

Community Outreach is a requirement of Title VI. Wasco County and its sub-recipients shall seek out and consider the viewpoints of minority and low-income populations in the course of conducting public outreach. Specific information about MCEDD's programs can be found in their Title VI policy.

## **ANTI-DISCRIMINATION STATEMENT/TITLE VI POLICY**

**Anti-Discrimination Statement:** Wasco County is an affirmative-action, equal-opportunity employer. Public Transportation services are available to all without regard to race, color, national origin, gender, gender identity, religion, age, height, weight, disability, political beliefs, sexual orientation, marital status, family status or veteran status.

**Declaración de Anti-discriminación:** Wasco County y son empleadores de acción afirmativa e igualdad de oportunidades. Servicios de transporte públicos son disponibles a todos sin importar raza, color, origen nacional, genero, identidad de genero, religión, edad, altura, peso, incapacidad, creencias políticas, orientación sexual, estado de matrimonio, estado familiar o si es veterano de guerra.

Wasco County's Title VI policy and complaint form are posted on the Wasco County website (<http://co.wasco.or.us>) and at Wasco County's offices (located at 511 Washington Street, The Dalles, OR). Individuals who believe they have been discriminated against may request a complaint form from the Office Administrator at Wasco County's office.

**Ref:** FTA Circular 4702.1B Title VI and Title VI Dependent Guidelines for Federal Transit Administration Recipients

### **Purpose**

The purpose of this policy is to establish guidelines to effectively monitor and ensure that Wasco County 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 Regulations at 49 CFR Part 21.

### **Authorities**

Title VI of the Civil Rights Act of 1964, as amended, provides that no person in the United States shall, on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance.

### **Policy Statement**

Wasco County assures that no person shall, on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964, as amended, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. Wasco County is committed to creating and maintaining programs and services that are free of all forms of discrimination.

### **Responsibilities**

All employees of Wasco county shall follow the intent of these guidelines in a manner that reflects the organization's policy. Employees receiving information regarding violations of this order shall determine if there is any basis for the allegation and shall proceed with resolution as stated in the sections *Employee Responsibility* and/or *Investigation of Complaints and Appeal Process*.

### **Certification and Assurance**

To ensure accordance with 49 CFR Section 21.7, every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with Title VI of the Civil Rights Act of 1964. This requirement shall be fulfilled when the applicant submits its annual certifications and assurances to FTA. The text of FTA's annual certifications and assurances is available on FTA's Web site. Wasco County complies with this instruction annually in order to receive FTA funding.

## **NOTIFICATION OF COMPLIANCE WITH TITLE VI**

In order to comply with 49 CFR Section 21.9 (d) MCEDD has posted information for the public regarding the Title VI obligations and protections against discrimination afforded to the public by Title VI on the Wasco County website. Wasco County has also posted the following notice of compliance with Title VI,

which is visible to the public at the Wasco County office and directs the public to the Wasco County website and to the appropriate phone number to inquire for more information. Additionally, this information is available upon request.

**Notification of Compliance with Title VI**

Mid-Columbia Economic Development District (MCEDD) complies with Title VI and Title VI Dependent Guidelines for Federal Transit Administration Recipients. Title VI obligations and protections against discrimination afforded to the public by Title VI can be found on the Wasco County website at <http://www.co.wasco.or.us>. This information is also available upon request, please inquire inside office or contact Title VI Complaint Coordinator at (541) 506-2520.

**Notificación de la conformidad con Title VI**

Wasco County se conforma con las pautas dependientes del Title VI y del Title VI para los recipientes federales de la administración del tránsito. Las obligaciones y las protecciones del Title VI contra la discriminación producida al público por Title VI se pueden encontrar en el Web site de Wasco County en <http://www.co.wasco.or.us>. Esta información está también disponible a petición, investiga por favor dentro de oficina o entra en contacto con a coordinador de la queja del Title VI en (541) 506-2520.

APPROVED this 15th day of May, 2019.

**WASCO COUNTY BOARD OF  
COMMISSIONERS:**



\_\_\_\_\_  
Steven D. Kramer, Commission Chair



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Scott C. Hege, Vice-Chair



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Kathleen B. Schwartz, County Commissioner

**APPROVED AS TO FORM:**



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Bradley Timmons  
Wasco County Counsel