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SLW
South Lane Wheels

Civil Rights Program
Title VI and Limited English Proficiency Plan

SOUTH LANE WHEELS TITLE VI PROGRAM

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SLW CIVIL RIGHTS PROGRAM **SLW NONDISCRIMINATION POLICY STATEMENT**

The South Lane Wheels (SLW) grants all citizens equal access to its transportation services and is committed to ensuring that no person is excluded from participation in, or denied the benefits of its services on the basis of race, color, or national origin as protected by Title VI of the Civil Rights Act of 1964, as amended.

South Lane Wheels 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, whether they are federally funded or not.

The South Lane Wheels Notice to the Public Title VI NONDISCRIMINATION AGREEMENT (**Appendix A**) is posted in the following locations:

- On the agency's website
- In public areas of the agency's offices (reception desk, public meeting rooms, etc.).
- Inside vehicles (buses, vans, cars)
- In and around transit shelters
- In rider guides and bus schedules

The plan's elements that protect against discrimination apply to South Lane Wheels, its sub-recipients, contractors and consultants and will ensure that the clauses in **Appendix B** are included in every contract subject to Title VI compliance.

Any person who feels that he or she, individually or as a member of any class of persons, on the basis of race, color, or national origin has been excluded from or denied the benefits of, or subjected to discrimination caused by the South Lane Wheels may file a written complaint with the South Lane Wheels, Title VI Administrator Ruth E. Linoz or directly with the Federal Transit Administration (FTA) Office of Civil Rights and ODOT Office of Civil Rights:

FTA Transit Administration
1200 New Jersey Avenue, SE
Washington, DC 20590
Phone: 888-446-4511

Office of Civil Rights – MS 23
3930 Fairview Industrial Drive SE
Salem, OR 97302
Phone: 503-986-4350

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LEGAL AUTHORITY

The Title VI Program was established to carry out the South Lane Wheels' commitment to ensure that the most fundamental principles of equality of opportunity and human dignity are upheld in all decisions and in any activity or process as SLW conducts its business, sets its policy, delivers its projects, and provides its services to any member of the public that we serve.

TITLE VI COMPLAINT PROCEDURES

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964, relating to any program or activity administered by South Lane Wheels (SLW) or its sub-recipients, consultants and/or contractors. Intimidation or retaliation of any kind is prohibited by law.

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies, or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant.

Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and the Title VI Administrator Ruth E. Linoz may be utilized for resolution, at any stage of the process. The Title VI Administrator will make every effort to pursue a resolution of the complaint. Initial interviews with the complainant and the respondent will request information regarding specifically requested relief and settlement opportunities. Our process for addressing civil right complaints is as follows:

1. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited by Title VI nondiscrimination provisions may file a written complaint within **180 calendar days** of the alleged occurrence or when the alleged discrimination became known to the complainant.

The complaint must meet the following requirements:

- Complaint shall be in writing and signed by the complainant(s).
- Include the date of the alleged act of discrimination (date when the complainant(s) became aware of the alleged discrimination; or the date on which that conduct was discontinued or the latest instance of the conduct).
- Present a detailed description of the issues, including names and job titles of those individual perceived as parties in the complained-of incident.

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- Allegations received by fax or e-mail will be acknowledged and processed, once the identity(ies) of the complainant(s) and the intent to proceed with the complaint have been established.
- The complainant is required to mail a signed, original copy of the fax or e-mail transmittal for SLW to be able to process it.
- Allegations received by telephone will be reduced to writing and provided to complainant for confirmation or revision before processing.
- A complaint form will be forwarded to the complainant for him/her to complete, sign, and return to South Lane Wheels for processing.

2. Upon receipt of the complaint, the SLW Title VI Administrator Ruth E Linoz will determine its jurisdiction, acceptability, and need for additional information, as well as investigate the merit of the complaint. In cases where the complaint is against one of SLW sub-recipients of Federal funds, SLW will assume jurisdiction and will investigate and adjudicate the case. Complaints against SLW will be referred to the Oregon Department of Transportation, Office of Intermodal Civil Rights, for proper disposition pursuant to their procedures.

3. In order to be accepted, a complaint must meet the following criteria:

- The complaint must be filed within **180** calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant.
- The allegation(s) must involve a covered basis such as race, color, or national origin.
- The allegation(s) must involve a program or activity of a Federal-aid recipient, sub-recipient, or contractor.
- SLW has five (5) business days to acknowledge receipt of the complaint and to respond either with a request for more information or commitment to investigate.

4. A complaint may be dismissed for the following reasons:

- The complainant requests the withdrawal of the complaint.
- The complainant fails to respond to requests for additional information within 5 business days to enable SLW to process the complaint.
- The complainant cannot be located after SLW made two phone calls and a registered letter sent on the same day as the phone calls and SLW did not receive a response within 3 business days of receipt of this letter.

5. Once SLW decides to accept the complaint for investigation, the complainant and the respondent will be notified in writing of such determination within **seven (7)** calendar days. The complaint will receive a case number on the logged entry in SLW's Title VI Investigations, Complaints, Lawsuits form identifying its basis and alleged merit.

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6. SLW's final investigative report and a copy of the complaint will be forwarded to the Federal Transit Administration, Office of Civil Rights, and affected parties within **sixty (60)** calendar days of the acceptance of the complaint.
7. SLW will notify the parties of its final decision.
8. If complainant is not satisfied with the results of the investigation of the alleged discrimination and practices the complainant will be advised of the right to appeal to the Federal Transit Administration and Office of Civil Rights within thirty (30) days.

At a minimum, the notice shall be posted in the following locations:

- On the agency's website
- In public areas of the agency's offices (reception desk, public meeting rooms, etc.).
- Inside vehicles (buses, vans, cars)
- In and around transit shelters
- In rider guides and bus schedules

RECORD/TRACKING OF TITLE VI INVESTIGATIONS, COMPLAINTS & LAWSUITS

South Lane Wheels shall maintain a list or log of all Title VI investigations, complaints, and lawsuits pertaining to its transit-related activities (**Appendix E**). The list, updated with all new events filed since the last submission, must be submitted annually with the Title VI Program to ODOT Public Transit Division.

The list or log shall include dates, a summary of allegation(s), status, actions taken by South Lane Wheels in response, and the final outcome (if resolved) for:

- Active investigations by FTA, the agency itself, or any other entity, which are based on race, color, or national origin discrimination allegation(s).
- Complaints naming South Lane Wheels which are based on race, color, or national origin discrimination allegation(s).
- Lawsuits which are based on race, color, or national origin discrimination allegation(s).

In the past three years, SLW has received 0 Complaints and 0 Lawsuits related to Title VI Civil Rights. A copy of the current log is available upon request.

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PUBLIC PARTICIPATION PLAN

South Lane Wheels' Public Participation Plan includes strategies, procedures, and desired outcomes underpinning their public participation activities. Because it is imperative to provide opportunities for the public to be involved in proposed transportation decisions, the plan reflects SLW's demographics, service under consideration, programs affected or proposed, resources available, etc., and should:

- Provide for early, frequent and continuous engagement by the public
- Promote inclusive participation of low-income, minority, and LEP individuals (per DOT LEP guidance [Limited English Proficiency \(LEP\) | HHS.gov](#)) and people with disabilities
- Comply with the public participation requirements of 49 U.S.C. Sections 5307 (b)
- Anticipate that FTA requires programs or projects to be developed with public participation and 5307 (c)(1)(I) requires a locally developed process to consider public comment before raising a fare or carrying out a major reduction in transportation service

South Lane Wheels will obtain and maintain data on race, ethnicity, age, gender, disability, limited English proficiency, and income of populations in its service area in order to adapt its outreach strategy when inviting public participation in any service changes. **(Appendix F).**

The outreach process will use innovative means to engage diverse populations where they commonly gather or means of communication (i.e., social media, radio stations, target publications, faith community, and retail outlets). Alternative locations and meeting times may also improve the level of participation.

LANGUAGE ASSISTANCE PLAN USING THE FOUR FACTOR ANALYSIS

Limited English Proficient (LEP): Referring to persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. This includes those who have reported to the U.S. Census that they speak English less than very well, not well, or not at all.

South Lane Wheels (SLW) shall take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of its programs and activities for individuals who are limited-English proficient (LEP). Failure to provide this could lead to a claim of national origin discrimination.

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Annually, SLW will conduct the LEP Four Factor Analysis and report the results in the ODOT annual report and use the data to adjust how language assistance services are provided by language. The data will also be used to develop outreach strategies that inform LEP persons of the availability of language assistance services.

South Lane Wheels conducted its LEP Four Factor Analysis and determined that:

- 1. The number or proportion of LEP persons in the service area:** The current American Fact Finder report of 2011-15 American Community Survey (ACS) lists Cottage Grove as having an estimate of 6.0% of residents who speak Spanish. Of the 543 Spanish speakers, 3.9% speak English less than “very well” (**Appendix G**). Through the public outreach and research conducted as part of the Cottage Grove Area Transit **Development** Plan (2019-2020), it was recognized that we have a large “transit supportive” population within the Cottage Grove transit area. In accordance with the Cottage Grove Transit Plan; Cottage Grove and the travelshed both have resident populations that are 82% white and 9.63% Hispanic. Within the Hispanic population there is a large subset of Guatemalan immigrants (over 1/3). Their original language is Mam, a Mayan language that is largely spoken.
- 2. The frequency with which LEP individuals encounter the service:** SLW services are important to all populations served. Although it is unknown whether non-English speakers use the transit services more or less frequently than all riders, SLW has determined that Spanish language resources are beneficial because of the high number of Hispanic and Latino individuals living in the community. SLW has a Spanish speaker on staff for LEP customers that would like assistance in Spanish. SLW receives on average one call per day that requests assistance in Spanish and has had no call requests for languages other than Spanish.
- 3. The nature and importance of service provided by SLW:** SLW provides transit services to the region through its commuter bus service and on-demand route programs. SLW serves the transit needs of the City of Cottage Grove and many of the rural communities within the service area. It also provides critical regional links to the Umpqua Public Transportation District.
- 4. The resources available to the recipient of the federal funds to assure meaningful access to the service by LEP persons:** The advertising and public relations account funds are available for developing LEP materials. There are local Spanish translation resources available. Our staff collaborates with local LEP service providers to inform LEP persons about transportation options and to distribute translated printed materials and the availability of language assistance so they may utilize SLW services by Internet, print or phone.

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In accordance with LEP Safe Harbor requirements, at a minimum, SLW will provide a written translation of vital documents (Title VI complaint forms, information regarding access to essential services, notices, announcements, etc.) for each LEP group that meets the LEP language threshold (5% or 1,000 individuals, whichever is less).

Currently, there is no language group that satisfies the LEP Safe Harbor requirement in the South Lane Wheels service area.

An advisory group will help SLW monitor and update the language access plan on an annual basis. Currently SLW Title VI Administrator Ruth E Linoz participates in a local social service networking group called Soups On to help identify local LEP needs and to collaborate on transportation issues. Also, Ms. Linoz attends the LTD Comprehensive and Accessibility Transportation Committee meetings.

At least annually, SLW management will evaluate the LEP plan, update as needed, distribute revised materials, and inform employees about the LEP Assistance Plan and trained on how to provide language assistance to LEP persons with available formats and service materials. A list of employees who can communicate with an LEP group will be kept in the dispatch office.

MINORITY REPRESENTATION TABLE:

South Lane Wheels has a non-elected planning board and committees selected by South Lane Wheels. Each board and committee member will be invited to complete the representation data form (**Appendix E**) to produce the Minority Representation Table (**Appendix F**).

Based upon the results of the data collection and production of the table, efforts will be made to encourage participation of minorities on these boards and committees. Board and committee member recruitment notices will be posted at least twice a year at gathering locations for local minority groups, included in any of their media formats that will accept SLW notices, and posted on SLW website to use the translation tool.

Reasonable accommodations will be utilized to remove barriers to better enable a minority representative to participate (i.e., translator, location, time, day of week, transportation, etc.).

Appendix A:

Notifying the Public of Rights Under Title VI

South Lane Wheels operates its program, services and activities in compliance with federal nondiscrimination laws. No person shall, on the basis of race, color, national origin (including limited English proficiency), disability, religion, sex, gender identity, sexual orientation, or age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of our programs.

To file a complaint of discrimination, write Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice (OCR), 810 7th Street, NW, Washington, DC 20531 or call 202-307-0690 (Voice) or 202-307-2027 (TDD/TTY). Individuals who are hearing impaired or have speech disabilities may also contact OCR through the Federal Relay Service at 800-877-8339 (TTY), 877-877-8982 (Speech) or 800-845-6136 (Spanish). To file a complaint of discrimination with this organization, write, or call. To file a complaint of discrimination with Oregon Department of Justice, Crime Victim and Survivor Services Division, write Oregon Department of Justice, Crime Victim and Survivor Services Division, Attn: Shannon Sivell, Complaint Coordinator, 1162 Court Street NE, Salem, OR 97301 or call 503-378-5348. You may also email to shannon.l.sivell@doj.state.or.us.

For more information on the South Lane Wheels' civil rights program and the procedures to file a complaint

- go to www.southlanetransit.com
- contact the Title VI Administrator at (541) 942-0456 x3
- email info@southlanetransit.com
- visit our administrative office at
1450 Birch Avenue, Cottage Grove, OR 97424

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Appendix B:

Title VI Clauses Protection from Discrimination

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "Contractor") agrees as follows:

(1.) Compliance with Regulations: The Contractor shall comply with the Regulations relative to nondiscrimination in Federally assisted programs of the U.S. Department of Transportation (hereinafter, "USDOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Contract.

(2.) Nondiscrimination: The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, national origin, Limited English Proficiency, sex, income, age, or disability, in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR 21.5 including employment practices when the contract covers a program set forth in **Appendix B** of said CFR.

(3.) Solicitations for Subcontractors, including Procurements of Materials and Equipment: In all solicitations made by the Contractor, either by competitive bidding or negotiation for work to be performed under a subcontract, including procurements of materials or leases of equipment; each potential subcontractor or supplier shall be notified by the Contractor of the Contractor's obligations under this contract and 49 CFR 21.5 relative to nondiscrimination on the basis of race, color, national origin, Limited English Proficiency, sex, income, age, or disability.

(4.) Information and Reports: The Contractor shall provide all information and reports required by 49 CFR 21.5 or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Oregon Department of Transportation (hereinafter, "ODOT"), the Federal Highway Administration (hereinafter, "FHWA"), the Federal Transit Administration (hereinafter, "FTA"), the Federal Aviation Administration (hereinafter, "FAA"), and/or the Federal Motor Carrier Safety Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions.

Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information the Contractor shall so certify to ODOT, FHWA, FTA, FAA, and/or the Federal Motor Carrier Safety Administration as appropriate and shall set forth what efforts it has made to obtain the information.

(5.) Sanctions for Noncompliance: In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, ODOT shall impose such contract sanctions as it or FHWA, FTA, FAA, and/or the Federal Motor Carrier Safety Administration may determine to be appropriate, including, but not limited to:

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- a. withholding of payments to the Contractor under the contract until the Contractor complies, and/or
- b. cancellation, termination or suspension of the contract, in whole or in part.

(6.) Incorporation of Provisions: The Contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by 49 CFR 21.5, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as ODOT, FHWA, FTA, FAA, and/or the Federal Motor Carrier Safety Administration may direct as a means of enforcing such provisions including sanctions for noncompliance.

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Appendix C:

Title VI 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/Cell): _____

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/Color (Specify): _____ National Origin (Specify): _____

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

Describe the alleged discrimination. Explain what happened and who you believe was responsible (if additional space is needed, add a sheet of paper)

List name(s) and contact information of person(s) who may have knowledge of the alleged discrimination:

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Title VI Complaint Form (continued)

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 Court _____ Federal Agency _____

State Court _____ State Agency _____

Local Agency _____

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

Name & Address: _____

City/State/Zip: _____

Telephone Number (Home): _____

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 _____

Attachments: Yes _____ No _____

Submit form and any additional information to:

South Lane Wheels
Title VI Compliance Manager
1450 Birch Avenue
Cottage Grove, Oregon 97424
Phone:(541) 942-0456 x3
Fax: (541) 942-9691

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Appendix D:

SLW TRANSIT-RELATED TITLE VI INVESTIGATIONS, COMPLAINTS AND LAWSUITS LOG

Investigations, Lawsuits and Complaints

Submitted as part of the annual report to ODOT Public Transportation Department (PTD)

	Date (Month, Day, Year)	Summary (Include complaint basis: race, color, or national origin)	Status	Action(s) Taken
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				
Complaints				
1.				
2.				

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Appendix E:

TITLE VI MINORITY REPRESENTATION DATA COLLECTION FORM:

Name of the board, commission, council, etc.

Date:

Dear Member,

As South Lane Wheels is a recipient of federal funds, we are required under Title VI of the Civil Rights statute to ascertain the racial/ethnic make-up of any non-elected boards, commissions, councils, etc.

Data from this section is used for statistical and reporting purposes. The information may be subject to disclosure under federal or state law or rule.

Anti-Discrimination Notice

It is unlawful for South Lane Wheels to fail or refuse to provide services, access to services or activities, or otherwise discriminate against an individual because of an individual's race, color, religion, sex, national origin, disability or veteran status.

As a council under the jurisdiction of South Lane Wheels, we invite council members to voluntarily self-identify their race/ethnicity for us to comply with FTA Title VI regulations. This information will be used according to the provisions of applicable federal and state laws, executive orders and regulations, including those requiring the information to be summarized and reported to the federal government for civil rights enforcement purposes.

Race/Ethnicity

If you choose to voluntarily self-identify, please mark the **one box** describing the race/ethnicity category with which you primarily identify:

Asian or Pacific Islander: All persons having origins in any of the peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands and Samoa.

Black (not of Hispanic origin): All persons having origins in any of the Black racial groups of Africa.

Hispanic: All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

American Indian or Alaskan Native: All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

White (not of Hispanic origin): All persons having origins in any of the original peoples of Europe, North Africa or the Middle East.

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Appendix F:

SOUTH LANE WHEELS MINORITY REPRESENTATION DATA

The following table displays demographic data from the 2017 American Community Survey.

Ethnicity	Caucasian	Latino	African American	Asian American	Native American
Lane County Population %	88.4%	8.1%	1.0%	2.5%	1.1%
SLW Board of Directors & Advisors	100%	0%	0%	0%	0%

Source ACS 2017 Estimates

Appendix G:

CITY OF COTTAGE GROVE ENGLISH PROFICIENCY DATA

The following table displays 2015 Census Data for the City of Cottage Grove Language Spoken at Home by the Ability to Speak English for the Population 5 Years and Older

Language	Oregon		Cottage Grove	
	Population	Percentage %	Population	Percentage %
Total	3,707,831	100%	9,074	100%
Speak only English	3,148,786	84.9%	8,449	93.1%
Spanish	332,139	9%	543	6%
Speak English "very well"	192,298	5.2%	192	2.1%
Speak English less than very well"	139,841	3.8%	351	3.9%

Source ACS 2015 5-Year Estimate