

**City of Pendleton Transit**

# **Civil Rights Program**

**Title VI, Limited English Proficiency (LEP) Plan**

**FINAL**



**March 1, 2023 – March 1, 2026**

# Contents

Introduction .....	2
Signed Policy Statement.....	2
Notification of City of Pendleton’s Title VI Obligations .....	2
Title VI Complaint Form .....	2
Notifying the Public of Rights Under Title VI .....	2
Title VI Complaint Procedure .....	3
Notifying Beneficiaries of their Rights under Title VI .....	7
Anti-Discrimination Statement / Title VI Policy .....	7
Transit-related Title VI Investigations, Complaints and Lawsuits .....	9
Public Participation Plan .....	9
Summary of Public Participation Efforts .....	10
Language Assistance Plan .....	11
LEP Monitoring and Updates to This Plan .....	13
Employee LEP Training .....	13
Minority Representation Table .....	14
Title VI Equity Analysis .....	14
Attachment A: Signed Policy Statement.....	16
Attachment B: Title VI Complaint Form .....	17
Attachment C: Log of Civil Rights Complaints .....	19
Appendix D: Limited English Proficiency Plan (LEP) .....	20

## 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.

City of Pendleton 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, or national origin, as protected by the Title VI in Federal Transit Administration (FTA) Circular 4072.1B.

## Signed Policy Statement

A policy statement signed by the City Manager assuring City of Pendleton transportation's compliance with Title VI of the Civil Rights Act of 1964 can be found as *Appendix A*.

## Notification of City of Pendleton's Title VI Obligations

To comply with 49 CFR Section 21.9(d) City of Pendleton has posted information for the public regarding the Title VI obligations and protections against discrimination afforded to the public by Title VI on the City of Pendleton website. City of Pendleton has also posted the following notice of compliance with Title VI, which is visible to the public at the City of Pendleton public areas of City Hall, customer transit brochures and the City's website, and directs the public to the City of Pendleton website and to the appropriate phone number to inquire for more information. Additionally, this information is available upon request. City of Pendleton Transit operates as a department of the City of Pendleton

## Title VI Complaint Form

Refer to *Attachment B*, *Consulte el Anexo B*

## Notifying the Public of Rights Under Title VI

See the notice on the following page:



## Title VI Notice City of Pendleton Transit

City of Pendleton Transit operates services in accordance with Title VI of the Civil Rights Act. Its programs are offered without regard to race, color, or national origin. Any person who believes he or she has been aggrieved by any unlawful discriminatory practice may file a complaint with the City of Pendleton.

For more information on The City of Pendleton's civil rights program and the obligations and procedures to file a complaint, please contact the Title VI Coordinator (Human Resource Officer) at 541-966-0201, email at [human.resources@ci.pendleton.or.us](mailto:human.resources@ci.pendleton.or.us) or visit City Hall at 500 SW Dorion Ave., Pendleton, OR 97801 or visit our website at [www.pendleton.or.us](http://www.pendleton.or.us).

A complainant may also file a complaint directly with the Federal Transit Administration – Office of Civil rights, Attn: Title VI Program Coordinator. East Building 5<sup>th</sup> Floor-TCR, 1200 New Jersey Avenue, SE, Washington DC, 20590.

If information is needed in another language, contact 541-966-0207.

Si se necesita información en otro idioma, contacto 541-966-0207, o elige un idioma en el sitio web de la Ciudad.

## Title VI Complaint Procedure

To comply with 49 CFR Section 21.9(b), City of Pendleton 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. If you believe you have been subject to discrimination under Title VI, complainants, or their representative, may file a written complaint with the City of Pendleton Title VI Complaint Coordinator (Human Resource Manager) at any time within one hundred and eighty (180) days from the date of the alleged discriminatory act. City of Pendleton shall then have ten (10) days to acknowledge receipt of a complaint with a written notice to complainant, and then a total of 60 days from the date of the written notice of receipt of the complaint, to investigate the complaint. Once a determination is made, City of Pendleton will notify the complainant in writing. If additional information is needed, City of Pendleton will work with the complainant to receive additional information in writing within the 60 days the City has to investigate. After the investigation is complete, City of Pendleton Title VI Coordinator (Human Resource Manager) will mail a determination letter to the complainant. Complainant will then have thirty (30) days to appeal from the date of the initial determination letter. After review of the appeal, City of Pendleton's City Manager will have final determination.

### **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 the alleged discrimination to the City of Pendleton's Title VI Complaint Coordinator (Human Resource Manager). 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 for any witnesses.
- Other information that you deem significant

A complaint form is available on the City's website (webform may be translated into several other languages) at [www.pendleton.or.us](http://www.pendleton.or.us), which may be completed for this purpose.

The complaint may also be filed in writing with City of Pendleton at the following address (see *Attachment B in this policy for the Complaint form*):

City of Pendleton  
500 SW Dorion Ave.  
Pendleton, OR 97801  
By phone: 541-966-0201  
By fax: 541-966-0352

*NOTE: City of Pendleton 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 Complaint Coordinator (Human Resource Manager) as soon as possible, but no later than 180 days from the original alleged date of discrimination.*

### **What happens to your complaint after it is submitted to City of Pendleton?**

All complaints alleging discrimination based on race, color or national origin in a service or benefit provided by City of Pendleton will be directly addressed by City of Pendleton. City of Pendleton provides staff to receive complaints and forward them to the Title VI Complaint Coordinator (Human Resource Manager) who categorizes, tracks them, and develops responses. The Title VI Complaint Coordinator (Human Resource Manager) will investigate the complaint and make an initial determination which will then be mailed to the complainant. The 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. Customers will be notified of resolution.

City of Pendleton shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, City of Pendleton 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, City of Pendleton will contact the complainant in writing early in the investigation timeline. Complainant shall have ten (10) calendar days of receipt of request to respond in writing. Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information within the ten (10) calendar days, may result in the administrative closure of the complaint.

Once sufficient information for investigating the complaint is received by City of Pendleton, a written response will be drafted, subject to review by the organization's legal representative. If appropriate, City of Pendleton's legal council may administratively close the complaint. In that case, City of Pendleton will notify the complainant of the action as soon as possible.

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

City of Pendleton will send a final written response to the complainant and advise the complainant of his or her right to 1) appeal within thirty (30) calendar days of receipt of the final written determination from City of Pendleton, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or 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.

An appeal request for review of determination of unlawful denial of access or accommodation to services must be filed, in writing, within thirty (30) calendar days of the date of the initial determination letter. The written appeal 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 City of Pendleton City Manager will set a mutually agreed-upon time and place for the review process with the applicant and/or representatives within thirty (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 City of Pendleton at 541-966-0201 for assistance.

The right of the appellant to a prompt and equitable resolution of 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 the 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 office(s):

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

ODOT 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, City of Pendleton 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.

***Not Sustained 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 Complaints*** – 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.

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

In order to comply with 49 CFT Section 21.9(b), City of Pendleton prepares and maintains a list of any active investigations conducted by entities other than the

FTA, lawsuits, or complaints naming City of Pendleton 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 City of Pendleton Title VI Complaint Coordinator (Human Resource Manager) maintains these files until closed. The City of Pendleton 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.

### **Additional Information Upon Request:**

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

## NOTIFYING BENEFICIARIES OF THEIR RIGHTS UNDER TITLE VI

City of Pendleton Transit's Title VI policy and complaint form are posted on the City of Pendleton website ([www.pendleton.or.us](http://www.pendleton.or.us)) and at City of Pendleton's office located at 500 SW Dorion Ave., Pendleton, OR. Individuals who believe they have been discriminated against may request a complaint form from the Human Resource Manager at City of Pendleton's office. The website also states the Anti-Discrimination Statement listed below.

## ANTI-DISCRIMINATION STATEMENT/TITLE VI POLICY

**Anti-Discrimination Statement:** City of Pendleton is an affirmative-action, equal-opportunity employer. Public Transportation services are available to all without regard to race, color and national origin.

**Declaración contra la Discriminación:** City of Pendleton es una acción afirmativa, empleador que ofrece igualdad de oportunidades. Los servicios de transporte público están disponibles para todos sin distinción de raza, color y origen nacional.

**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 the City of Pendleton 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 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**

City of Pendleton and City of Pendleton Transit 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. City of Pendleton and City of Pendleton Transit is committed to creating and maintaining programs and services that are free of all forms of discrimination.

### **Responsibilities**

All employees of City of Pendleton 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 the 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 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 the FTA. The text of the FTA's annual certifications and assurances is available on the FTA's Website. City of Pendleton complies with this instruction annually in order to receive the FTA funding.

### **Providing Meaningful Access to Limited English Proficient (LEP) Persons**

Title VI and its implementing regulations require that recipients of federal funds 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. City of Pendleton partners with certified language interpreters to provide translation services as necessary.

### **Employee Responsibility**

Each employee shall:

- A. Ensure that there are no barriers to service or accommodation that would prevent usage or access to services.
- B. Train subordinates as to what constitutes discrimination and barriers to access.
- C. Take prompt and appropriate action to avoid and minimize the incidence of any form of discrimination.
- D. Notify the Human Resource Director in writing of the circumstances surrounding any reported allegation of discrimination no later than the next business day.

## **Transit-related Title VI Investigations, Complaints and Lawsuits**

City of Pendleton Public Transit maintains an active log of all civil rights complaints. A copy of the current log is available upon request by submitting a public records request via a letter or email to the Transit Manager. At this time there are no complaints filed. See *Attachment C* for Log of Title VI complaints.

## **Public Participation Plan**

City of Pendleton Public Transit offers continuous opportunities for public involvement in proposed transportation decisions (i.e. including fare changes, service modifications, capital project planning, etc). The primary mechanism for the public to participate is to attend quarterly City of Pendleton Transportation Committee. These meetings are open to the public, held in locations that are ADA accessible, and publicly advertised on City of Pendleton's website, City of Pendleton meetings are held on the generally on a Tuesday or Thursday at the City of Pendleton City Hall, Pendleton, Oregon. The meetings always start at 10:00 a.m. and typically end by 11:30 p.m.

City of Pendleton Transit meets the goals outlined in the Oregon Department of Transportation Public Transit State Management Plan for public involvement. City of Pendleton seeks out and considers the viewpoints of minority, low-income and LEP populations in the course of conducting public outreach and involvement activities. (Refer to LEP plan in *Attachment D*). City of Pendleton provides private sector providers with a reasonable opportunity to comment on plans, programs, and to be included in coordinated plans. The following is a general description of City of Pendleton processes that can be use, which vary depending on the subject, purpose and scope of the program, policy or decision:

- Rider/ General Public surveys
- Open public meetings (CTPC or others as scheduled)
- Work Groups
- Website Information
- Solicitation of comments
- Making plans available in alternate formats, such as Spanish, or other languages as needed. Additionally holding public meetings with adequate notice of the public meeting or hearing(s) through multiple advertising channels.

City of Pendleton currently has implemented its plan and will review it annually, including any contact with LEP persons to determine the frequency of contact, the language used, and how contacts were handled.

City of Pendleton identifies LEP persons in the service area by telephone contact and regional demographics. City of Pendleton Transit's Title VI policy and Complaint Form are available on our website.

In order to comply with 49 CFR 21.9(d), City of Pendleton 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. City of Pendleton has established a policy statement (Attachment A).

City of Pendleton Transit provides materials relevant to FTA funded programs, such as outreach materials and policy documents, the Title VI and Anti-Discrimination policies in particular, on the City of Pendleton Transit's website. Alternate formats are available upon request.

### Participation of minorities on non-elected boards

City of Pendleton understands the value of diversity and will provide outreach to minorities with Limited English Proficient (LEP) populations. When placing a public solicitation to apply for committees/boards, City of Pendleton Transit will place an ad on the City's website in English (translatable into many other languages) – and/or place ads written in both English and Spanish in the newspaper of record.

### Summary of Public Participation Efforts

Community Outreach is a requirement of Title VI. City of Pendleton and its 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 populations, the public involvement process, and the resources of City processes, as well as its

marketing and outreach activities. City of Pendleton also follows public notification regulations as required by any federal funds received by City of Pendleton and engaged the public in its planning and decision-making.

City of Pendleton complies with grant-related public involvement requirements as defined by grant application documents. The following is a summary of City of Pendleton Transit's public participation efforts over the last few years.

## Printed Materials

City of Pendleton Transit provides materials in Spanish by customer request. The City will use BING Translate and provide interpreter services upon request. The City hopes to provide in the future translated service information on City of Pendleton Transit's website and published materials in Spanish, including deviated fixed route schedules, outreach materials, surveys, press releases and meeting notices for major service changes.

The City of Pendleton posted COVID-related requirements for riding on public transit vehicles in English and Spanish during the pandemic.

## Phone Access

City of Pendleton Transit currently does not have a phone service which will translate into Spanish. Staff will use BING Translate and call for interpreters that are on file at the City of Pendleton.

## Planning Service Changes

City of Pendleton Transit will offer translations if/when they are requested for public meetings and committee meetings discussing service changes.

## Language Assistance Plan

City of Pendleton Transit is committed to breaking down language barriers by implementing consistent standards of language assistance across its service area.

The United States is home to millions of national origin minority individuals with 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 language differences and the inability to effectively speak or understand English, persons with LEP may be subject to exclusions 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 the primary language.

## ANALYSIS OF FACTORS

### **Factor No. 1: The number or proportion of LEP persons in the service area.**

City of Pendleton's jurisdiction covers Umatilla County Oregon, which is largely English speaking. The vast majority of the population with which we do business (individuals wishing to ride transit, transit agencies, and employers in the region) is proficient in English. According to American Community Survey 2015-2019, 91.25% of the City's population age five and up speaks English only, while 8.75% speak another language at home. Only 1.0% of the population speaks English less than "well". The City of Pendleton currently falls under the LEP Safe Harbor provision. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each LEP language group that constitutes five percent (5%) or 1,000 persons whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient's written translation obligations.

### **Factor No. 2: The frequency with which LEP individuals come into contact with the service.**

Contacts with City of Pendleton Transit are made through its office in Pendleton, its website ([www.pendleton.or.us](http://www.pendleton.or.us)), the City's Facebook page, its officers and its staff.

We have an average of zero calls a month that require translations, however, City of Pendleton utilizes translation service from certified language interpreters to produce publications to distribute in Spanish when requested.

### **Factor No. 3 The nature and importance of service provided by City of Pendleton Transit.**

City of Pendleton Transit provides important mobility management and transportation coordination service to the public. City of Pendleton's services are important to all populations served. Services help all riders, including Hispanic and Latino individuals, access a wide range of services in the community. Although it is unknown whether non-English speakers use City of Pendleton Transit's services more or less frequently than all riders as a whole,

City of Pendleton's Language Services: Future goals of City of Pendleton Transit would be to provide:

- Translation of written materials: City of Pendleton Transit have translated service information on City of Pendleton Transit's website and in published materials into Spanish.
- Ad hoc language translation service: In-the-moment language translation services would be available for Spanish as needed, via fluent staff, for individuals who call City of Pendleton.
- Staff Resources: Provide Bing Translate in addition to *I Speak* cards in 38 languages to determine the needs of the client prior to using the translating application.

**Factor No. 4 The resources available to the recipient of the federal funds to assure meaningful access to service by LEP persons.**

City of Pendleton's current in-house language capabilities are English, with very limited Spanish. City of Pendleton uses certified language interpreters. The City would use ODOT grant funding to provide LEP outreach.

## LEP Monitoring and Updates to This Plan

City of Pendleton Transit monitors the linguistic needs of its riders both formally and informally. Formally, City of Pendleton Transit reviews available census data during each decennial census and ongoing published estimates during triennial plan updates. These data sources, combined with informal reports from the community, help City of Pendleton Transit maintain a current understanding of local linguistic patterns. Changes to the LEP plan are determined by the City of Pendleton Transit and City of Pendleton Transit staff. It is important to monitor changes in demographics and types of services City of Pendleton will update the LEP as required by the U.S. DOT.

As this plan is designed to be flexible and should be viewed as a living document it is important that City of Pendleton always be considering whether new documents and services need to be made accessible for LEP persons. Due to this provision on-going research is currently focused on the minority populations to determine if translated documents are needed at this time.

## Employee LEP Training

City of Pendleton does not provide ongoing language assistance/ translation service to its staff. However it does provide staff with a guide of translations of common transportation phrases into Spanish. The City has a list of available certified court interpreters which staff can access when necessary.

## Minority Representation Table

	Caucasian	Hispanic/Latino	African American	Asian	Native American	Other/2 or more races
*Service Area Population	77%	12%	2%	1%	2%	6%
C of P Transit Committee	100%	0%	0%	0%	0%	0%

\*Data from the 2022 American Community Survey. Pendleton has a population of 16,841 in rural eastern Oregon.

## Title VI Equity Analysis

City of Pendleton Transit is aware of Title VI requirements to conduct equity analyses for all facility construction projects, **during** the planning stage. City of Pendleton Transit will follow requirements under the National Environmental Policy Act and other overarching planning processes to guide equitable consideration of facility sites and their impacts. A facility that results in Disparate Treatment may have substantial legitimate justification and lack of other alternatives. If so, both must be demonstrated in the planning process. Over the past three years, the City of Pendleton Transit has one facility construction project for a Bus Barn Facility with completion anticipated in 2024. The Bus Barn Facility required a Documented Categorical Exclusion. That study is in the process of review at the Federation Transportation Administration.

## Transit Service Amenities

There is no transit hub in the City of Pendleton. The City currently has 5 bus shelters within the City service area which are used by KAYAK Transit and the City of Pendleton Transit.

- Transit amenities are distributed throughout our system. The location of our present amenities was established by the City
- Approval of DEQ Categorical Exclusion process
- Ride demand volume
- Passenger requests
- Staff recommendations
- Public comment process
- Site availability and right of way partnerships

For future processes, amenity placement criteria will include (without being limited to):

#### Bus Shelters:

- Stops where boarding volume exceeds 200 passengers per month
- 80% of shelters shall be located in Census Tracts featuring a population density of at least 1,000 per square mile

#### Bus Stop Benches:

- Stops where boarding volume exceeds 100 passengers per month
- No less than 50% of bus stop benches shall be located in Census Tracts featuring a population density of at least 1,000 per square mile

#### Trash Receptacles:

- Stops where boarding volume exceeds 100 passengers per month
- Receptacle citing will be subject to agency ability to service (or obtain contract servicing) of regular collections

All transit amenities shall be cited in a manner consistent with racial and low income population distributions in the City.

### Vehicle Assignment Policy

Vehicles are assigned based on size and modal function. All of our vehicles are maintained to FTA's State of Good Repair standard. All of our buses have an equivalent level of amenities and ADA accessibility, relative to age and design. When new vehicles are purchased it is our practice to replace like with like. Given City of Pendleton Transit's maintenance standards as well as actions to reduce the size and age of their fleet, vehicle age does not serve as a proxy for condition in the City.

# Attachment A: Signed Policy Statement



## CITY OF PENDLETON

Office of the Mayor  
500 S.W. Dorion Avenue  
Pendleton, Oregon 97801  
Telephone (541) 966-0310  
FAX (541) 966-0201

August 23, 2018

Title VI of the Civil Rights Act of 1964 states:

"No person in the United States shall, on 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 City of Pendleton and the City of Pendleton Let'er Bus transit program are committed to complying with the requirements of the Title VI in all of its programs and activities.

Robb Corbett  
City Manager  
City of Pendleton

... Home of the World Famous Pendleton Round-Up ...



# Attachment B

## City of Pendleton TITLE VI COMPLAINT FORM

Use this form to file Title VI Complaint(s) with the City of Pendleton

<b>SECTION I</b>				
Name:				
Address:				
Telephone (Home):			Telephone (Work/Cell):	
E-Mail Address:				
Accessible Format Requirements--	Large Print		Audio Tape	
	TDD		Other	
<b>SECTION II</b>				
Are you filing this complaint on your own behalf?			<input type="checkbox"/> Yes*	<input type="checkbox"/> No
*If you answered "yes" to this question, go to Section III				
If your answer was "no", please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party.				
Please confirm you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>SECTION III</b>				
I believe the discrimination was based on (check all that apply): <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Other (specify) _____				
Date of Alleged Discrimination (Month, Day, Year) _____				
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use additional paper.				
<hr/> <hr/>				
<b>SECTION IV</b>				
Have you previously filed a Title VI complaint with this agency?			<input type="checkbox"/> Yes	<input type="checkbox"/> No
Have you filed this complaint with Federal, State or local agency, or with Federal or State court?			<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, check all that apply:				
<input type="checkbox"/> Federal Agency <input type="checkbox"/> Federal Court <input type="checkbox"/> State Agency <input type="checkbox"/> State Court <input type="checkbox"/> Local Agency				
Please provide contact information at the agency/court where the complaint was filed.				
Name:			Title:	
Agency:			Phone:	
Address:				

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

Signature \_\_\_\_\_ Date \_\_\_\_\_

Please submit this form in person or mail this form to the address below:

City of Pendleton  
 ATTN: Human Resource Department  
 500 SW Dorion Ave., Pendleton, OR 97801

**Ciudad de Pendleton**  
**FORMULARIO DE QUEJA DE DISCRIMINACIÓN**

Use este formulario para presentar una queja del Título VI con la Ciudad de Pendleton

<b>SECCIÓN I</b>				
Nombre:				
Dirección				
Teléfono (Casa):			Teléfono (Trabajo/Celular):	
Dirección de correo electrónico:				
Formato accesible Requisitos--	Letra Grande		Cinta de audio	
	TDD		Otro	
<b>SECCIÓN II</b>				
¿Está presentando esta queja en su propio nombre?			<input type="checkbox"/> Sí*	<input type="checkbox"/> No
*Si respondió "sí" a esta pregunta, vaya a la Sección III				
Si su contestador fue "no", indique el nombre y la relación de la persona por la que se queja:				
Por favor, explique por qué ha solicitado un tercero.				
Confirme que ha obtenido el permiso de la parte perjudicada si se presenta en nombre de un tercero.			<input type="checkbox"/> Sí	<input type="checkbox"/> No
<b>SECCIÓN III</b>				
Creo que la discriminación se basó en (marque todo lo que corresponda): <input type="checkbox"/> Carrera <input type="checkbox"/> Color <input type="checkbox"/> Origen nacional <input type="checkbox"/> Otro (Especificar) _____				
Fecha de presunta discriminación (mes, día, año) _____				
Explique lo más claramente posible qué sucedió y por qué cree que lo discriminaron. Describa todas las personas que estuvieron involucradas. Incluya el nombre y la información de contacto de las personas que lo discriminaron (si se conoce), así como los nombres y la información de contacto de los testigos. Si necesita más espacio, utilice papel adicional.				
<hr/> <hr/> <hr/>				
<b>SECCIÓN IV</b>				
¿Ha presentado anteriormente una queja por discriminación ante esta agencia?			<input type="checkbox"/> Sí	<input type="checkbox"/> No
¿Ha presentado la queja ante una agencia federal, estatal o local, o ante un tribunal federal o estatal?			<input type="checkbox"/> Sí	<input type="checkbox"/> No
En caso afirmativo, marque todo lo que corresponda: <input type="checkbox"/> Agencia federal <input type="checkbox"/> Corte federal <input type="checkbox"/> Agencia state <input type="checkbox"/> Corte state <input type="checkbox"/> Agencia local				
Por favor, proporcione información de contacto en la agencia / corte donde se presentó la queja.				
Nombre:			Título:	
Agencia:			Teléfono:	
Dirección:				

Puede adjuntar cualquier material escrito u otra información que considere relevante para su queja.

Firma \_\_\_\_\_ Fecha \_\_\_\_\_

Envíe este formulario en persona o envíelo por correo a la dirección que figura a continuación:

City of Pendleton  
 ATTN: Human Resource Department  
 500 SW Dorion Ave. Pendleton, OR 97801

# Attachment C: Log of Civil Rights Complaints

## City of Pendleton Transit Program Log of Civil Rights Complaints

Year: \_\_\_\_\_

Date Complaint Received	Description of Complaint (verbal or written)	Name of Complainant (Optional)	Date Civil Rights Complaint Form Completed

The City of Pendleton operates its programs and services without regard to race, color, or national origin in accordance with Title VI of the Civil Rights Act.

If you wish to file a Civil Rights program complaint of discrimination, complete the City of Pendleton complaint form.

Civil Rights Complaints Log

## Attachment D:

# Limited English Proficiency Plan (LEP)

### 1. LIMITED ENGLISH PROFICIENCY PLAN PURPOSE AND GOALS:

It is the purpose of the City of Pendleton Transit and its parent organization, City of Pendleton, to encourage meaningful access to its mobility programs and activities by persons with limited English proficiency (LEP) pursuant to the Title VI of the Civil Rights Act of 1964 and its implementing regulations in Federal Transit Administration (FTA) Circular 4702.18.

It is the goal of the City of Pendleton Transit management team to ensure that language assistance is reasonable, timely and effective.

### 2. DETERMINING LANGUAGES ELIGIBLE FOR LEP PROGRAMMING:

Languages into which the City of Pendleton Transit will translate its vital documents are defined by the Safe Harbor provision of FTA C 4702.1B Chapter III-9 Section 4(c) which state (in part):

The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each LEP language group that constitutes five percent (5%) or 1,000 persons whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient's written translation obligations.

The City of Pendleton Transit uses the latest census date for the City (Population Research Center at Portland State University and American Community Survey) to identify minority populations at risk of being underserved due to language barriers.

### 3. STRATEGIES FOR DELIVERY OF LEP CONTENT:

The City of Pendleton relies predominantly upon oral translation by staff or certified interpreters of vital documents to deliver mobility system information to people of limited English proficiency. With less frequency, the agency uses written translation of vital documents to deliver mobility system information.

When available and appropriate, City of Pendleton Transit utilizes documents that come in a uniform LEP language from FTA or ODOT Public Transit Division.

#### 4. DETERMINING WHICH DOCUMENTS ARE VITAL:

The City of Pendleton considers all of the following document types to be vital to a seamless access to public transit services and will provide translations upon request:

- Applications for service
- Bus passes and other forms or script
- Complaint forms and information on how to file
- Correspondence regarding public mobility services
- Information on provision of services to passengers with disabilities
- Notices advising LEP persons of availability of free language assistance
- Notices pertaining to service changes
- Notice of public outreach / comment meeting
- Notice of Right to Appeal (system suspensions, etc.)
- Rider guides and route pamphlets.

#### 5. EVALUATION AND MONITORING:

The LEP Plan is subject to the City of Pendleton Transit's triennial update rotation. During the update the agency:

- Assesses as accurately as possible the frequency with which it has (or should have) contact with LEP individuals from different language groups seeking assistance.
- Consider the frequency of different types of language contacts.
- Considers whether appropriate outreach to LEP persons could increase the frequency of contact with LEP language groups.
- Updates LEP groups by most recent census (or mid cycle estimate).
- Makes inquiry of Title III programs at Pendleton School District to anticipate emerging LEP groups before the present for service.
- Identifies staff training needs.