

Coquille Indian Tribe Public Transit

TITLE VI NON-DISCRIMINATION POLICY

Effective: September 1, 2021

Ref: FTA Circular 4702.IB Title VI and Title VI Dependent Guidelines for Federal Transit Administration Recipients

Purpose This policy establishes guidelines to effectively monitor that the Coquille Indian Tribe Public Transit (CITPT) is compliant 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 and to integrate considerations expressed in the DOT's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient ("LEP") Persons (70 FR 74087, December 14, 2005).

Policy This policy will be effective as of September 1, 2021, CITPT will ensure that its programs, policies, and activities all comply with the Department of Transportation's (DOT) Title VI regulations. The CITPT is committed to maintaining a public transit service that is free of all forms of discrimination. CITPT takes whatever preventive, corrective and disciplinary action necessary to deter and correct violations of this policy and the rights and privileges it is designed to protect.

Annual Title VI certification and assurance To ensure compliance 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 as set forth in 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 Website. The Tribe complies with this instruction annually to receive FTA funding. The Tribe prohibits discrimination in its provision of transit services on the basis of race, color, national origin or any other protected class.

Notification of beneficiaries of protection under Title VI In order to comply with 49 CFR Section 21.9(d), recipients shall provide information to the public regarding their Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by Title VI. Recipients that provide transit service shall disseminate this information to the public through measures that can include but shall not be limited to a posting on the agency's website. CITPT has information to this effect on its website as well as in all public transportation vehicles. **See Attachment B, Title VI Public Notice.**

Title VI Public Participation Plan FTA Circular 4702.IB requires that recipients maintain a public participation plan that includes an outreach plan to engage minority and limited English proficient populations. (**Attachment G**) The Tribe publishes meeting notices on the Tribe's web-based portal, Tribal calendar and Tribal newspaper.

The CITPT Advisory Committee will review the Coordinated Human Services Public Transportation Plan biannually at a series of meetings with the public and affected agencies. The Plan will set the long-term operating and capital strategy for the CITPT, including a paratransit element and the Title VI Plan. At these public meetings attendees will be asked if they require special assistance or facilities to participate. Notices will be posted in prominent places such as CITPT vehicles to draw attention to

upcoming public meetings.

Provision for meaningful access to Limited English Proficient (LEP) persons The FTA requires that grant recipients take reasonable steps to ensure those persons with limited English proficiency (LEP) have meaningful access to the benefits, services, information, and other important portions of their programs and activities. The Tribal website, brochures and other printed materials are primarily designed for an English-speaking audience. However printed materials written in Spanish are available on request. The Coquille Tribal website coquilletribe.org also contains contact information written in English and Spanish for the benefit of Spanish speaking passengers.

As a Tribal program, the Tribe has chosen to use its STF/STIF Committee as a transit-related advisory committee. The Tribe is a subrecipient of FTA funds. See ***Attachment C, LEP Plan***.

Development of Title VI complaint Procedures In order to comply with 49 CFR Section 21.9(b), recipients shall develop 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. The CITPT complaint procedures and public instructions are ***Attachments D (Complaint Procedures) and E (Complaint Forms - English and Spanish)***.

Record Keeping of Title VI investigations, complaints and lawsuits In order to comply with 49 CFR Section 21.9(b), recipients shall prepare and maintain a list of any active investigations conducted by entities other than the FTA, lawsuits, or complaints naming the recipient that allege discrimination on the basis of race, color, national origin or any other protected class. This list shall include the date of the investigation, lawsuit or complaint 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. For future reporting CITPT will use the FTA suggested format.

In the last three years, CIT has had no issues, investigations, complaints or lawsuits. Attachment F will be included in the Title VI Program submitted to FTA every three years.

See ***Attachment F, Form To Use In Reporting Transit-Related Title VI Investigations, Complaints, and Lawsuits***.

Service Standards For Fixed Route Transit The Tribe does not operate a fixed route transportation program and therefore is not required to develop quantitation standards related to vehicle loads, etc.

Provision of additional information upon request At the discretion of the FTA, information other than that required by the referenced circular may be requested, in writing, from a recipient in order to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI requirements. The Tribe's Assistant Health and Human Services Administrator for Community Services and the transit supervisors are available to provide additional information as needed and to respond to any inquiry.

Preparation and submission of the Title VI Compliance Program FTA requires recipients to report certain general information to determine their compliance with Title VI. The collection and reporting of this program constitute the recipient's Title VI Program. To ensure compliance with 49 CFR Section 21.9(b), FTA requires that all recipients document their compliance with this chapter by

submitting a Title VI Program to FTA's regional civil rights officer once every three years.

Prohibition of Discrimination CITPT prohibits any act or omission of an act that would prevent the use of or exclude a person from access to public transportation based on race, color, national origin or any other protected class.

Responsibilities All employees of the CITPT program shall follow these guidelines in a manner that reflects Tribal policy. Managers who receive information regarding a violation(s) of this policy shall determine if there is any basis for the allegation and shall proceed with resolution, as stated in the sections Manager Responsibility and/or Investigation of Complaints and Appeal Process.

Supervisor Responsibility. To ensure compliance with Title VI and all US DOT Circulars, each manager shall:

- A) Ensure that there are no barriers to service accommodation. Ensure that no discriminatory activity exists which would prevent public transit usage or access.
- 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 Transit Manager in writing of the circumstances surrounding any reported allegations of discrimination no later than the next business day.

This Title VI Plan was reviewed and approved by the Executive Director for the Coquille Indian Tribe:

Dated this _____ day of November, 2021

By: _____
Kathryn Halverson, CEO
Ko-Kwel Wellness Center

Attachment A
CIT Title VI Policy Statement

September 1, 2021

Title VI of the Civil Rights Act of 1964 states:

“No person in the United States shall, on the 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 CITPT is committed to complying with the requirements of Title VI, in all its programs and activities, and will not permit any discrimination in its public service and accommodations, based on race, color, national origin, or any other protected class.

Chief Executive Officer
Ko-Kwel Wellness Center

Attachment B

Title VI Public Notice (Post in all CITPT facilities and vehicles)

YOUR RIGHTS UNDER TITLE VI COQUILLE INDIAN TRIBE (CIT)

- The CIT operates its transportation program and services without regard to race, color, or national origin in accordance with Title VI of the Civil Rights Act. Any person who believes they have been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the Ko-Kwel Wellness Center.
- For more information on the CIT's Title VI Plan and the procedures to file a complaint, contact Lisa Mielke, Assistant Health and Human Services Administrator at 630 Miluk Drive, Coos Bay, OR 97420.
- You may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.
- If information is needed in another language, contact the Ko-Kwel Wellness Center at 541-888-9494. **Si se necesita información en otro idioma, comuníquese con el Departamento de Planificación al 541-888-9494.**

**Attachment C
LIMITED ENGLISH PROFICIENCY (LEP) PROGRAM**

CITPT is required to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of our programs and activities of individuals who are Limited English Proficient (LEP). CITPT consulted the US DOT's LEP Guidance and performed a four-factor analysis of its contact with the public to determine the appropriate mix of LEP services to offer.

Four-Factor Demographic Analysis:

1) The number or proportion of LEP persons in the service area.

Data gathered from the following sources to identify information on persons who speak languages other than English at home and who speak it less than well or not at all and would be classified as limited English proficient or "LEP":

- a. 2010 Census Data.

A review of the data from source listed, revealed that the main minority language spoken throughout the transit service area is Spanish.

Total service area population (as of 2010):	701,130
Spanish spoken at home:	35,932
English spoke less than very well:	13,117
Other Indo-European languages:	11,781
English spoke less than very well:	3,065
Asian Pacific Islander languages:	8,388
English spoke less than very well:	2,510
Other languages:	1,691
English spoke less than very well:	473

A review of the above demographic data revealed that the main minority language spoken throughout the transit service area is Spanish.

2) Frequency with which LEP individuals come into contract with the service.

Since commencement of CITPT operations, there has not been a request for materials in an alternative form other than English. This will be reviewed annually.

3) The nature and importance of service provided by CITPT

CITPT provides important, on-demand transit services to the Tribal community through its mobility program. CITPT is one of only a few transportation providers in Coos, Curry, Douglas, Jackson and Lane counties. Due to the rural location of Tribe's reservation, the CITPT provides an important line in the continuum of transportation services.

4) The resources available to the recipient of the federal funds to assure meaningful access to the service by LEP persons.

CITPT will inform LEP persons of language assistance on published documents, forms and brochures. Employees will be made aware of the resources available.

Title VI Implementation Plan:

Based on the four-factor analysis, CITPT recognized the need to continue providing improved Spanish language services in the service deliver area. A review of CITPT programs being offered as of September 2021 includes:

- Spanish speaking translators, available upon request during normal business hours.
- Future transit surveys conducted by CITPT will be made available in Spanish.
- Prior to public meetings, citizens are asked if they require Spanish language literature.
- Spanish language signs are fitted to each bus, prompting passengers to call a Spanish speaking dispatcher.
- CITPT works with area agencies that are expected to have minority participation such as Coos County Area Transit District, Coquille Indian Tribal Housing Authority as well as social, education and business groups.

Attachment D Discrimination Complaint Procedure

Any person who believes that they have been discriminated against on the basis of race color, or national origin by the Coquille Indian Tribe Public Transit (CITPT) in its performance of public transit services may file a Title VI complaint by completing and submitting a Title VI Complaint Form (Attachment E) to:

Coquille Indian Tribe
Ko-Kwel Wellness Center
630 Miluk Drive
Coos Bay, OR 97420
Attention: AHHSA

The CITPT investigates complaints received no more than 180 days after the alleged incident. Any such complaint must be in writing and filed with the Coquille Indian Tribe within 180 days following the date of the alleged discriminatory occurrence. For more information on how to file a complaint, contact the Coquille Tribe by one of the methods below.

Mail

Coquille Indian Tribe
Ko-Kwel Wellness Center
630 Miluk Drive
Coos Bay, OR 97420
Attention: AHHSA

Phone

541-888-9494

Email

lisamielke@coquilletribe.org

Once the complaint is received, the Assistant Health and Human Services Administrator (“AHHSA”) will review it to determine if the Ko-Kwel Wellness Center has jurisdiction. The complainant will receive an acknowledgement letter within ten (10) business days informing complainant whether the complaint will be investigated by the Health and Human Services Administrator (“HHSA”).

The HHSA has 90 days to investigate the complaint. If more information is needed to resolve the case, the HHSA may contact the complainant. The complainant has 30 calendar days from the date of the additional fact-finding letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 30 calendar days, The HHSA can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue the case.

After the investigator reviews the complaint, one of two letters will be sent to the complainant: a closure or a letter of finding (LOF). A closure letter summarizes the allegations, states that

there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, they have 30 days after the date of the closure letter or the LOF to do so.

A person may also file a complaint directly with the Federal Transit Administration at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590 or with the Oregon Department of Transportation Office of Civil Rights-MS 23, 3930 Fairview Industrial Drive SE, Salem, OR 97302.

Attachment E

Title VI Complaint Form

Use this form to file any Title VI complaint with the Ko-Kwel Wellness Center

Section I:				
Name:				
Address:				
Telephone (Home):			Telephone (Work/Cell):	
E-mail address:				
Accessible format requirements?	Large Print		Digital audio	
	TTY		Other	
Section II:				
Are you filing this complaint on your own behalf?		Yes* <input type="checkbox"/>		No <input type="checkbox"/>
*If you answered "yes" to this question, go to Section III				
Otherwise, please supply the name and relationship of the person on whose behalf you are complaining: _____				
Please explain why you have filed for a third party:				
Please confirm that you have obtained permission of the aggrieved party if you are filing on behalf of a third party.			Yes <input type="checkbox"/>	No <input type="checkbox"/>
Section III:				
I believe the discrimination I experienced was based on (check all that apply):				
[] Race [] Color [] National Origin [] Other (specify) _____				
Date of alleged discrimination (mo/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 any witnesses. If more space is needed, please use the back of this form.				
Section IV:				
Have you previously filed a Title VI complaint with this Tribe?			Yes <input type="checkbox"/>	No <input type="checkbox"/>

Section V:		
Have you filed this complaint with any other tribal, federal, state or local agency or with any tribal, federal or state court?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If you answered "yes", specify the agency or court _____.		
Please provide information about a contact person at the agency/court where the complaint was filed.		
Name:		
Title:		
Agency:		
Address:		
Telephone:		
Section VI:		
Name of agency complaint is against:		
Contact person:		
Title:		
Telephone number:		

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 by mail at the address below:

Coquille Indian Tribe
 Ko-Kwel Wellness Center
 630 Miluk Drive
 Coos Bay, OR 97420
 Attention: Asst Health and Human Services Administrator

Adjunto E

Formulario de quejas del Título VI

Utilice este formulario para presentar cualquier queja del Título VI ante el Ko-Kwel Wellness Center

Sección I:				
Nombre:				
Dirección:				
Teléfono (Casa):		Teléfono (trabajo / celular):		
Dirección de correo electrónico:				
¿Requisitos de formato accesible?	Letra grande		Audio digital	
	TTY		Otro	
Sección II:				
¿Está presentando esta queja en su propio nombre?	Sí * <input type="checkbox"/>		No <input type="checkbox"/>	
* Si respondió "sí" a esta pregunta, vaya a la Sección III				
De lo contrario, proporcione el nombre y la relación de la persona en cuyo nombre presenta la queja: _____				
Explique por qué ha presentado una solicitud a nombre de un tercero: _____ _____				
Confirme que ha obtenido el permiso de la parte agraviada si presenta la solicitud en nombre de un tercero.		Sí <input type="checkbox"/>		No <input type="checkbox"/>
Sección III:				
Creo que la discriminación que experimenté se basó en (marque todo lo que corresponda): [] Raza [] Color [] Origen nacional [] Otro (especificar) _____ Fecha de la presunta discriminación (mes / día / año) _____ Explique lo más claramente posible lo que sucedió y por qué cree que fue discriminado. Describa todas las personas involucradas. Incluya el nombre y la información de contacto de los testigos. Si necesita más espacio, utilice el reverso de este formulario. _____ _____				
Sección IV:				
¿Ha presentado anteriormente una queja de Título VI con esta tribu?	Sí <input type="checkbox"/>		No <input type="checkbox"/>	
Sección V:				
¿Ha presentado esta queja ante cualquier otra agencia tribal, federal, estatal o local o ante cualquier tribunal tribal, federal o estatal?	Sí <input type="checkbox"/>		No <input type="checkbox"/>	
Si respondió "sí", especifique la agencia o el tribunal _____.				
Proporcione información sobre una persona de contacto en la agencia / tribunal donde se presentó la queja.				

Nombre:
Título:
Agencia:
Dirección:
Teléfono:
Sección VI:
Nombre de la agencia que presenta la queja en contra:
Persona de contacto:
Título:
Número de teléfono:

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

Firma

Fecha

Envíe este formulario en persona o por correo a la siguiente dirección:

Tribu Indígena Coquille
Centro de bienestar Ko-Kwel
630 Miluk Drive
Coos Bay, OR 97420
Atención: Administrador auxiliar de salud y servicios humanos

Attachment F

FORM FOR CITPT TO USE IN REPORTING TRANSIT-RELATED TITLE VI INVESTIGATIONS, COMPLAINTS AND LAWSUITS

CITPT must prepare and maintain a list of any of the following that allege discrimination on the basis of race, color or national origin:

- Active investigations conducted by FTA and entities other than FTA;
- Lawsuits; and
- Complaints naming the recipient.

This list must include the date that the transit-related Title VI 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 CITPT in response, or final findings related to the investigation, lawsuit or complaint. This list must be included in the Title VI Program submitted to FTA every three years.

For this purpose, CITPT will use the following form when submitting its 3-year report.

List of Investigations, Lawsuits and Complaints

	Date (Mo/Day/Yr)	Summary (include basis of complaint: race, color, national origin)	Status	Action(s) taken
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				
Complaints				
1.				
2.				

Attachment G

CITPT OUTREACH/PARTICIPATION PLAN

- Spanish is the most predominant non-English language spoken in the CITPT service area.
- CITPT will distribute user handbooks to passengers printed in both English and Spanish.
- The handbook will include a statement of public rights under Title VI
- Copies of the handbook will be made available at the Coquille Indian Housing Authority.
- CITPT management staff will avail themselves of opportunities and offer operators training in job-related Spanish