

**Mid-Columbia Economic Development
District (MCEDD)**

TITLE VI PLAN

Adopted June 15, 2017

Revised February 2018

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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.

As operator of The Link Public Transit service in The Dalles, Oregon, Mid-Columbia Economic Development District (MCEDD) is committed to ensuring that no person is excluded from participation in, or denied the benefits of its programs and services on the basis of race, color, sex, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B

Title VI Complaint Procedures

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

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

How to file a Title VI Complaint

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

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

A form is available at <http://www.mcedd.org/about/policies>, which may be completed for this purpose. (Attachment B)

The complaint may also be filed in writing with MCEDD at the following address:

Mid-Columbia Economic Development District
802 Chenoweth Loop Road W
The Dalles, OR 97058
By phone: 541-296-2266

NOTE: MCEDD encourages all complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily. For complaints originally submitted by facsimile, an original, signed copy of the complaint must be mailed to the Title VI Coordinator as soon as possible, but no later than 180 days from the alleged date of discrimination.

What happens to your complaint after it is submitted to MCEDD?

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

MCEDD shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, MCEDD 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, MCEDD will contact the complainant in writing. Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information within thirty (30) calendar days may result in the administrative closure of the complaint.

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

How you will be notified of the outcome of your complaint

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

A written appeal requesting review of a determination of unlawful denial of access or accommodation to services must include the customer's name, address, and telephone contact number. A statement of reason(s) why the applicant believes the denial of accommodation request or access to services was inappropriate is recommended. The MCEDD Board of Directors will set a mutually agreed-upon time and place for the review process with the applicant and/or representatives within 30 days of the request. The applicant may submit documents or other information to be included with the record and considered in the review process. Anyone needing special accommodations may contact MCEDD at 541-296-2266 for assistance.

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

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

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

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

Washington State Department of Transportation
Public Transportation Division
Attn: Title VI Coordinator
PO Box 47387
Olympia, WA 98504-47387

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, MCEDD shall endeavor to eliminate said practice by means of a Remedial Action Plan. The Remedial Plan shall include: a list of all corrective actions accepted by the agency; description of how the corrective action will be implemented; and a written assurance that the agency will implement the accepted corrective action in the manner discussed in the plan.

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

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

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

[Recording Title VI Investigations, Complaints and Lawsuits](#)

In order to comply with 49 CFR Section 21.9(b), MCEDD prepares and maintains a list of any active investigations conducted by entities other than the FTA, lawsuits, or complaints naming MCEDD 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 MCEDD Title VI Complaint Coordinator (Office Administrator) maintains these files until closed. The MCEDD 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 and/or WSDOT as the grantor of the funds as required.

Additional Information Upon Request

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

Board Composition and Minority Representation on Non-Elected Bodies

Mid-Columbia Economic Development District is overseen by a Board of Directors, and the table depicting the membership of this Board as of June 2022 is depicted in the table below.

	Caucasian	Hispanic or Latino	Black or African American	Asian	Native Hawaiian	American Indian or Alaskan Native	Two or more races	Other
Population (2020 Census)	66,424	15,962	324	918	311	2,149	9,978	7,184
MCEDD Board of Directors	18	1	0	0	0	1	1	0

For the Board of Directors and Committees advising the MCEDD Board and transportation operations, MCEDD encourages participation of minorities on the Board and committees in the following manners:

- Posting information about the ability to participate on our website, through our social media platforms and through our newsletter.
- Sending press releases to the local newspapers in our regional service area.
- Conducting direct outreach to organizations and agencies representing the interests of minority populations and/or providing direct services to minority individuals.

Record of Title VI or Other Civil Rights Investigations, Complaints or Lawsuits

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

Limited English Proficiency Plan

MCEDD is committed to breaking down language barriers by implementing consistent standards of language assistance across its service area. MCEDD has adopted an updated Limited English Proficiency Plan as part of our Title VI policy. The plan is attached.

Notifying Beneficiaries of Their Rights Under Title VI

Our website includes our Title VI policy and complaint form. The website also states the Anti-Discrimination Statement as listed in this plan. MCEDD's Title VI policy and complaint form are also posted at MCEDD's office (802 Chenoweth Loop Road W, The Dalles, OR). The Title VI Compliance Statement is included in rider guides and bus schedules as appropriate. Finally, the Title VI Compliance Statement is posted inside vehicles used for public transportation. Individuals who believe they have been discriminated against may request a complaint form from the Office Administrator at MCEDD's office.

Analysis of Construction Projects

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

Inclusive Public Participation

Community Outreach is a requirement of Title VI. MCEDD 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 population, the public involvement process, and the resources of MCEDD. MCEDD has engaged the public in its planning and decision-making processes, as well as its marketing and outreach activities. MCEDD also follows public notification regulations as required by any federal funds received by MCEDD. Specific outreach mechanisms that are and will be employed by MCEDD include:

- In accordance with Oregon public meeting law, all public meetings, including transportation planning meetings, are advertised in local newspapers and open to the general public.
- Providing flexibility in scheduling meetings at times and locations that are accessible, including: a) holding meetings at various times, including after usual working hours and b) holding meetings at locations with access to transit, such as The Dalles Transit Center and c) holding meetings in the community such as at the library and senior center and d) always offering a virtual option.
- Individuals requiring an interpreter or other accommodations are encouraged to contact MCEDD in advance of meetings to allow for accommodations to be made.
- Engaging with partner entities directly serving minority populations to provide communication and outreach in the most direct and accessible manner.
- MCEDD's website includes a language translator that allows all web pages and materials to be translated into almost any language.
- MCEDD uses social media, including a Twitter account and Facebook page to post information and provide opportunities for public input and comment. In addition, a monthly newsletter is directly emailed to individuals requesting a copy. Current there are over 900

recipients. This communication method allows for additional opportunities to disseminate information about meetings and services.

- MCEDD partnered with the Next Door, Inc/Nuestra Comunidad Sana to provide rider information in plain language and to develop and air novellas on Radio Tierra. MCEDD also partnered with them to hold focus groups for Latino/a/Hispanic and Native American communities in the Gorge as part of the five-year update for the Comprehensive Economic Development Strategy.
- MCEDD embarked on an “Everybody Rides” campaign to assist individuals in better understanding their transportation system and recognizing that it is a resource available to all community members.
- MCEDD translated the summary version of the Comprehensive Economic Development Strategy into Spanish, as well as brochures marketing The Link Public Transit.

Anti-Discrimination Statement/Title VI Policy

Anti-Discrimination Statement: Mid-Columbia Economic Development District and Gorge TransLink Alliance members are affirmative-action, equal-opportunity employers. Public Transportation services are available to all without regard to race, color, national origin, gender, gender identity, religion, age, height, weight, disability, political beliefs, sexual orientation, marital status, family status or veteran status.

Declaración de Anti-discriminación: Mid-Columbia Economic Development District y los miembros de la Gorge TransLink Alliance son empleadores de acción afirmativa e igualdad de oportunidades. Servicios de transporte públicos son disponibles a todos sin importar raza, color, origen nacional, genero, identidad de genero, religión, edad, altura, peso, incapacidad, creencias políticas, orientación sexual, estado de matrimonio , estado familiar o si es veterano de guerra.

MCEDD’s Title VI policy and complaint form are posted on the MCEDD website (<http://www.mcedd.org/about/policies/>) and at MCEDD’s offices (located at 802 Chenoweth Loop Road, The Dalles, OR). Title VI notification forms and complaint forms are available in English and Spanish. Individuals who believe they have been discriminated against may request a complaint form from the Office Administrator at MCEDD’s office.

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

Purpose

The purpose of this policy is to establish guidelines to effectively monitor and ensure that the Mid-Columbia Economic Development District (MCEDD) is in compliance with all FTA Title VI requirements and regulations in order to carry out the provisions of the Department of Transportation’s (DOT) Title VI Regulations at 49 CFR Part 21.

Authorities

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

Policy Statement

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

Responsibilities

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

Certification and Assurance

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

ATTACHMENT B

Title VI Complaint Form

Section I:				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
Section II:				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
If not, 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 that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No
Section III:				
I believe the discrimination I experienced was based on (check all that apply):				
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin				
Date of Alleged Discrimination (Month, Day, Year):				
<p>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 the back of this form.</p>				
Section IV:				
Have you previously filed a Title VI complaint with this agency?			Yes	No
Section V:				
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?			Yes	No

If yes, check all that apply:

Federal Agency: _____

Federal Court: _____

State Agency: _____

State Court: _____

Local Agency: _____

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

Name:	Agency:
Title:	Telephone:
Address:	

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 and date required below:

_____	_____
Signature	Date

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

MCEDD
 802 Chenoweth Loop Road W
 The Dalles, OR 97058

Notification of Compliance with Title VI

In order to comply with 49 CFR Section 21.9 (d) MCEDD has posted information for the public regarding the Title VI obligations and protections against discrimination afforded to the public by Title VI on the MCEDD website. MCEDD has also posted the following notice of compliance with Title VI, which is visible to the public at the MCEDD office and directs the public to the MCEDD website and to the appropriate phone number to inquire for more information. Additionally, this information is available upon request.

Notification of Compliance with Title VI

Mid-Columbia Economic Development District (MCEDD) complies with Title VI and Title VI Dependent Guidelines for Federal Transit Administration Recipients. Title VI obligations and protections against discrimination afforded to the public by Title VI can be found on the MCEDD website at <http://www.mcedd.org>. This information is also available upon request, please inquire inside office or contact Title VI Complaint Coordinator at (541) 296-2266.

Notificación de la conformidad con Title VI

El Distrito del Desarrollo Económico de Mid-Columbia (MCEDD) se conforma con las pautas dependientes del Title VI y del Title VI para los recipientes federales de la administración del tránsito. Las obligaciones y las protecciones del Title VI contra la discriminación producida al público por Title VI se pueden encontrar en el Web site de MCEDD en <http://www.mcedd.org>. Esta información está también disponible a petición, investiga por favor dentro de oficina o entra en contacto con a coordinador de la queja del Title VI en (541) 296-2266.