

10/5/2023

BCC Agenda Date/Item: \_\_\_\_\_

Board of County Commissioners  
 Clackamas County

**Approval of a Board Order approving an updated Social Services Title VI Civil Rights plan for Transportation programs. No fiscal impact. No County General Funds are involved.**

|                                     |  |                           |              |
|-------------------------------------|--|---------------------------|--------------|
| <b>Previous Board Action/Review</b> | Issues on 10/3/2023. Original plan approved on 10/24/2019  |                           |              |
| <b>Performance Clackamas</b>        | 1. Build a strong infrastructure by providing transportation alternatives.<br>2. Ensure safe, healthy and secure communities by addressing needs of older adults in the community. |                           |              |
| <b>Counsel Review</b>               | Yes – AN 4/30/23   | <b>Procurement Review</b> | No           |
| <b>Contact Person</b>               | Brenda Durbin  | <b>Contact Phone</b>      | 503-655-8641 |

**EXECUTIVE SUMMARY:**

The Social Services Division of the Department of Health, Housing and Human Services requests approval of an updated Title VI Civil Rights plan for transportation programs in order to comply with Federal Transit Administration requirements. Social Services Division receives funding from the Federal Transit Administration via the Oregon Department of Transportation’s Rail and Public Transit Division, for its transportation programs, including the Mt Hood Express and the Transportation Reaching People program, The Federal Transit Administration requires that all recipients of federal funds complete a Title VI Civil Rights Plan specific to transportation programs to be in compliance with federal law. The plan including procedures for notifying the public of their rights, filing complaints, public participation, addressing the needs of citizens with limited English proficiency and analysis of services offered to ensure equity is considered in transportation decisions.

The updates have been approved by the Oregon Department of Transportation’s Civil Rights Office. Updates to the plan include updated contact information, equity statistics, removal of fixed route service standards that are no longer required by the state, and updated website links.

There is no fiscal impact to the implementation of this plan.

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Clackamas County will deliver approximately 9,000 rides on two STIF funded Mt Hood Express Runs, approximately 25,000 Clackamas Connects Shuttle Rides, and approximately 50,000 Elderly and Disabled rides between Transportation Reaching People and the Clackamas County Senior Centers.

**RECOMMENDATION:**

Staff recommends approval of this agreement and requests Tootie Smith, Board Chair, or her designee, sign on behalf of Clackamas County

Respectfully submitted,

*Rodney A. Cook*

Rodney A. Cook, Director  
Health, Housing and Human Services

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF CLACKAMAS COUNTY, OREGON**

In the Matter of Approving the  
Title VI Civil Rights Plan for  
Transportation Programs Operated  
By Clackamas County  
Social Services Division



Resolution No. \_\_\_\_\_  
*Page 1 of 1*

WHEREAS, the Department of Health, Housing, and Human Services' Social Services Division of Clackamas County updated a 2019-2022 Title VI Plan that was approved by the Board of Commissioners on October 24, 2019 and

WHEREAS, it further appears that the approval of a Title VI Civil Rights Plan for transportation programs operated by the Department of Health, Housing and Human Services' Social Services Division is required to continue to receive Federal Transportation Administration and Oregon Department of Transportation's' Rail and Public Transit Division funding; and

WHEREAS, it further appears that any entity wishing to continue to operate public and community based transportation programs must be in compliance with federal law regarding Title VI Civil Rights requirements.

NOW THEREFORE BE IT RESOLVED that this document serve as notification to the Federal Transit Administration and Oregon Department of Transportation's Rail and Public Transit Division of Clackamas County's approval of its Social Services Division's Title VI Civil Rights Plan and its intent to fully implement all elements of that plan as required by law.

**DATED** this 5th day of October, 2023

**BOARD OF COUNTY COMMISSIONERS OF THE  
OF CLACKAMAS COUNTY, OREGON**

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Tootie Smith, Board Chair

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Recording Secretary

**Clackamas County  
Social Services Division**



# **Title VI Civil Rights Plan: Transportation Services**

*Effective 2023-2026*

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## **Introduction**

Clackamas County Social Services Division (SSD) has been providing transportation services throughout the county for over 20 years. SSD currently operates three transportation programs: Transportation Reaching People, #ClackCo Shuttles and the Mt. Hood Express. SSD is also the lead agency for the Clackamas County Transportation Consortium.

The Transportation Reaching People (TRP) program is a demand response service that operates with Ride Connection owned vehicles and paid drivers as well as volunteer drivers operating personally owned vehicles and cab rides throughout the county. These services are available to seniors and persons with disabilities.

#ClackCo Shuttles is a public transit service operated in both Oregon City and the Clackamas Industrial area in Clackamas County. The service is designed to help transit users have first and last mile transit services that help them connection to TriMet, work, school, and other essential locations. This service is open to the general public.

The Mt. Hood Express (MHX) is a public transit service operated between Sandy and the communities along Highway 26 to Government Camp and Timberline Lodge. The service has two elements. The Express service is a commuter service that provides six to seven runs daily between Sandy and Timberline with limited stops. The Villages Shuttle provides point deviated fixed route services in the Villages at Mt Hood area between Sandy and Rhododendron. These services are open to the general public.

SSD is the lead agency in a partnership called the Clackamas County Transportation Consortium. Senior and community centers in Sandy, Molalla, Estacada, Hoodland, Milwaukie, Oregon City, Gladstone, Lake Oswego, and Canby partner to provide demand response services in their communities. Consortium members provide rides in Ride Connection or center owned vehicles with paid drivers or dispatch volunteers from the TRP program. These services are available to seniors and persons with disabilities.

Looking toward the future, Clackamas County will be receiving funds from the State Transit Improvement Fund (STIF). HB2017 approved a payroll tax on all employees that will be used to fund public transit projects. All future transit projects funded under this new source will be conducted in compliance with Title VI requirements and will be included as part of this plan.

This Title VI plan and complaint process is specific to the Clackamas County transportation programs and ensures that Clackamas County is in compliance with FTA regulations. In alignment with the Clackamas County Title VI Compliance Plan, it is Clackamas County Social Services policy to assure that no person shall, on the grounds of race, color, national origin, age, sex, disability, income level or Limited English Proficiency as provided by Title VI of the Civil Rights Act of 1964 and related authorities, be excluded from participation in, be denied the

benefit of, or be otherwise discriminated against under any of the programs or activities it administers. The complete Clackamas County Title VI plan for the entire scope of county services. The plan and complaint forms can be found on the county website:

<https://www.clackamas.us/diversity/titlevi.html>

### **Purpose**

Clackamas County Social Services Division (SSD) is deeply committed to providing equitable, nondiscriminatory, and accessible transportation services in all of its programs and to maintaining the highest standards of customer service with all of the communities it serves.

All services are provided in full compliance with 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. SSD's Title VI plan will outline the elements of compliance with applicable rules and regulations.

### **Requirements**

#### **Title VI Notice to the Public**

SSD posts the following notice in its main lobby, in all vehicles operated by SSD and its partners, and on the county and MHX websites.

Clackamas County operates its programs without regard to race, age, religion, color, sex, national origin, physical or mental disability, marital or veteran status, sexual orientation, gender identity or any other characteristic protected by law in accordance with Title VI of the Civil Rights Act, ORS Chapter 659A or other applicable law. To request additional information on Clackamas County Title VI nondiscrimination requirements or to file a complaint, please call (503) 655-8640 or email

[SocialServiceInformationComplaint@co.clackamas.or.us](mailto:SocialServiceInformationComplaint@co.clackamas.or.us)

**Clackamas County respeta los derechos civiles** Clackamas County opera sus programas sin importar la raza, edad, religión, color, sexo, país de origen, discapacidad física o mental, estado civil o de veterano, orientación sexual, identidad de género ni cualquier otra característica protegida por la ley de acuerdo al Título VI de la Ley de Derechos Civiles, ORS Capítulo 659A o cualquier otra ley aplicable. Para solicitar información adicional sobre el Título VI de Clackamas County, los requisitos de no discriminación, o para presentar una queja; favor de llamar al: (503) 655-8640 o por correo Electrónico a

[SocialServiceInformationComplaint@co.clackamas.or.us](mailto:SocialServiceInformationComplaint@co.clackamas.or.us)

**Округ Клакамас соблюдает гражданские права** Округ Клакамас предлагает услуги своих программ независимо от расового происхождения, возраста, вероисповедания, цвета кожи, пола, национальности, физических или психических функциональных

нарушений, семейного положения или статуса ветерана войны, сексуальной ориентации, идентификации пола и любых других характеристик, подлежащих защите от дискриминации в соответствии с разделом VI закона США «О гражданских правах» и (или) разделом 659А свода законодательных постановлений правительства штата Орегон, а также предусмотренных любыми другими применимыми законами. Чтобы запросить дополнительную информацию о наших требованиях недискриминации в Разделе VI или подать жалобу, пожалуйста, звоните (503)655-8640 или по электронной почте [SocialServiceInformationComplaint@co.clackamas.or.us](mailto:SocialServiceInformationComplaint@co.clackamas.or.us)

### **Title VI Complaint Procedure**

Any person who believes that he or she has been discriminated against on the basis of race, color, national origin, or any other characteristic protected by law by Clackamas County Social Services Division (SSD) may file a Title VI complaint by completing and submitting a Title VI Complaint form. This form, attached as part of Appendix A, is available to county staff on the SSD intranet. SSD investigates all Title VI complaints received no more than 180 days after the alleged incident. SSD will process complaints that are complete. If an individual is unable to complete the form for any reason, a verbal complaint will be filed on the individual's behalf and appropriate assistance will be rendered by staff to assist in obtaining the necessary information, including providing translation or interpretation services (see SSD Grievance procedure included as part of Appendix A and LEP policy in Appendix B).

Once a complaint is received, SSD will review the complaint to determine if SSD has jurisdiction. The complainant will receive an acknowledgement letter informing him/her whether the complaint will be investigated by SSD.

SSD has 30 days to investigate the complaint. If more time is needed to resolve the case, SSD may contact the complainant. The complainant has 10 business days from the date of the request for additional information to respond to the investigator. If the investigator does not receive the requested information within 10 business days, the investigator can administratively close the case. A case can be administratively closed if the complainant no longer wishes to have the case reviewed.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. A 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, she/he has 30 days after the date of the LOF to do so.

Complaints may also be filed directly with Clackamas County:

Civil Rights Coordinator



Clackamas County, County Administration,  
2051 Kaen Rd., Suite 450, Oregon City, OR 97045  
[CivilRights@clackamas.us](mailto:CivilRights@clackamas.us)  
503-655-8581

Complaints may also be directly filed with the Federal Transit Administration:

FTA Office of Civil Rights  
1200 New Jersey Ave. SE  
Washington DC 20590  
[www.fta.dot.gov/contact-us.html](http://www.fta.dot.gov/contact-us.html)

TTY: 1-800-8778339  
Voice 1-866-377-8642  
VCO: 1-877-877-6280

**Transit Related Title VI Investigations, Complaints and Lawsuits List:**

Clackamas County Social Services Division (SSD) will maintain a complete log of all Title VI complaints received related to transit civil rights complaints. This list will be submitted to Oregon Department of Transportation Rail and Public Transit Division on an annual basis.

The log will include the following elements:

- Date of complaint
- Summary of allegation(s)
- Actions taken in response to the complaint
- Final outcome (if resolved)

The log will include the following:

- Active investigations by the FTA, SSD or other entity based on race, color or national origin discrimination allegations
- Lawsuits based on race, color or national discrimination allegations
- Complaints naming SSD which are based on race, color or national origin discrimination allegations

The log is included as Appendix C.

**Public Participation Plan**

Clackamas County Social Services' governing board, the Clackamas County Board of County Commissioners, typically meets on a weekly basis. Their weekly agenda is published online and

made available in other formats as requested. These meetings follow public meeting law and are open to the public.

SSD's four advisory boards, the Community Action Board, the Area Agency on Aging Advisory Council, the Developmental Disabilities Advisory Board and the Veterans Services Advisory Council, all meet on a monthly basis. Information about these meetings, including agenda items related to transportation services, is published online and available in alternate format upon request. These meetings are open to the public and public attendance and comment is welcome and encouraged.

In addition, Clackamas County has formed an advisory committee specifically to address funding for public transit as a result of HB2017 (State Transit Improvement Fund "STIF"). The committee, the HB2017 Transit Advisory Committee, was approved under an agreement with Clackamas County, City of Canby, City of Sandy, South Clackamas Transportation District and the City of Wilsonville. This group will provide recommendations to TriMet as the Qualified Entity for Clackamas County for transit projects to be approved for STIF funding. The group includes representatives from transit providers, as well as members representing seniors, low income households, persons with disabilities, and educational institutions. The meetings follow public meeting law and are open to the public. Meetings also include time for public comment.

SSD welcomes public comment and participation for all of its programs. In addition to the steps taken in regards to our governing board and advisory boards, we also provide multiple opportunities for public participation. Strategies we have used in the past include open houses, participation in public events and meetings, surveys, and press releases.

Specific projects or changes to service will each have a public participation plan associated with that process. For example, a proposed time change on a route on the Mt Hood Express will include a plan to provide public input including but not limited to: presenting the plan for feedback at a Villages at Mt Hood meeting and at the Sandy Transit Advisory Committee, publishing information about the proposed change and how to submit feedback in the local newspaper, posting the information on the MHX website and on the MHX Twitter account, and outreach through a variety of events to the general public and to partner agencies, including the informal Mt Hood Transit Advisory group. All public outreach strategies include compliance with our LEP policies (see Appendix B) as well as SSD's Accessibility Policy (also contained in Appendix B) to provide full access to all members of the public.

To review the public participation plan for a particular project or service change, please contact the Administrative Services Manager, at 503-650-5718.

### **Language Assistance Plan**

### **Four Factor Analysis**

**Factor 1. Demography:** Clackamas County is located in the heart of the Metro region with both urban and rural areas spread over 1,870 square miles. According to the 2021 Census report population in Clackamas County was 422,537. The population above the age of 65 makes up approximately 19% of the total population.

When looking at the County as a whole as of 2015, the following languages have an LEP score not strong enough to meet the 5 percent threshold, but are above the 1,000 person threshold and should be considered during outreach planning. Below is a table of language spoken at home by ability to speak English for the population 5 years and over; persons who speak English *less than “very well”*:

| Language | Percent of Total<br>County Population | Total persons |
|----------|---------------------------------------|---------------|
| Spanish  | 2.02%                                 | 8,523         |
| Chinese  | 0.37%                                 | 1,731         |
| Russian  | 0.24%                                 | 1,447         |

Another indicator for LEP purposes is the volume of non-English language calls experienced in CCOM, Clackamas County’s 9-1-1 center. Spanish language calls represent the majority of 9-1-1 calls requiring Language Line interpretation services. Between January and April 2014, a total of 638 Spanish language calls were referred. During the same period total calls ranged as follows: Russian – 48; Ukrainian – 26; Vietnamese – 5; and French – 2.

**Factor 2. Frequency:** The U.S. Census Bureau data identified Spanish as the most prevalent language spoken by LEP individuals in Clackamas County. The data further reveals that LEP individuals comprise of 4.4% or less of the County’s population. Language services are available upon request to any persons utilizing the transportation option.

Periodic surveys of transportation clients of the Mt Hood Express (MHX) and Transportation Reaching People (TRP) document the minority populations that utilize these transportation services. In 2022, the MHX reported 76.42% white/Caucasian 12.20% Hispanic/Latino, 3.25% Native American/American Indian, 1.63% Black/African American and 4.88% Asian/Pacific Islander. During FY22, TRP reported 1.61% African American, 1.0% American Indian, 2.21% Asian and 2.21% Hispanic riders for their service.

**Factor 3. Importance:** Transportation is an essential resource for our citizens to be able to get to work, school, medical appointments and other needed services. Our programs are designed to provide an enhanced level of transportation service in the communities we serve. Through outreach, we encourage individuals and families to participate in various programs offered by SSD, including transportation. Outreach activities range from press releases about programs, attendance and participation in community events and providing information to various partner organizations who work with specific populations.

**Factor 4. Resources:** Clackamas County Social Services Division has provided translation and interpretation services for its clients and customers for many years. The policy and procedure associated with these services is included in the Limited English Proficiency Plan referenced in Appendix B. This plan is reviewed and amended as needed by the SSD management team on an annual basis or more frequently if needed. All staff members are required to follow the policies and procedures outlined in the plan. Any customer requesting interpretation or translation services will be provided those services free of cost. Information about obtaining interpretation or translation services is posted on websites and in our lobby.

For fixed route services, schedules are available in Spanish on the website and made available at all schedule distribution locations. The schedules include information about how to contact both the contractor and SSD for reasonable accommodations, including interpretation and translation services. For example, Clackamas County has translated schedules into Braille to meet the needs of several riders.

#### **Minority Representation Table**

Governing Body: Clackamas County Social Services Division is governed by the Clackamas County Board of County Commissioners, a publicly elected board.

Advisory Boards: SSD maintains four appointed advisory boards. Membership in the board is confirmed by the BCC. All board members will be asked to complete a Title VI Minority Representation Data Collection Form each September during the new fiscal year board orientation. The Clackamas County website lists all the advisory boards and what each board is responsible for on the County Website. Many of the boards advise that all are welcome, and each board advises to contact Clackamas County for additional information. As a whole the County encourages everyone to be an active participant in County lead programs. Please refer to Appendix D for the Data Collection form and the summary of minority representation table. This table will be updated annually.

#### **Facility Location Equity Analysis**

Clackamas County Social Services Division will complete a fully compliant Title VI Equity Analysis during the planning phase of a project to ensure a location is selected in a non-discriminatory manner.

#### **On-Time Performance Standards**

The Mt Hood Express expects a minimum of 95% on time performance on both the Express service and the Villages Shuttle. On-time performance is considered completion of an established run no more than 5 minutes early or 10 minutes late. On time performance measures are reported monthly and are included in monthly performance statistics.

Variations such as construction activities and inclement weather may negatively impact performance standards. These issues are noted as part of the monthly reports.

**Vehicle Service Assignments**

The Villages Shuttle service is provided with cutaway buses due to the need to provide fixed route service and deviate on rural roads which may be narrow or require greater maneuverability. The Express service is provided with medium duty buses. These buses do not require the same level of maneuverability and also allow for the greater ridership on The Express line. With a limited fleet, these are the only two options available to provide service.

**Transit Amenities Policy**

Installation of transit amenities at fixed route stops is based on a variety of factors, including ownership of the property on which the stop occurs, right of way along Highway 26 and the frequency of use of the stop by riders. The evaluation of the installation of additional amenities will continue to take into account all of these factors.

## Appendix A

### Title VI Complaint Form

Please note: Form can also be found at:

<https://www.clackamas.us/socialservices/transportation.html>

## Clackamas County Social Services Title VI Complaint Form

Title VI of the Civil Rights Act of 1964 states “No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

*Title 42 U.S.C. Section 2000d*

Please provide the following information necessary in order to process your complaint. A formal complaint must be filed within 180 days of the occurrence of the alleged discriminatory act. Assistance is available upon request. Please contact Clackamas County Social Services at 503-655-8640.

### Complete this form and return to:

**Clackamas County Social Services Division**  
**Attn: Administrative Services Manger**  
**2051 Kaen Rd. Oregon City, OR 97045**  
[teresachr@clackamas.us](mailto:teresachr@clackamas.us)  
**FAX: 503-655-8889**

---

Complainants Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Telephone Home: \_\_\_\_\_

Telephone Cell: \_\_\_\_\_ Email Address: \_\_\_\_\_

Person (s) Discriminated Against (if other than complainant):

Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Telephone Home: \_\_\_\_\_

Telephone Cell: \_\_\_\_\_ Telephone Work: \_\_\_\_\_

On which of the following is the discrimination based?

Race       Color       National Origin       Other

Date of Alleged Discrimination: \_\_\_\_\_

Location: \_\_\_\_\_ Agency or person who was responsible for alleged discrimination: \_\_\_\_\_

Describe the alleged discrimination. Explain what happened and whom you believe was responsible (for additional space, attach additional sheets of paper to this form).

|  |
|--|
|  |
|  |

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



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## **Appendix B**

### **Clackamas County Policies and Procedures**

#### **Clackamas County Title VI Compliance Plan:**

<https://www.clackamas.us/diversity/titlevi.html>

#### **Clackamas County Social Services Division Administrative Manual**

5.D Citizen Consumer Grievance Process\*\*

5.H Communication with Clients with Limited English Proficiency and Low Literacy\*\*

\*\*Available upon request- please contact CCSSD at 503-655-8640

# Appendix C

## Log of Title VI Complaints

## Title VI Complaints Log: Clackamas County Social Services Division

This log will be updated on an annual basis and submitted to ODOT for any complaints received from 2014 to 2023

| Fiscal Year           | Date<br>(MM/DD/YY) | Summary<br>(include basis of complaint: race, color, national origin, or other) | Status | Action(s) Taken |
|-----------------------|--------------------|---|--------|-----------------|
| <b>Investigations</b> |                    |   |        |                 |
|                       |                    |   |        |                 |
|                       |                    |   |        |                 |
|                       |                    |   |        |                 |
| <b>Lawsuits</b>       |                    |   |        |                 |
|                       |                    |   |        |                 |
|                       |                    |   |        |                 |
|                       |                    |   |        |                 |
| <b>Complaints</b>     |                    |   |        |                 |
|                       |                    |   |        |                 |
|                       |                    |   |        |                 |
|                       |                    |   |        |                 |

## **Appendix D**

### **Title VI Minority Representation Data Collection Form**

#### **Minority Representation in Advisory Boards**

## Title VI Minority Representation Data Collection Form

**The following letter is included as part of new member orientation packets.**

Date: \_\_\_\_\_

As Clackamas County Social Services Division 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**

Clackamas County operates its programs without regard to race, age, religion, color, sex, national origin, physical or mental disability, marital or veteran status, sexual orientation, gender identity or any other characteristic protected by law in accordance with Title VI of the Civil Rights Act, ORS Chapter 659A or other applicable law.

We invite council members to voluntarily self-identify their race/ethnicity in order for use 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 be summarized and reported to the federal government for civil rights enforcement policies.

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

- Asian or Pacific Islander
- Black (not of Hispanic origin)
- Hispanic/Latino
- American Indian or Alaskan Native
- White (not of Hispanic origin)

Thank you for your participation. If you need additional information about our Title VI program, please contact Teresa Christopherson at 503-650-5718.

Sincerely,

Brenda Durbin, Director

**Clackamas County Social Services Division**  
 Advisory Board Minority Representation

| Body                                      | Asian or Pacific Islander | Black (not of Hispanic origin) | Hispanic/Latino | American Indian or Alaskan Native | White (not of Hispanic origin) |
|---|---------------------------|--------------------------------|-----------------|-----------------------------------|--------------------------------|
| Clackamas County Population (2010 Census) | 4.4%                      | 0.9%                           | 8.4%            | 0.7%                              | 82.7%                          |
| Community Action Board                    |                           |                                |                 |                                   | 100%                           |
| Area Agency on Aging Advisory Council     | 5%                        |                                |                 | 0%                                | 95%                            |