

Civil Rights Title VI Plan

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# DECLARATION

## ***Policy Statement***

It is the policy of Clackamas County that no person shall be denied the benefits of, or be subjected to discrimination in any sponsored program, service, or activity provided by County staff, contractors, or consultants on the grounds of race, color, national origin, limited English proficiency, age, disability, religion, marital status, familial status, sex, gender, gender identity, sexual orientation, or source of income.

All programs of Clackamas County are subject to this policy regardless of funding source. Individual grants and programs may carry additional requirements.

## ***Objectives***

The objectives of Clackamas County's Title VI plan are:

- To ensure the County's compliance with Title VI (including compliance by grantees, sub-grantees, and related entities) and to assign responsibilities for ensuring compliance.
- To ensure that all persons are able to receive the benefits of County programs, services and activities.
- To ensure that limited English proficient (LEP) persons are provided meaningful access to County programs, services, and activities.
- To avoid, minimize or mitigate disproportionate adverse environmental effects, including social and economic effects, on communities of color and low income populations as a result of County programs, services, benefits and activities.
- To establish clear procedures for filing, investigating, and successfully resolving complaints on a timely basis and at the lowest level possible.

## **LEGAL AUTHORITY REQUIRING TITLE VI COMPLIANCE**

The Civil Rights Act of 1964 (the Act) is fundamental federal legislation that prohibits discrimination on the basis of race, color or national origin in federally funded programs, services and activities. Title VI has also been implemented to require that persons with limited English proficiency have meaningful access to programs, services, and activities; and that decision-making processes are designed to avoid, minimize, or mitigate adverse environmental effects, including social and economic effects, on communities of color and low income populations. Other federal and state legislation prohibits discrimination based on disability, religion, age, sex, sexual orientation, gender identity, or source of income.

See Appendix 1 for legal authority.

## **ADMINISTRATION OF THE TITLE VI COMPLIANCE PROGRAM**

### ***County Responsibilities under Title VI***

Clackamas County is responsible for ensuring that the following Title VI activities are undertaken by County departments and component units. Concerted effort must be undertaken to identify and eliminate any unfair treatment and inequality.

The County will undertake the following activities in pursuit of the above:

- Review of plans, reports, and grant applications in relationship to Title VI requirements.
- Identification and elimination of civil rights disparities across County functions, including discrimination in benefits or burdens of the projects, programs, and services of the County.
- Updating of the County Title VI Plan as needed or required due to changes in federal, state and local non-discrimination regulations.
- Coordinating Accomplishment Reports as required by federal agencies and desired by the County.
- Reviewing Title VI Complaints received by the County, following adopted procedural guidelines, and resolving complaints informally at the department or manager level.
- Conducting or facilitating training programs on Title VI issues and regulations for County employees and ensuring Title VI training is provided for contractors and subrecipients.
- Ensuring postings of official statements, inclusion of Title VI language in contracts or other agreements, website postings, and annual publication of the County's Title VI Policy Statement in newspapers and informational brochures are accomplished.
- Ensuring the public has an opportunity to have meaningful involvement in the decisions that affect them.

### ***Administration***

Administration of Clackamas County's Civil Rights Title VI Program of this plan is housed with the County's Title VI Officer. The Title VI Officer is supported by a Governance Team – a collaboration of County Administration, County Legal Counsel, and Finance. This Team:

- Approves updates to the County Title VI Plan as needed and/or required.
- Ensures coordination of Accomplishment Reports.
- Reviews and ensures resolution of Title VI Complaints received by the County.

The Title VI Officer can be contacted by mail at County Administration, 2051 Kaen Road Suite 454B, Oregon City, Oregon 97045, by phone at 503-655-8291, TTY/TDD 503-655-8757 or by email at [civilrights@clackamas.us](mailto:civilrights@clackamas.us).

### ***Department Responsibilities***

Each Department and Elected Official's Office (Department) is responsible for ensuring implementation of the Title VI Plan at the Department level. Each Department Director shall designate one or more individuals to serve in the role of Title VI contact as the liaison between the Title VI Officer and her or his Department for Title VI efforts and activities, including complaint resolution. Each Title VI contact serves on the Countywide Title VI Working Group.

To comply with Title VI, Departments are responsible for:

- Collecting and analyzing data regarding participants in and beneficiaries of a Department's programs, activities, and services to determine benefits and burdens to persons protected by Title VI.
- Working proactively with Department staff to prevent disparities and take corrective action when necessary.
- If complaints arise, working to resolve complaints and track complaint activity.
- Ensuring Environmental Justice by considering any potential disproportionate adverse human health, environmental, social, and/or economic effects of Department activities on communities of color and low-income populations.
- Ensuring programs, services, and benefits of the Department are accessible to people with limited English proficiency.
- Providing convenient access to information and meaningful public participation opportunities for all Department services, programs benefits and projects.
- Submitting an annual review to the Governance Team of Department compliance including complaint, environmental justice, LEP, and public involvement activities.
- Ensuring dissemination of Title VI information and notices to the public to provide meaningful access to departmental programs and activities. Title VI non-discrimination notices should be included in all applicable Department or project documents and public meeting materials.

## **PUBLIC INVOLVEMENT REQUIREMENTS**

Clackamas County affirms that a healthy democracy requires inclusive outreach and public involvement that considers the racial, cultural, and socio-economic complexity of our communities.

It is the policy of Clackamas County to involve the public in important decisions by providing for early, open, and continuous public participation in and access to key planning and project decision-making processes. The County recognizes that Title VI has been implemented to ensure decision-making processes are designed to prevent disproportionate adverse human health and environmental effects, including social and economic effects, as a result of any County project or activity on communities of color and low-income populations.

The County will continually assess its communications and public involvement strategies and will employ best practices that foster meaningful involvement by traditionally underrepresented persons. The County will use non-discrimination notices to notify the public of the protections provided by Title VI and related statutes. The County is committed to fully utilizing available culturally specific publications or media and, where appropriate, provide written or verbal information in languages other than English.

Clackamas County prioritizes timely, accurate, and effective communications regarding initiatives, issues, decisions, actions, projects, programs, and situations that may affect the public. Avenues of public involvement and communication include events, publications, media interviews, press releases, the Internet, social media, public presentations, cable video productions, as well as involvement and outreach through the Board of County Commissioners, Community Planning Organizations (CPOs), Hamlets and Villages, Advisory Boards and Commissions, and other community and business organizations.

Clackamas County has tasked the Department of Public & Government Affairs (PGA) to promote communication, cooperation and strong connections between County government and its citizens, the business community, and other government agencies to provide information to respond to key issues and increase awareness of opportunities and resources.

PGA emphasizes effective two-way communication between the County and involved citizens in order to provide consistent and relevant information about County activities that affect residents and businesses, to assure meaningful public involvement in decision making, and to promote employee knowledge and involvement in County government.

## **LIMITED ENGLISH PROFICIENCY (LEP) REQUIREMENTS**

The County recognizes that language can be a barrier to accessing benefits or services, understanding and exercising rights, complying with regulations, or understanding other information provided by its programs and activities. People with Limited English Proficiency (LEP) are people who do not speak English as their primary language and have limited ability to read, write, speak, or understand English. For purposes of this plan, translation refers to written communication and interpretation refers to spoken and signed communication.

Clackamas County, as a recipient of federal funds, must ensure that people with limited English proficiency have full access to its programs, benefits, services, and activities. No person should be deprived of such access because of their language skills or English proficiency.

Each Department should identify which documents, if any, are vital to the public's interaction with that department and translate those documents. This assessment is an ongoing evaluation and should be revised periodically to ensure access.

Additionally, persons interacting with the County should be notified in their language about the availability of language assistance and critical service information. County Departments should assess the language proficiency of the persons to be served in determining how to provide meaningful access to their services, benefits, programs, and activities.

All County staff have access to contractors that can provide telephonic, written and in-person meeting translation and interpretation services. The County will monitor the services provided and update the translation and interpretation service on-call contract as needed.

Departments should use the County's *Guide to Providing Translation/Interpretation Services* and instructions to access translation and interpretation services in evaluating what services are reasonably necessary to provide meaningful access for LEP persons. (Appendix 3)

## **ENVIRONMENTAL JUSTICE REQUIREMENTS**

It is the policy of Clackamas County to comply with all environmental justice requirements, and to ensure that persons affected by the County's decisions will have an opportunity to be meaningfully involved in the decision-making process.

Departments should consider whether any decision, service, program, or benefit results in a potential disproportionate adverse human health and environmental effect, including social and economic effects, on communities of color, tribal communities and other communities underrepresented in public processes.

Environmental justice is predicated on the notion of fair treatment and equal protection, meaning a just distribution of the benefits and burdens of decisions and actions. Adhering to the principles of environmental justice is the conviction that no group of people should bear a disproportionate share of the negative environmental consequences resulting from the execution of government policies and programs.

A fundamental principle of environmental justice is self-determination. . To ensure fair treatment and involvement in decision-making, Departments should identify potentially impacted communities and work to build capacity around the pertinent issues so the opportunities to participate are accessible and genuine.

Principles of environmental justice analysis and decision-making include:

- Early identification and engagement of affected communities.

- Clear articulation of the problem and solutions that fit both the problem and the needs of the community affected by the project.
- Consideration of the accumulation of the environmental hazards in the impact area.
- Documentation of why decisions were made and analysis of the impact on the community of that decision.
- Determination if the impacts disproportionately burden or benefit a community.
- Any additional considerations such as mitigation, environmental assessment, and supplemental benefits that support the decision.

Departments should use the County's *Environmental Justice Analysis Guidelines* to identify and address environmental justice issues. (Appendix 4)

## **COMPLAINT PROCESS**

Clackamas County is committed to continually improving our work and welcomes any comments or suggestions on how the County can improve delivery of our services, or its communication with community members. The County also is committed to ensuring equity and fairness in the provision of its services, inclusion of all community members in the planning and decision-making process, and transparency in how Department decisions are made. Every effort will be made to resolve complaints quickly and to the satisfaction of the complainant.

Any person who believes that he or she has been excluded from participation in County activities or programs, or has received unequal treatment or discrimination in the receipt of County benefits, or services based on their race, color, or national origin (including limited English proficiency) has the right to file a Title VI Civil Rights Act discrimination complaint with the Title VI Officer. Clackamas County's complaint procedure is located in Appendix 6.

## **CONTRACTOR AND SUB-GRANTEE AGREEMENT**

It is the policy of Clackamas County to require that contractors and subrecipients are aware of Federal , State and local Title VI requirements and that every contract and subrecipient agreement include clauses required by federal statute and executive orders and their implementing regulations.

Departments should use the County's *Sample Contractor and Subrecipient Agreement* in all contracts involving Federal funding. (Appendix 7)

## **IMPLEMENTATION AND NEXT STEPS**

To ensure timely and continuing compliance with the County's Civil Rights Title VI Plan, it is critical to move forward on the following activities:



- Inform the public about the rights provided in this Title VI Plan. Post non-discrimination policy and notices prominently so the public has adequate information about the civil rights protections. Disseminate information about the civil rights complaint process.
- Develop a Language Assistance Plan to provide access to County programs, services and benefits to people with limited English proficiency.
- Train county staff on the requirements and expectations of this Title VI Plan.
- Ensure that all contracts, subrecipient agreements, and grant awards have required non-discrimination clauses.
- Develop a system of reporting to meet federal and any other reporting requirements.

# Clackamas County Civil Rights Title VI Plan

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## Appendices

## **Appendix 1: State and Federal Authorities**

*This list is provided for informational purposes and is not considered an exhaustive list of all Civil Rights and non-discrimination authorities.*

### ***Selected Oregon Revised Statutes***

ORS 659A.030 Prohibits discrimination based on race, color, religion, sex, sexual orientation, national origin, marital status or age in regard to employment.

ORS 659A.403 Provides protection from discrimination on account of race, color, religion, sex, sexual orientation, national origin, marital status or age in places of public accommodation.

### ***Federal Non-discrimination Statutes***

#### ***Title VI of the 1964 Civil Rights Act, 42 U.S.C. 2000d, § 601:***

No person in the United States shall, on the ground 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.

#### ***Age Discrimination Act of 1975, as amended 42 U.S.C. 6101, provides:***

No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

#### ***Uniform Relocation Assistance & Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4601:***

Establishes minimum standards for federally funded programs and projects that require the acquisition of real property or displace persons from their homes, businesses, or farms. "For the fair and equitable treatment of persons displaced as direct result of programs or projects undertaken by a Federal agency or with Federal financial assistance."

#### ***Federal-aid Highway Act, 49 U.S.C. 306:***

Outlines the responsibilities of the U.S. Department of Transportation and, at (c) outlines the Secretary's authority to decide whether a recipient has not complied with applicable Civil Rights statutes or regulations, requires the Secretary to provide notice of the violation, and requires necessary action to ensure compliance.

#### ***1973 Federal-aid Highway Act, 23 U.S.C 324:***

Prohibits discrimination on the basis of sex. "No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance under this Title or carried on under this title."

***Civil Rights Restoration Act of 1987, P.L. 100-209:***

Clarification of the original intent of Congress in Title VI of the 1964 Civil Rights Act, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973. Restores the broad, institution-wide scope and coverage of the non-discrimination statute to include all programs and activities of federal-aid recipients, sub recipients and contractors, whether such programs and activities are federally assisted or not.

***Uniform Relocation Act Amendments of 1987, P.L 101-246:***

Updated the 1970 Act and clarified the intent of congress in programs and projects which cause displacement. “For fair, uniform, and equitable treatment of all affected persons;... (and) minimizing the adverse impact of displacement... (to maintain)... the economic and social well-being of communities; and... to establish a lead agency and allow for State certification and implementation.”

***Americans with Disabilities Act, P.L. 101-336 and Section 504 of the Rehabilitation Act:*** Provides enforceable standard to address discrimination against people with disabilities. “No qualified individual with a disability shall, by reason of such disability, be excluded from the participation in, be denied benefits of, or be subjected to discrimination by a department, agency, special purpose district, or other instrumentality of a State or a local government.”

***Civil Rights Act of 1991, 42 U.S.C. §1981:***

“(b) For the purposes of this section, the term ‘make and enforce contracts’ includes the making, performance, modification, and termination of contracts and the enjoyment of all benefits, privileges, terms, and conditions of the contractual relationship.”

“(c) The rights protected by this section are protected against impairment by non-governmental discrimination and impairment under color of State law.”

***Title VIII of the 1968 Civil Rights Act, 42 U.S.C. 3601,*** provides that:

“(l) It shall be unlawful... to refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny a dwelling to any person because of race, color, religion or national origin.” The U.S. Department of Housing and Urban Development (HUD) is the primary interest agency, but the Federal Highway Administration (FHWA) and states under Title VI are responsible for preventing discrimination in the function of right-of-way.

***National Environmental Policy Act of 1969, 42 U.S.C. 4321***

Requires the consideration of alternatives, including the “no-build” alternative, consideration of social, environmental and economic impacts, public involvement, and use of a systematic interdisciplinary approach at each decision making stage of federal-aid project development.

### ***Federal Nondiscrimination Executive Orders***

- E.O. 12250 – Department of Justice (DOJ) Leadership and Coordination of Nondiscrimination Laws.
- E.O. 12259 - HUD Leadership and Coordination of Federal Fair Housing Programs
- E.O. 12292 - Amended E.O. 12259, in part and addressed leadership and coordination in Federal Fair Housing Programs. It affirmatively furthers fair housing in all Federal programs and activities relating to housing and urban development throughout the United States.
- E.O. 12898 - Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations.
- E.O. 13160 - Nondiscrimination on the basis of race, sex, color, national origin, disability, religion, age, sexual orientation, and status as a parent in federally conducted education and training programs.
- E.O. 13166 - August 11, 2000- requires Federal agencies and their recipients to improve access to federally sponsored programs for persons with limited English proficiency.
- E.O. 13175 – Consultation and Coordination with Indian Tribal Governments.

## Appendix 2: County Public Involvement Policies

Clackamas County affirms that a healthy democracy requires inclusive outreach and public involvement that considers the racial, cultural, and socio-economic complexity of our communities.

Clackamas County prioritizes timely, accurate, and effective communications regarding initiatives, issues, decisions, actions, projects, programs, and situations that may affect the public. Avenues of public engagement and communication include events, publications, media interviews, press releases, the Internet, social media, public presentations, cable video productions, as well as involvement and outreach through the Board of County Commissioners, Community Planning Organizations (CPOs), Hamlets and Villages, Advisory Boards and Commissions, and other community and business organizations.

### *Procedures*

Clackamas County cannot fully meet community needs without the active participation of well-informed, empowered individuals, community groups, and other nongovernmental organizations such as businesses, nonprofits, and academic institutions. These individuals and groups advance the letter, spirit, and intent of Title VI and environmental justice when they participate in public involvement activities through meetings, hearings, advisory groups, task forces, and surveys to help the County and its various departments, divisions and agencies understand the breadth of community needs, perceptions, and goals.

Title VI requires that outreach related to projects or programs receiving federal funding or assistance must include collecting data on the intended population(s) reached and who participates, especially if limited English proficiency or environmental justice thresholds apply (see Appendices 3 and 4). This includes tracking the demographics of both notice recipients and those of any attendees at an event, meeting, or other gathering where project/program information is being shared or input is being sought. A form for tracking demographics of participants is in Appendix I of Metro's *Public Engagement Guide* (<http://www.oregonmetro.gov/public-engagement-guide>).

### *Resources*

There are many resources available to help facilitate inclusive public involvement processes that meet the goals of Title VI and of Clackamas County's Public Involvement Policies. Included in those resources are the following:

- Metro's Public Engagement Guide - a comprehensive guide to public involvement which includes best practices for inclusive public engagement and outreach.  
<http://www.oregonmetro.gov/public-engagement-guide>

- The International Association for Public Participation's (IAP2) Public Participation Spectrum - a publication to assist with the selection of the level of participation that defines the public's role in any community engagement program. Available to County employees for attributed use for educational purposes.

[IAP2 Spectrum of Participation](#)

## **Appendix 3: Guide to Providing Translation/Interpretation Services**

### ***Policy***

This guide will help you provide timely and meaningful access to services for persons with limited English proficiency (LEP) in the language in which they are most comfortable communicating. LEP persons are persons that have a limited ability to speak, read, write, or understand the English language at a level that permits effective interaction with County staff. This guide and a definition of LEP persons should be distributed and posted widely, as should information about how to request translation or interpretation services.

### ***Analysis***

Determination of what LEP services are necessary should be based on the needs of the community to be served and a baseline of what languages are spoken by the LEP population. Each Department should identify what documents are vital in order for the public to interact with the Department.

The U.S. Department of Justice (DOJ) recommends the following “Four Factor” analysis to determine if document translation needs to be performed to ensure meaningful participation or understanding of the agency’s programs:

1. The number or proportion of LEP persons served or encountered in the eligible service population (the baseline);
2. The frequency with which LEP individuals come in contact with the program;
3. The nature and importance of the program, activity, or service provided by the program; and
4. The resources available to the recipient, and costs.

This baseline population and English proficiency analysis are key elements to determining what languages are most commonly used by LEP populations in the County and what translation services are necessary to ensure full access to County programs.

### ***Access***

Each Department will develop a plan to provide meaningful access to its services for LEP populations. The plan must include a description of how the Department will provide language assistance and notice and how it will train staff to access translation and interpretation services. The following elements should be considered for inclusion in the plan:

1. Develop a list of vital documents that require translation as well as a set of criteria to determine what future documents will require translation. Vital documents generally include all documents that describe services, benefits, processes, procedures, fees or penalties.
2. Web pages that are considered vital should be identified for translation. As an interim step, features such as Google Translate may be utilized to provide immediate translation. However this step on its own will often not be a full or sufficient solution to providing access.



3. For all other web pages and publications, engage in the Four-Factor DOJ analysis set forth above. Post notices in locations accessible to the public in the most common languages that translation and interpretation services are available.
4. For in-person contact by LEP speakers, use a language chart to help identify what languages an LEP person speaks. These should be located wherever the public has access to County staff to help identify what languages an LEP person speaks. This tool can provide information to County staff when in-person interpretation is necessary.
5. For telephone calls, provide interpretation services using staff, as available, or the steps laid out in the contracts for translation and interpretation service.
6. Consider images and language that conveys information for persons with low literacy.

### ***Accessing Translation/Interpretation Services in the County***

The County has an on-call contract with Linguava for interpretation and translation which County Departments may use when needing services for translation of vital, outreach, and other documents and/or interpretation in person or by phone. In addition, interpretation services are available from State of Oregon contracts that the County can access. There are 16 providers available through these contracts. The most highly used State vendor in the County is the Language Line, providing services to CCOM, Clackamas County's 9-1-1 Center and Public Safety services among others. The Language Line provides written, telephone, and in-person services and is sufficient for most needs.

Of the remaining State vendors, three provide both written and telephone based services. While they might provide on-site services, those are not covered by the State contracts. Some Departments with ongoing needs do enter into direct contracts with interpretation and translation firms to receive tailored services. However, the use of the available County contract is encouraged for most needs.

A table provided at the end of this appendix provides service and rate information for County and State language assistance vendors. From time to time an interdepartmental County task force will be formed to solicit for additional language access vendors to develop ongoing, on-call contracts for use by all Departments. Following this process can result in more favorable rates as well as services tailored to County-specific needs.

Contact the Purchasing Division in Finance for more information on contacting language services vendors.

### ***Safe Harbor Provisions***

The DOJ has developed *safe harbor* provisions that can be used to demonstrate that an agency has met the translation obligations. If an agency provides written translation of vital documents for each eligible LEP language group that constitutes 5 percent of the total population to be served, or at least 1,000 persons; then such action will be considered strong evidence of compliance with the written translation obligations. To use the *safe harbor* provisions, Departments would translate vital documents into the

languages most commonly used in the County. The decision to use the *safe harbor* provisions should be documented and reviewed based on subsequent information about the LEP populations.

### **Clackamas County Demographics**

Please see Appendix 8 of this document for online resources that can help with performing a Four-Factor analysis on specific geographic areas of Clackamas County. Departments performing outreach in specific areas will want to perform the analysis within the area impacted or potentially impacted by the program or project to determine the specific language(s) to address for LEP.

When looking at the County as a whole, 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:

Language	Percent of Total County Population	Total persons
Spanish	2.33%	8,365
Chinese	0.39%	1,417
Russian	0.31%	1,122
Korean	0.28%	1,022
Vietnamese	0.28%	1,015

Source: U.S. Census Bureau, 2010-2012 American Community Survey  
Language spoken at home by ability to speak English for the population 5 years and over; persons who speak English *less than "very well"*.

The Regional Equity Atlas provides an overlay for percent of households with Low English Proficiency. Looking at Clackamas County, the highest concentrations of LEP households are:

1. East of the Willamette River (6.1%) in cities: Milwaukie, Gladstone, Happy Valley, Johnson City, and the northeastern portion of Oregon City (Park Place neighborhood and west to the river);
2. East of the Willamette River (6.1%) in unincorporated areas: (Ardenwald-Johnson Creek and Lewelling neighborhoods in Portland); the Oak Grove area; the Jennings Lodge, Southgate, North Clackamas and Clackamas CPOs; the Beaver Creek Hamlet area; and the Aurora-Butteville-Barlow CPO as well as the northern portion of the North Canby CPO; and
3. West of the Willamette River (7.3%): in the City of Wilsonville; and western portions of the Far West CPO and the entire Ladd Hill CPO.

The remaining area of Clackamas County is in the 3% - 5% LEP overlay. Given that the Regional Equity Atlas also allows one to drill down to the census tract level, consulting this resource for determining actual LEP percentages in those tracts for a program or project is advised.

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.

**Translation Resources** (Includes, but is not limited to this list. The County does not have contracts with these providers.)

Company Name	Service(s)	Written	Phone	Onsite	Language(s) + = additional languages (e.g. Chinese, Korean, etc.)
Linguava Interpreters Inc. ② ***			X	X	ASL (Sign), Russian, Spanish, Vietnamese +
Corporate Translation Services, Inc			X		Russian, Spanish, Vietnamese +
Pacific Interpreters Inc			X		Russian, Spanish, Vietnamese +
Language Line Services, Inc. ①		X	X		Written: Russian, Spanish, Vietnamese Phone: Russian, Spanish, Vietnamese +
CTS Language Link ②		X			Russian, Spanish, Vietnamese +
IRCO ②		X			Russian, Spanish, Vietnamese +
Languages Translation Services		X			Russian, Spanish, Vietnamese +
Lazar and Associates		X			Russian, Spanish, Vietnamese +
Molano Multicultural Communications LLC		X			Spanish
Nguyen Technology and Consulting		X			Vietnamese
Northwest Interpreters, Inc.		X			Russian, Spanish, Vietnamese +
Spanish Communications		X			Spanish
Transcend Translations		X			Russian, Spanish, Vietnamese +
Translation Avenue		X			Russian, Spanish, Vietnamese +
Translation Solutions Corp		X			Russian, Spanish, Vietnamese +
Vialanguage, Inc		X			Russian, Spanish, Vietnamese +

Notes: ① Used extensively by County Departments

② Used by County Departments

\*\*\* County contractor; all remaining are under State contract

### ***Additional Online Resources***

<http://www.hhs.gov/ocr/civilrights/resources/specialtopics/lep/pocketlanguagecard.pdf> – Language guide – for identifying what language a person speaks.

<https://gis.oregonmetro.gov/equityAtlas/> – Equity Atlas – has racial, ethnic, and socio-economic in addition to LEP layers available.

<http://www.lep.gov/> – Federal website for LEP with resource, data links.

[http://www.lep.gov/interp\\_translation/trans\\_interpret.html](http://www.lep.gov/interp_translation/trans_interpret.html) – About translation and interpretation with resource links (at LEP.gov).

<http://www.kingcounty.gov/operations/policies/executive/itao/inf142aao.aspx> – King County’s LEP executive order and resources – good one to emulate.

<http://www.hhs.gov/ocr/civilrights/resources/specialtopics/hospitalcommunication/eclep.html> – Limited English Proficiency (LEP) Resources for Effective Communication (mostly medical).

## Appendix 4: Environmental Justice Analysis Guidelines

Clackamas County recognizes that the question of whether an action or a decision of any department or agent raises environmental justice issues is highly sensitive to the history or circumstances of a particular community or population, the particular type of environmental or human health impact, and the nature of the proposed action itself. While there is no standard formula for how environmental justice issues should be identified or addressed, the following principles provide general guidance.

Clackamas County and its Departments should consider who lives and works in the area affected by the action or decision. It is critical to determine whether communities of color, low-income populations, or Native tribes are present in the area affected by the proposed action or decision and, if so, whether there may be disproportionately adverse human health or environmental effects on communities of color, low-income populations, or tribal communities.

For each action or decision, certain questions should be asked:

- Does the proposed action or decision solve a problem with the support of the affected community?
- Does this action or decision increase, compound, or exacerbate exposure to human health hazards?
- Does this action or decision increase, compound, or exacerbate decline of a community?

The County and its Departments should consider relevant public health data and industry data concerning the potential of the action or decision to create multiple, cumulative, or historical patterns of exposure to human health or environmental hazards in the affected population, to the extent such information is reasonably available.

The County and its Departments should also work to advance economic and social equity, including consideration of the cumulative effects of current and previous actions or decisions, in an effort to ensure environmental justice.

It is vital for the County and its Departments to recognize the interrelated cultural, social, occupational, historical, and economic factors that may amplify the natural and physical environmental effects of a proposed action or decision. These factors should include in consideration as to whether:

- The vulnerability of the community or population to particular impacts;
- Potential disruption of the area's social, economic structure, and environment can or should be minimized.
- 

Appropriate public participation strategies should be employed by County departments to address environmental justice concerns. The County will actively work to remove physical, cultural, and linguistic barriers to meaningful participation. Early engagement with diverse constituencies is a critical step to accomplishing equitable public participation that complies with Title VI.

## Appendix 5: Sample Non-discrimination Notices

### Full notice nondiscrimination notice

Clackamas County operates without regard to race, color, national origin, religion, sex, sexual orientation, gender identity, marital status, age or disability in accordance with the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice and related statutes and regulations, including Title II of the ADA, and ORS chapter 659A. Title VI of the Civil Rights Act requires that no person in the United States shall be excluded from participation in, be denied the benefits of or otherwise be subjected to discrimination under any County program or activity, on the grounds of race, color, or national origin. To help ensure access to County programs, services and activities, the County will provide translations, will reasonably modify policies and procedures, and will provide auxiliary aids or alternative formats to persons with disabilities. For accommodations, translations, or additional information, contact the Title VI/Title II Officer by phone at 503-655-8291 or [civilrights@clackamas.us](mailto:civilrights@clackamas.us).

Any person who believes they have been aggrieved by an unlawful discriminatory practice may file a complaint with a Department or the County. Any Title VI complaint must be in writing and filed with the Department's Title VI Contact within one hundred eighty (180) days following the date of the alleged discriminatory occurrence.

### Shorter version or email notice:

To help ensure equal access to County programs, services and activities, Clackamas County will provide translation, reasonably modify policies/procedures, and provide auxiliary aids/services/alternative formats to persons with disabilities. For accommodations, translations, complaints, and additional information, contact **insert name here** by **insert email** or use TTY #, or Oregon Relay Service: 711.

### Alternate shorter version or email notice:

Clackamas County complies with all non-discrimination laws including Title VI (Civil Rights) and Title II (ADA). To request a translation, accommodation or additional information, please contact **insert name here** by **insert email** or use TTY #, or Oregon Relay Service: 711.

### Sample Departmental Notices for Persons with Limited English Proficiency (should be in languages appropriate to the communication)

The Department of **XX** is committed to providing meaningful access to the residents of Clackamas County. If you require translation services please contact **insert name here** by **insert email** or use TTY #, or Oregon Relay Service: 711.

### Spanish Version

La Oficina de **XX** se compromete a proporcionar un acceso significativo a los residentes de Clackamas County. Si necesita servicios de traducción, por favor póngase en contacto con **insert name here** by **insert email** or TTY #, or Oregon Relay Service: 711.

## **Appendix 6: Title VI Complaint Procedure and Form**

### **Complaint Process**

Every effort will be made to resolve complaints informally at the Department level, including complaints based on the actions of subrecipients or contractors.

Any person who believes that she or he has been the object of unequal treatment or discrimination as to the receipt of benefits and/or services based on his or her race, color, national origin, or limited English proficiency has the right to file a written complaint under Title VI with the Title VI Officer or Department contact. In addition, complaints alleging disability discrimination may be filed with Title VI Officer in his capacity as the Americans With Disabilities (ADA) Program Manager. Complaints based on protections afforded under other civil rights statutes, such as religion, sex, sexual orientation, gender identity, age or source of income will be reviewed by County Legal Counsel's Office. Where possible, efforts will be made to informally resolve such complaints. The complaint process is outlined below.

### **Complaint Process under Title VI of the Civil Rights Act:**

Any person who believes she or he has been the object of unequal treatment or discrimination on the grounds of race, color, or national origin may file a complaint with Clackamas County's Title VI Officer. This process applies to all complaints filed under Title VI of the Civil Rights Act of 1964, arising from any program, service of or activity of Clackamas County or its subrecipients.

This is an administrative process that does not provide for compensatory or punitive damages. The County's process is not exclusive. A person filing a complaint with the County may also file a complaint with other state or federal agencies or the courts. Other agencies will have time limits for filing complaints. Generally, federal agencies require Title VI complaints to be filed within 180 days of the date of the discrimination.

The Title VI complaint process does not cover complaints based on protections afforded under other civil rights statutes, such as sex, sexual orientation, gender identity, age, or source of income. If a complaint is filed alleging such discrimination, the complainant will be notified that it cannot be processed as a Title VI complaint. However, the County will review complaints of discrimination based on sex, sexual orientation, gender identity, age, or source of income to determine if they can be informally resolved. Complaints of discrimination based on disability will be handled under the County's ADA Title II complaint process which is substantially similar to this Title VI complaint process.

To be accepted, a Title VI complaint must:

- a. Involve discrimination on the basis of race, color or national origin;
- b. Allege that the discrimination was committed by the County, a County employee or a subrecipient of the County; and
- c. Be filed within 180 days of the alleged discrimination or within 180 days of when the complainant knew, or should have known, of it.

### **Filing a Title VI Complaint:**

Complaints should be filed with Title VI Officer in the County Administrator's Office or with a Department contact. Complaints must be in writing and signed by the complainant. If the complainant needs assistance in reducing the complaint to writing or signing it, he or she may request assistance from the Title VI Officer or may have another person write and acknowledge the complaint on his or her behalf.

Complaints should include:

- a) The name, address and phone number of the person who experienced the discriminatory action;
- b) The date of the alleged act of discrimination or the date when the complainant(s) became aware of the alleged discrimination; and
- c) A brief but specific description of the discriminatory practice or action and any relevant facts.

The complaint should include names and contact information of any witnesses, including County employees or contractors. Allegations may be faxed or e-mailed and will be acknowledged. Allegations sent by fax or e-mail will not be processed until the identity of the complainant and the intent to proceed with the complaint have been established. The complaint form must be signed or acknowledged, and returned to the Title VI Officer for processing.

The original copy may be sent, faxed, or emailed to:

Title VI Officer  
2051 Kaen Road, Room 450  
Oregon City, Oregon 97045  
Fax 503-742-5919  
[civilrights@clackamas.us](mailto:civilrights@clackamas.us)

Allegations received by telephone or TDD will be reduced to writing on a complaint form and provided to complainant for confirmation or revision before processing.

**Processing a Title VI Complaint:**

Upon receipt of the complaint, the Title VI Officer will determine:

- a) If the complaint is complete;
- b) If additional information is needed;
- c) If the County has jurisdiction; and
- d) If the complaint is timely.

The Title VI Officer will notify the complainant in writing no later than **10 County work days** that the complaint is accepted or the complaint is not accepted. If the complaint is not accepted, the Title VI Officer will state why. If the complaint is not accepted because additional information is needed, the complainant will be asked to provide that additional information.

If the complaint is accepted, the County will investigate the merits of the complaint and will attempt to resolve it at the lowest level possible. Complaints submitted directly to County Departments will be forwarded to the Title VI Officer for intake. Complaints will be forwarded to State and Federal oversight agencies as required by agreement.

In cases where the complaint is against Clackamas County's subrecipient, the County will assume jurisdiction and will investigate the complaint. In some instances the County will have a legal obligation to notify a state or federal agency of a Title VI complaint, and in such instances that agency may investigate the complaint.

**Dismissal of Complaints:**

Clackamas County may dismiss a complaint for any of the following reasons:

- The complainant withdraws the complaint.



- The complainant fails to respond to repeated requests for additional information needed to process the complaint.
- The complaint is untimely.
- The complainant cannot be located.
- The complaint is determined to be legally insufficient.

**Investigating and Tracking Title VI Complaints:**

The Title VI Officer will notify the complainant in **writing** no later than **10 County work days** of the decision to accept or reject the complaint. Notification will include a case number. In cases in which the complaint is against the County, the Title VI Officer will work with the involved Department and the complainant to attempt to resolve the complaint. The option of informal mediation meetings may be used at any stage. If the parties are unable to resolve the complaint, the Title VI Officer will investigate the complaint. The complainant will be provided a written decision on the complaint within **60 working days** of the acceptance of the complaint for investigation.

**Appealing the Title VI Officer's Written Decision:**

Title VI complaints receiving written final decisions will only be reconsidered on appeal if new facts come to light. If the complainant is not satisfied with the written decision of the Department or of the Title VI Officer (whichever has written the decision), the complainant has **10 County work days** from the date of the written decision to provide written notice of intent to appeal. The Title VI Officer shall receive appeals on Title VI complaints originating in Departments and which have received written decisions. The County Administrator or her/his designee shall receive appeals on Title VI complaints originating with the Title VI Officer and which have received written decisions. The Title VI Officer or the County Administrator or her/his designee shall issue a written decision on the appeal within **30 County work days** of receipt of the notice of intent to appeal, which shall be the final decision of the County.

## **Appendix 7: Contractual Compliance with Non-Discrimination Laws and Regulations**

The following language will become standard in all County contracts. County Procurement is responsible for ensuring that this language is included in all contracts either through developing those contracts or by adding such language to its contracts. Some departments may be required to include additional contract provisions in compliance with State or Federal agreements.

- 1) **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, national origin, sex, sexual orientation, age, religion, disability, marital status, or family relationships in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in prohibited discrimination.
  
- 2) **Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the regulations relative to non-discrimination on the grounds of race, color, national origin, sex, sexual orientation, age, religion, disability, marital status, or family relationships.

## Appendix 8: Demographic Information

The following links lead to online resources, including maps and data, for conducting four-factor analysis for LEP and general analysis for environmental justice requirements.

<https://gis.oregonmetro.gov/equityAtlas/>

Equity Atlas – has racial, ethnic, and socio-economic in addition to LEP layers available.

[http://www.census.gov/hhes/socdemo/language/data/language\\_map.html](http://www.census.gov/hhes/socdemo/language/data/language_map.html)

2011 Language mapper: Interactive maps by language – on dot = 10 people.  
Uses table B16001.

<http://www.census.gov/hhes/socdemo/language/>

Language use page – US Census.

<http://arcgis.mla.org/mla/default.aspx>

MLA language map, interactive.

[http://www.mla.org/cgi-shl/docstudio/docs.pl?map\\_data\\_results](http://www.mla.org/cgi-shl/docstudio/docs.pl?map_data_results)

MLA language data table for Clackamas County.