



PACIFIC TRANSIT SYSTEM

TITLE VI PLAN

For

THE FEDERAL TRANSIT
ADMINISTRATION

TABLE OF CONTENTS

Introduction.....	Page 3
Limited English Proficiency Plan.....	Page 3
Implementation Plan.....	Page 3-4
Analysis Factors.....	Page 5
Notifying the Public of their Rights under Title VI.....	Page 6-7
Inclusive Public Participation, Communication and Involvement.....	Page 7-9
Service Standard.....	Page 9-10
Vehicle Assignment.....	Page 10
Transit Amenities.....	Page 10-11
Title VI Complaint Procedures.....	Page 11-12
Record of Title VI Investigations, Complaints or Lawsuits.....	Page 13
Title VI Complaint Form.....	Page 14-15

INTRODUCTION

Title VI of the Civil Rights Act of 1964 prohibited discrimination on the basis of race, color, and national origin in programs and activities receiving Federal financial assistance.

Pacific Transit System is committed to ensuring that no person is excluded from participation in or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1B

LIMITED ENGLISH PROFICIENCY (LEP) PLAN

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

Census. The United States is home to millions of national origin minority individuals who are LEP. That is, their primary language is not English, and they cannot speak, read, write or understand the English language at a level that permits them to interact effectively with recipients of Federal Financial Assistance. Because of language differences and the inability to effectively speak or understand English, persons with LEP may be subject to exclusion from programs or activities, and experience delays or denials of services. These individuals may be entitled to language assistance with respect to a particular type of service. The federal government and those receiving assistance from the federal government must take reasonable steps to ensure that LEP persons have meaningful access to the programs, services, and information those entities provide. This will require agencies to establish creative solutions to address the needs of this ever-growing population of individuals, for whom English is not their primary language. According to the 2015 Census Data for Pacific County, English is spoken by 95.75% of the population with a total population of 19,828. Spanish-speaking residents comprise 3.28% of the non-English speaking in Pacific County, which is the service area of Pacific Transit.

IMPLEMENTATION PLAN

Policy for Engaging Individuals with Limited English Proficiency (LEP)

The U.S Department of Justice has provided some guidance on engaging LEP individuals. The guidance offers a “four-factor analysis” process, which the Title VI Team has used to determine the number and proportion of LEP individuals in the region and how to cost-effectively provide information services to these individuals.

This “four-factor analysis” process includes determining the number and proportion of LEP individuals within the populations, the frequency with which LEP individuals will come in contact with the program, the importance of the program to people’s lives, and the resources available to provide translation services. According to the U.S. Census figures, a couple of languages are spoken within the Pacific County region. According to the 2015 Census, the top two non-English languages spoken in the region are Spanish and Laotian. Data is not available at this time to determine the degree of English these two categories of LEP individuals can comprehend.

Pacific Transit System does not provide any neighborhood-specific programs or projects, therefore we reviewed language characteristics for the region as a whole: the 5% safe harbor will be used. The frequency and extent to which LEP individuals come into contact with Pacific Transit System are estimated to be quite low.

While essential to the long-term livability and economic vitality of the region, long-range transportation and community planning may not be as important of a service to LEP individuals as health care, employment, or financial assistance. However, any opportunity to increase public comment on long-range decision-making is a worthwhile investment.

Pacific Transit System encourages public comment on its policies, programs, and funding cycles, and therefore would like to increase opportunities for public comment, particularly by historically underserved populations including LEP individuals.

Pacific Transit System has limited resources to pursue translation services; therefore, an ideal solution would be to find a low-cost point of access for LEP individuals. This gives LEP individuals a way to find out about the Pacific Transit System's activities and provides a method for Pacific Transit System to determine the demand for translation services.

ACTION: Pacific Transit System has implemented a Title VI Policy plan and will review it annually to ensure the language used will reach our LEP populations. Pacific Transit System's Title VI Policy and a Complaint Form are available at our Raymond Office in English and Spanish. There are notices on all buses, on our website, and in our Raymond Office, printed in English and Spanish posting "Your rights under Title VI policy is written in Spanish as well as English". Pacific Transit System and its sub-recipients must provide information to beneficiaries regarding their Title VI Policy obligations and inform beneficiaries of the protections against discrimination afforded them by the Title VI Policy. Pacific Transit System has established a statement of rights and a policy statement in English and Spanish.

Pacific Transit System is making efforts to keep the LEP populations informed of all services available which are written in English as well as Spanish. We distribute our schedules in Spanish to LEP population areas such as the local school, at local job sites where LEP populations are identified, and at the Grays Harbor College annex where ESL classes are taught.

Pacific Transit System has hired two staff, one in Dispatch and one in Administration who are fluent in Spanish. Any problems with communication, Bus Operators can call the office for assistance with Spanish translation

Future plans may include a "Spanish extension" to our phone system. The automated greeting for our telephone system could include instructions in Spanish and provide callers the option of leaving a message in Spanish. The "Spanish extension" records a voice mail message that can be accessed by our bi-lingual staff.

ANALYSIS OF FACTORS

Factor No. 1: The nature and importance of the service provided by the Pacific Transit System. Pacific Transit System provides the only public transportation service available to the public through fixed routes, and Dial-A-Ride/paratransit services.

Factor No. 2: The number or proportion of LEP persons in the service area. Pacific Transit System's Public Transportation Benefit Area covers the area of Pacific County. English speaking residents comprise 95.75% of the population. Residents of Pacific County speaking languages other than English comprise approximately 4.43% of the population, of which 3.28% speak Spanish. The substantive majority of the population served is proficient in English. According to the 2015 US Census, 2.1% of the LEP population residents of Pacific County are bilingual.

Factor No. 3: The frequency with which LEP individuals come into contact with the service. Pacific Transit System does not come in contact with or serve many LEP residents. Most of the LEP contacts are made on our fixed-route bus service. We occasionally serve LEP persons at our Raymond Office. Most of these LEPs come with another person to translate for them. In the case where a translation is needed, Pacific Transit System has hired two staff, one in Dispatch and one in Administration who are fluent in Spanish. Any problems with communication, Bus Operators can call the office for assistance with Spanish translation.

Factor No. 4: The resources available to the recipient of the federal funds to assure meaningful access to the service by LEP persons. Pacific Transit System's service language capability is English. To assist our LEP populations, Pacific Transit System's website has the Title VI Policy and Complaint in Spanish. In addition, all notices are in on the website are written in English and Spanish and all notices on the buses are in English and Spanish. The website has now been set up so that Google translate is available, if documents need to be translated. This allows the LEP populations complete access to Pacific Transit System information found on the website.

NOTIFYING THE PUBLIC OF THEIR RIGHTS UNDER TITLE VI

1. The following notice is located on all our buses and vans; the Raymond Facility reception area; and the Seaview Facility Meeting room:

Notifying the Public of Rights Under Title VI **Notificar a la ciudadanía de sus derechos en virtud del Título VI** **PACIFIC TRANSIT SYSTEM**

- ✓ Pacific Transit System operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with Pacific Transit System.
- ✓ For more information on Pacific Transit Systems' civil rights program, and the procedures to file a complaint, contact us at 360-875-9418, 360-642-9418, 360-484-7418, or TTD 1-800-833-6388; email hr_admin@pacifictransit.org; or visit our office at 216 N. 2nd Street, Raymond, WA 98577. You can also visit our website at www.pacifictransit.org for more information including the complaint form.
- ✓ A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the FTA Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave, SE, Washington, DC 20590.
- ✓ If information is needed in another language, contact Pacific Transit System at 360-875-9418, 360-642-9418, or 360-484-7418.
- ✓ PACIFIC TRANSIT SYSTEM does not discriminate based on race, color or national origin.
- ✓ For more information, contact Pacific Transit System a (360) 875-9418, (360) 642-9418, or (360) 484-7418.



2. The Title VI Policy and Complaint Form can be found at our Raymond Office located at 216 N. 2nd Street, Raymond, WA.
3. The Title VI Policy and Complaint Form is posted on our web page at www.pacifictransit.org

INCLUSIVE PUBLIC PARTICIPATION, COMMUNICATION AND INVOLVEMENT

Community Outreach is a requirement of Title VI. Communications and Involvement applies to and affects the Pacific Transit System work program, particularly agency efforts and responsibilities related to the Local Transportation Planning Program area. The goal of Pacific Transit System's Inclusive Public Participation, Communications and Public Involvement policy is to ensure early and continuous public notification about, and participate in, major actions and decisions by Pacific Transit System. In seeking public comment and review, Pacific Transit System makes a concerted effort to reach all segments of the population, including people from minority and low-income communities, and organizations representing these and other protected areas. Pacific Transit System utilizes a broad range of public information and participation opportunities, process for written comments, public meetings after effective notice, settings for open discussion, information services, and considered of and response to public comments.

The Recipients and 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 the Pacific Transit System. Pacific Transit System engages the public in planning and decision-making processes, as well as its marketing and outreach activities. The public is invited to participate in the following:

Transit Development Plan (TDP). The Transit Development Plan is a requirement of the Washington State Legislature annually. The Plan is prepared by the independent transit properties and turned into the Washington State Department of Transportation. A summary document is prepared which shows the size of the fleet, costs, revenue, service revenue hours, revenue miles, expense, and capital expenditures. A public hearing is held each year to obtain comments from the public relative to the TDP.

Public Meetings. When a new service is proposed, information is disseminated to the neighborhoods affected and public meetings are conducted, noted on the Web site and in the local weekly newspapers.

Website. The public meetings are noted on the Pacific Transit System's Website. The site is updated regularly and includes schedules, bus policies, fares, special announcements, and other information.

Press Releases. Press releases are sent to local outlets, the two local weekly newspapers.

Social Media. On the Pacific Transit System's Facebook Page, on the transit buses and posted in the bus shelters and put in the local newspaper in the north and south Pacific County. The route changes and/or new services provided must include continued access to employment and services, job and shopping, and accessibility to parks and recreational areas.

Meetings open to the public. All Executive Board Meetings are open to the public. Comments from the public either verbal or written are on the agenda during the beginning of the meeting. Anyone from the public wanting to address the Board with comments or concerns may do so under the Correspondence/Public Comment section of the meeting's agenda. Meeting dates and times are the third Thursday of every month at 10:30am.

Opportunities for public comment. Pacific Transit System frequently provides opportunities for public comment and continues to work to find new ways to solicit public comments and involve all segments of the population in Pacific County. Comments are accepted by phone, fax, email, U.S. mail and in person at any meeting.

Pacific Transit System Staff is accessible. Staff is accessible in person, on the phone, by mail, by fax, and by email. Contact information is provided on the agency's website.

Customer Complaint Process. Customers and citizens may call our office at (360) 875-9418 or (360) 642-9418 to lodge a complaint or comment. All complaints/comments are documented on a complaint form and then handed to the Director who researches the complaint and responds back to the citizen.

Title VI Complaints during this reporting period

*Pacific Transit System received a complaint about a violation of Pacific Transit System's Conduct of Standards on March 12, 2019. Three intoxicated passengers boarded a Pacific Transit System fixed route bus and started yelling racial slurs at a passenger. The complaint stemmed from the passenger who felt that the Pacific Transit System bus operator did not reply effectively. After investigation, it was found that the Pacific Transit System bus operator did not follow protocol, and the bus operator was disciplined and was required to take additional training on "Preventing Harassment" and "Conflict Resolution" and "Aggression Management". In addition, a manager reviewed Pacific Transit System's Exclusion Policy with the bus operator. The case was closed after the retraining of the bus operator.

*Pacific Transit System received a complaint regarding discrimination on the basis of race on May 22, 2019, from the same complainant, stemming from the complaint on March 12, 2019. The complainant now states that because of his race, the action was not taken in the above aforementioned incident and investigation. After a full investigation, it was deemed that the bus operator should have handled the situation differently, however bus operators must use their judgement in all types of situations. The fact that the other riders were allowed to remain on the bus had nothing to do with race but was an error in judgment on the part of the bus operator. Our bus operators are empowered and now required to promptly address such behavior when it occurs by removing passengers when they have engaged in discriminatory behavior. The case was closed after the investigation.

*Pacific Transit System received a compliant under the Americans with Disabilities Act on June 24, 2019, from the same complainant that submitted the two aforementioned complaints. The compliant was based on a bus operator asking passengers to move from the priority seating on the bus to regular seating in the bus to allow for an elderly woman with service dogs to be seated in priority seating. The complainant believed he should not have been asked to move out of the priority seating area even though he was more mobile than the gentleman who was seated in priority as well as the woman who was entering the bus at the time. Pacific Transit System's policy states that a bus operator has the right to ask passengers, but not require passengers, who are not disabled to move from priority seating to accommodate those passengers with disabilities and mobility issues. After investigation, Pacific Transit System clarified with all bus operators and dispatchers the rules regarding priority seating. The case was closed after the investigation.

*Pacific Transit System received a complaint until Title VII Retaliation Complaint that was forwarded to our legal firm after Title VI Complaint was also filed with WSDOT. It was reverted to a Title VI compliant. This compliant was filed by the same complainant that filed the three aforementioned complaints, stemming from the original complaint of March 12, 2019. The complainant believed that an Order of Protection by the bus operator was to restrain people of color from riding on Pacific Transit System buses. After legal review and investigation, it was concluded that there was no retaliation attributed to the earlier incident.

Board Meetings. The public is invited to attend all Board meetings which alternate between the north end of the county in South Bend, and the south end of the county in Long Beach. During Covid in 2020 and 2021 and 2022, the Board meetings have been conducted by Zoom meetings with access links added to our website so the public can attend.

SERVICE STANDARD

A. Vehicle Load Standard: Low Floor / Cutaway Local & Commuter Buses

The average of all loads during the peak operating period should not exceed vehicles' achievable capacities. Our low floor Gillig buses have a capacity of 44 passengers, 26 seated and 18 standing, for a maximum load factor of 1.7. Our wheelchair Gillig bus is 30' long and has a load capacity of 50 passengers, 29 seated and 21 standing.

Vehicle Headway Standard:

1. Long Beach Peninsula Area Local Bus:

Service operates on average 2 hours in the early morning; $\frac{3}{4}$ hours mid-morning to early afternoon; 1 hour in the afternoon; $\frac{1}{2}$ hour in the late afternoon; and 1 hour in the evening Monday through Friday. On weekends an average of $1\frac{1}{4}$ hour for a whole day. On weekdays, service begins at 5:30 am and runs till 7:15 pm. On weekends, service begins at 10:10 am and runs till 6:00 pm.

2. Raymond-South Bend Area Local Bus:

Service operates on average 2 hours in the early morning; $\frac{3}{4}$ hours mid-morning to early afternoon; $1\frac{1}{2}$ hours in the afternoon; 1 hour in the late afternoon; and $2\frac{1}{2}$ hours in the evening Monday through Friday. On weekends average of 1 hour for a whole

day. On weekdays, service begins at 5:50 am and runs till 7:00 pm. On weekends, service begins at 10:00 am and runs till 5:30 pm.

3. Commuter Buses:

Aberdeen to Raymond commuter service operates 3 runs per day, Monday through Friday with 6 hours between first and second run; and 4 hours between second and third run. Service begins at 6:20 am with the last run at 4:40 pm from Raymond.

Ilwaco to Astoria commuter service operates 3 runs per day, Monday through Friday with 2 ½ hours between first and second run; 7 ½ hours between second and third run. Service begins at 6:50 am with the last run at 4:10 pm from Ilwaco.

South Bend to Ilwaco commuter service operates 2 runs per day, Monday through Friday with 8 hours between the two runs from South Bend to Ilwaco; and 6 ½ hours between the two from Ilwaco to South Bend. The two runs leave South Bend at 7:55 am and 4:05 pm.

B. On-Time Performance Standard:

A bus is considered on time if it leaves no later than 5 minutes from a scheduled timepoint. Pacific Transit System's buses have a rate of 93% on-time completion on all their routes.

C. Service Availability Standard:

Pacific Transit System will distribute transportation services to 85% of Pacific County residents that are within a ¼ mile walk of the bus routes. Residents outside of the ¼ mile radius within the Raymond-South Bend area and the Long Beach Peninsula area have the option of a Dial-A-Ride pickup and delivery to the bus routes.

VEHICLE ASSIGNMENT POLICY

Pacific Transit System's buses are assigned to two facilities, the Raymond Facility, or the Seaview Facility. Pacific Transit System provides 5 out of 6 fixed bus service routes with a low floor 26 passenger ramp bus. The remaining route is provided with a full-size cutaway 29-passenger bus. The four alternate buses are comprised of three low floor 26 passenger buses and one wheelchair 29 passenger bus.

Two low floor ramp buses and the full-size cutaway bus are stationed at the Raymond facility and the other seven low floor ramp buses plus the 29-passenger wheelchair bus are stationed at the Seaview Facility. The ramp buses and the full-size cutaway are 29 feet in length. The one alternate wheelchair bus is 30 feet in length. All the low-floor ramp buses are equipped with air conditioning.

TRANSIT AMENITIES

Pacific Transit System has 16 transit shelters in the most populated areas along the Long Beach peninsula route and certain locations of busy businesses. The Raymond-South Bend route has 6 transit shelters within the two cities based upon a general location for the passengers to walk to and at the local hospital/ doctors' offices. One shelter is installed in the outlying area of Naselle.

Each shelter is equipped with schedules and warnings of route changes and/or detours. Most shelters are equipped with a seat. There are garbage receptacles at the main stops or route transfer shelters.

TITLE VI COMPLAINT PROCEDURES

What is Title VI of the Civil Rights Act of 1964?

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.

Pacific Transit System is committed to ensuring that no person is excluded from participation in or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1B. 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 the complainant became aware of the incident. The complaint should include the following information:

- Your name, mailing address, and telephone number(s)
- 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

The complaint may be filed in writing to Pacific Transit System at the following address:

Pacific Transit System
Title VI Coordinator
216 2nd Street
Raymond, WA 98577-2406
Or fax to 360-942-3193

NOTE: Pacific Transit System 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 fax, 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 date the complainant became aware of the incident.

What happens to my complaint after it is submitted to Pacific Transit System?

All complaints alleging discrimination based on race, color, or national origin in a service or benefit provided by Pacific Transit System will be directly addressed by Pacific Transit System, and shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, Pacific Transit System shall make every effort to address all complaints in an expeditious and thorough manner.

In instances where additional information is needed for the investigation of the complaint, Pacific Transit System 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 may result in the administrative closure of the complaint.

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

Every effort will be made to respond to Title VI complaints within 60 working days of receipt of such complaints.

How will I be notified of the outcome of my complaint?

Pacific Transit System will send a final written response to the complainant and advise the complainant of his or her right to (a) appeal within seven (7) calendar days of receipt of the final written decision from Pacific Transit System; and/or (b) file a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration.

If the complainant is not satisfied with the outcome of the complaint, they have the right to file a complaint or lawsuit with one of the following organizations:

Washington State Department
of Transportation
Public Transportation Division
Attn: Title VI Coordinator
P.O. Box 47387
Olympia, WA 98504-7387

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

U.S. Department of Justice
Civil Rights Division
Coordination and Review
Section – NWB
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

RECORD OF TITLE VI INVESTIGATIONS, COMPLAINTS OR LAWSUITS

Pacific Transit System has incurred four (4) Title VI Complaints, all by the same person. When Pacific Transit System receives a complaint, FTA requires that all complaints are tracked with the following required information:

- Type of complaint, investigation, or lawsuit
- Date of complaint, investigation, or lawsuit
- A summary of allegation(s)
- The status of the complaint, investigation, or lawsuit
- Actions taken in response to the complaint, investigation, or lawsuit
- The Complaints are noted on Page 7 and 8 of this Title VI Policy

Information was tracked until the complaint had been closed. The records will then be stored in accordance with state and federal record retention statutes. Information tracked shall be reported to WSDOT, as grantor of the funds, per requirements in the WSDOT “Guide to Managing Your Public Transportation Grants”

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Revised 01-11-2018
Revised 07-10-2014
Revised 01-17-2013
Adopted 10-14-2010

APPENDIX

The Board Authority of Pacific Transit System was called to order at 10:33am on July 21, 2022, by Chairman Commissioner Lisa Olsen.

Members present were:

Lisa Olsen-County Commissioner-Chairman

Julie Struck-Mayor of South Bend

Frank Wolfe-County Commissioner-Vice Chair

Jerry Phillips-Mayor of Long Beach

Mike Cassinelli-Mayor of Ilwaco

Mike Runyon-County Commissioner

Paul Tischer-ATU 1765 Representative

Resolution 22-03

Director Wagner explained that the state (WSDOT) requires that the Title VI Plan and Compliant Procedure Policy be update every three years. The plan was revised to include an emphasis on the Limited English Proficiency population. The new plan is available in both English and Spanish.

Commissioner Wolfe made a motion to approve Resolution 22-03; In the Matter of Amending the Title VI Plan and Complaint Procedure. Mayor Phillips seconded. All present in favor. Motion carried.