Title VI Plan

City of Portage

Adopted on: May 22, 2014

Adopted by: Portage City Council

Revised on: _____

This policy is hereby adopted and signed by:

City of Portage

Executive Name/Title: W.F. Bill Tierney, Mayor

Executive Signature: W F Bill

Policy Statement

The **City of Portage** as a recipient of Federal Transit Administration (FTA) grant dollars either directly from FTA or through the Wisconsin Department of Transportation (WisDOT) will comply with the Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the U.S. Department of Transportation implementing regulations.

Title VI Plan Elements

The **City of Portage's** Title VI plan includes the following elements:

1. Evidence of Policy Approval
2. Notice to the Public
3. Complaint Procedure
4. Complaint Form
5. List of transit related Title VI Investigations, Complaints and Lawsuits
6. Public Participation Plan
7. Language Assistance Plan
8. Minority Representation Table and Description

TITLE VI Notice to the Public

The **City of Portage's** Notice to the Public is as follows:

Notifying the Public of Rights Under Title VI

THE CITY OF PORTAGE

- ✓ The **City of Portage** 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 the **City of Portage**.
- ✓ For more information on the **City of Portage's** civil rights program, and the procedures to file a complaint, Marie Moe 608-742-2176; email marie.moe@portagewi.gov ; or visit our administrative office at 115 West Pleasant Street, Portage, WI 53901. For more information, visit www.portagewi.gov
- ✓ A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE Washington, DC, 20590.
- ✓ If information is needed in another language, contact 608-742-2176.
  Si se necesita informacion en otro idioma de contacto, 608-742-2176.

The **City of Portage's** Notice to the Public is posted in the following locations: (*check all that apply*)

- X Agency website www.portagewi.gov
- X Public areas of the agency office (common area, public meeting rooms)
- X Inside vehicles
- ☐ Rider Guides/Schedules
- ☐ Transit shelters and stations
- ☐ Other, _____

Title VI Complaint Procedure

The **City of Portage's** Title VI Complaint Procedure is made available in the following locations:

- X Agency website, either as a reference in the Notice to Public or in its entirety
- X Hard copy in the central office
- ☐ Available in appropriate languages for LEP populations, meeting the Safe Harbor Threshold.
- ☐ Other, _____

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by the **City of Portage** may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form.

The **City of Portage** investigates complaints received no more than 180 days after the alleged incident. The **City of Portage** will process complaints that are complete.

Once the complaint is received, the **City of Portage** will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.

The **City of Portage** has 30 days to investigate the complaint. If more information is needed to resolve the case, the city may contact the complainant.

The complainant has 30 business days from the date of the letter to send requested information to the investigator assigned to the case.

If the investigator is not contacted by the complainant or does not receive the additional information within 30 business days, the city can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two (2) 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 letter of finding (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 letter or the LOF to do so.

A person may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

If information is needed in another language, then contact 608-742-2176.

Title VI Complaint Form

The **City of Portage's** Title VI Complaint Procedure is made available in the following locations:

- X Agency website, either as a reference in the Notice to Public or in its entirety
- X Hard copy in the central office
- ☐ Available in appropriate languages for LEP populations, meeting the Safe Harbor Threshold.
- ☐ Other, _____

Section I:				
Name:				
Address:				
Telephone (Home):		**Telephone (Work):**		
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
Section II:				
Are you filing this complaint on your own behalf?		Yes*	No	
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party:				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.		Yes	No	
Section III:				
I believe the discrimination I experienced was based on (check all that apply): [ ] Race [ ] Color [ ] National Origin Date of Alleged Discrimination (Month, Day, Year): _____ Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form. _____ _____				
Section IV				
Have you previously filed a Title VI complaint with this agency?		Yes	No	

Section V
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? [ ] Yes [ ] No If yes, check all that apply: [ ] Federal Agency: _____ [ ] Federal Court _____ [ ] State Agency _____ [ ] State Court _____ [ ] Local Agency _____
Please provide information about a contact person at the agency/court where the complaint was filed.
Name:
Title:
Agency:
Address:
Telephone:
Section VI
Name of agency complaint is against:
Contact person:
Title:
Telephone number:

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

Signature and date required below

_____ _____

Signature Date

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

City of Portage
Marie Moe
115 West Pleasant St
Portage, WI 53901

List of Transit Related Title VI Investigations, Complaints and Lawsuits

Subrecipient: City of Portage		
Contact Person: Jean E. Mohr	**Signature:** Jean E Mohr	**Date:** 5/22/14

Check One:

_____ There have been no investigations, complaint and/or lawsuits filed against us during the report period.

_____ There have been investigations, complaints and/or lawsuits filed against us. *See list below. Attach additional information as needed.*

	Date (Month, Day, Year)	**Summary** (include basis of complaint: race, color, or national origin)	**Status**	**Action(s) Taken**
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				
Complaints				
1.				
2.				

Public Participation Plan

Subrecipient: City of Portage		
Contact Person: Jean E. Mohr	**Signature:** Jean E Mohr	**Date:** 5/22/14

Strategies and Desired Outcomes

To promote inclusive public participation, the **City of Portage** will use its resources available to employ the following strategies, as appropriate:

- ✓ Provide for early, frequent and continuous engagement by the public.
- ✓ Expand traditional outreach methods. Think outside the box: go to hair salons, barbershops, street fairs, faith-based institutions, libraries, etc.
- ✓ Select accessible and varied meeting locations and times
- ✓ Employ different meeting sizes and formats
- ✓ Provide childcare and food during meetings, if possible.
- ✓ Use social media in addition to other resources as a way to gain public involvement
- ✓ Use radio, television or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP populations may also include audio programming available on podcasts.

Documented Public Outreach

The direct public outreach and involvement activities conducted by the **City of Portage** are summarized in the table below. Efforts include *meetings, surveys, focus groups, etc.*

Information pertinent to each event and/or activity will be provided to WisDOT upon request. Examples include copies of: meeting announcements, agendas, posters, attendee list, etc.

Event Date	**City of Portage** Staffer(s)	**Event**	**Date Publicized** and **Communication Method** (Public Notice, Posters, Social Media)	**Outreach Method** (Meeting, Focus Group, Survey, etc).	**Notes** (Meeting size and format, location, Number of Attendees, etc.)
To Be Scheduled					

Language Assistance Plan

Plan Components

As a recipient of federal US DOT funding, the **City of Portage** is required to take reasonable steps to ensure meaningful access to our programs and activities by limited-English proficient (LEP) persons.

Limited English Proficient (LEP): Refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak or understand English. This includes those who have reported to the U.S. Census that they speak English less than very well, not well, or not at all.

Most individuals in Wisconsin read, write, speak and understand English. There are some individuals for whom English is not their primary language. If these individuals have a limited ability to read, write, speak, or understand English, they are considered limited English proficient, or "LEP."

The **City of Portage's** Language Assistance Plan includes the following elements:

1. The results of the *Four Factor Analysis*, including a description of the LEP population(s), served.
2. A description of how language assistance services are provided by language
3. A description of how LEP persons are informed of the availability of language assistance service
4. A description of how the language assistance plan is monitored and updated
5. A description of how employees are trained to provide language assistance to LEP persons
6. Additional information deemed necessary

Methodology

To determine if an individual is entitled to language assistance and what specific services are appropriate, the **City of Portage** has conducted a *Four Factor Analysis*[1] of the following areas: 1) Demography, 2) Frequency, 3) Importance and 4) Resources and Costs.

LEP *Four Factor Analysis*

- **Factor 1: Demography**: What is the number or proportion of LEP persons served and the languages spoken in the service area?

  Overview

  The first factor of the *Four Factor Analysis* is the basis of the Language Assistance Plan. It requires the **City of Portage** to review its US Census data to determine if it meets the *LEP Safe Harbor Threshold.*

[1] DOT LEP guidance https://www.civilrights.dot.gov/page/dots-lep-guidance

US Census and American Community Survey (ACS) Data[2]

The **City of Portage** did the following:

1. Inserted a copy of the **City of Portage's** county LEP data in the Title VI plan. This data was found at the WisDOT website at: http://www.dot.wisconsin.gov/localgov/docs/title6-lep.pdf

2. Analyzed the LEP demographic data for the **City of Portage's** program and/or service area by calculating the *Safe Harbor Threshold* for two to three of the largest language groups identified other than English.

    a. The *Safe Harbor Threshold* is calculated by dividing the population estimate for a language group that "Speaks English less than very well" by the total population of the county.

        i. The *LEP Safe Harbor Threshold* provision stipulates that for each LEP group that meets the LEP language threshold (5% or 1,000 individuals, whichever is less) the **City of Portage** must provide translation of vital documents in written format for the non-English users.

        ii. Examples of written translation of vital documents include the Title VI policy statement and/or Notice to the Public (Appendix 2), Title VI Complaint Procedure (Appendix 3), Title VI Complaint Form (Appendix 4), and ADA paratransit eligibility forms.

3. Explained the results of the analysis of the county LEP data in the demographic section of the *Four Factor Analysis.*

✓ **Factor 2: Frequency**: How often does your staff (and/or contractor/lessee) come into contact with LEP persons?

Overview

LEP persons are persons identified as speaking English less than very well, not well or not at all. Just because a person speaks a language other than English doesn't mean they don't speak English or are identified as LEP. The summary below discusses the frequency with which **City of Portage** staff, and/or its contractor/lessee come into contact with LEP persons. It also provides information on the how staff is instructed to meet the needs of LEP persons.

[2] The ACS publishes data in many forms on the Census Bureau American Fact Finder website http://factfinder2.census.gov/faces/nav/jsf/pages/searchresults.xhtml

✓ **Factor 3: Importance**: How does the program, service or activity affect people's lives?

Overview

The summary below discusses how the **City of Portage's** program and services impact the lives of person's within the community. The City of Portage will specify the community organizations that serve LEP persons, if available.

✓ **Factor 4: Resources and Costs**: What funding and other resources are available for LEP outreach?

Overview

The summary below discusses the low cost methods used by the **City of Portage** to provide outreach to LEP persons as well as train staff (and/or its contractor/lessee) on Title VI and LEP principles.

Additional Required Elements

In addition to the *Four Factor Analysis (listed below as item #1)*, the City of Portage will address the following elements:

Item #2: A description of how language assistance services are provided by language
Item #3: A description of how LEP persons are informed of the availability of language assistance service
Item #4: A description of how the language assistance plan is monitored and updated
Item #5: A description of how employees are trained to provide language assistance to LEP persons

And, any additional information deemed necessary.

City of Portage – Summary of the Language Assistance Plan Components

Title VI Appendix #7

Item #1 – Results of the Four Factor Analysis *(including a description of the LEP population(s) served)*

Factor 1 – ***Demography***

*The **City of Portage** contracts with a transit provider to provide shared-ride taxi (SRT) service. The contractor/transit provider provides service for the **City of Portage**. Census 2010 reports a City of Portage population of 10,298. The largest LEP population is Hispanic language, which represents 2.4% (244) of the population. The **City of Portage** is below the safe harbor threshold and is not required to provide written translation of vital document. The largest group with limited English proficiency is Hispanic or Latino and comprises less than 5% of the population. Caucasian represents 90.9% (9,386); African*

American 5.0% (517); Asian 0.8% (79); Native American 0.9% (98) according to the 2010 Census Summary (http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=CF)

*In the future, if the **City of Portage** meets the Safe Harbor Threshold for written translation of vital documents, it will also consider measures needed for oral interpretation.*

Factor 2 – ***Frequency***

*The **City of Portage** (and its contractor/lessee) will be trained on what to do when they encounter a person that speaks English less than well. The **City of Portage** and/or its contractor/lessee will track the number of encounters and consider making adjustments as needed to outreach efforts to ensure meaningful access to all persons and specifically to LEP and minority populations of the **City of Portage's** programs and services.*

*The **City of Portage's** contractor/transit provider provides rides to 115,000 persons per year. While formal data has not been collected, the contractor has indicated it has encountered (0) LEP persons using the service within the last six months. Our contractor/transit provider has an open door policy and will provide rides to any person who requests a ride. If an individual has speech limitations, the dispatcher or driver will work with the Transit Manager and the **City of Portage**, if needed to ensure the individual receives access to the transit service.*

Factor 3 – ***Importance***

*The **City of Portage** and our contractor/transit provider understands an LEP person with language barrier challenges also faces difficulties obtaining health care, education or access to employment. A public transit system is a key link to connecting LEP persons to these essential services.*

*The **City of Portage** has identified activities and services which would have serious consequences to individuals if language barriers prevented access to information or the benefits of those programs. The activities and services include providing emergency evacuation instructions in our facilities, stations and vehicles and providing information to the public on security awareness or emergency preparedness.*

*The **City of Portage's** assessment of what programs, activities and services that are most critical included contact with community organization(s) that serve LEP persons, as well as contact with LEP persons themselves to obtain information on the importance of the modes or the types of services that are provided to the LEP populations.*

Factor 4 – ***Resources and Costs***

*Even though the **City of Portage** does not have a separate budget for LEP outreach, the city has worked with our contractor/transit provider to implement low cost methods of reaching LEP person. For example, the **City of Portage** and our contractor/transit provider work with local advocacy groups to reach LEP populations.*

Item # 2 – Description of how Language Assistance Services are Provided, by Language

*The **City of Portage** works with our contractor/transit provider to ensure mechanisms are in place to reach LEP persons in the service area. For example, the contractor has a special brochure printed and is available in each vehicle to assist LEP populations in understanding the transportation service.*

Item # 3 - Description of how LEP Persons are Informed of the Availability of Language Assistance Service

*The **City of Portage** and its contractor/transit provider does the following to inform LEP persons of the availability of language assistance services: striving to employ multilingual staff, and creating and posting multi-language announcements, posters and other information.*

Item # 4 – Description of how the Language Assistance Plan is Monitored and Updated

*The **City of Portage** reviews its plan on an annual basis or more frequently as needed. In particular, the **City of Portage** will evaluate the information collected on encounters with LEP persons as well as public outreach efforts to determine if adjustments should be made to the delivering of programs and services to ensure meaningful access to minority and LEP persons.*

*In addition, if relevant, the **City of Portage** will meet with its contractor/transit provider on an annual basis to ensure the Title VI requirements are met. The last approval and site-visit of the contractor/transit provider was on 05/14/2014.*

Item # 5 - Description of how Employees are Trained to Provide Language Assistance to LEP Persons

***City of Portage** employees are educated on the principles of Title VI and the **City of Portage's** Language Assistance Plan. New employees will be provided guidance on the needs of clients served and how best to meet their needs. An important discussion point is that of language assistance. If a driver, dispatcher or employee needs further assistance related to LEP program participants, her/she will work with the **City of Portage's** Title VI Coordinator to identify strategies to meet the language needs of the participants of the program or service.*

*As part of our annual check in meeting, if relevant, the **City of Portage** will meet with its contractor/transit provider to discuss updates the **City of Portage's** Language Assistance Plan.*

Minority Representation Information

A. Minority Representation Table

*The table below depicts the **City of Portage's** committees and councils related to transit: the Finance Committee and Council. The demographic data in the table below indicates the participation of minorities on committees and councils is reflective of the demographic makeup of the **City of Portage**. – Not Available at this time*

Body	Caucasian	Hispanic	African American	Asian American	Native American
Population					
None					

B. Efforts to Encourage Minority Participation

*The **City of Portage** understands diverse representation on committees, councils and boards results in sound policy reflective of its entire population. As such, the **City of Portage** encourages participation of all its citizens. As vacancies on boards, committees and councils become available, the **City of Portage** will make efforts to encourage and promote diversity. To encourage participation on its boards, committees and councils, the **City of Portage** will continue to reach out to community, ethnic and faith-based organizations to connect with all populations. In addition, the **City of Portage** will use create ways to make participating realistic and reasonable. Such as, scheduling meetings at times best suited to its members and providing transportation and child care, if needed for its members.*

Minority Representation Data Collection Form

City of Portage - Council

Date:

Dear Member,

As the **City of Portage** is a recipient of federal funds, we are required under Title VI of the Civil Rights statue 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

It is unlawful for the **City of Portage** to fail or refuse to provide services, access to services or activities, or otherwise discriminate against an individual because of an individual's race, color, religion, sex, national origin, disability or veteran status.

As a council under the jurisdiction of the **City of Portage**, we invite council members to voluntarily self-identify their race/ethnicity in order for us 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 to be summarized and reported to the federal government for civil rights enforcement purposes.

Race/Ethnicity

If you choose to self-identify, please mark the **one box** describing the race/ethnicity category with which you primarily identify:

___ *Asian or Pacific Islander*: All persons having origins in any of the peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands and Samoa.

___ *Black and/or African American* (not of Hispanic origin): All persons having origins in any of the Black racial groups of Africa.

___ *Hispanic:* All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

___ *American Indian or Alaskan Native*: All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

___ *Caucasian* (not of Hispanic origin): All persons having origins in any of the original peoples of Europe, North Africa or the Middle East.