



**BASIN TRANSIT SERVICE TRANSPORTATION DISTRICT**  
**TITLE VI PROGRAM POLICY**

Board of Director Approval May 28, 2014

Includes Program, Public Participation Plan, Language Assistance Plan, Fixed Route Standards and Policies. Appendices include Title VI Notice, Complaint Form, and Investigations List.

BEFORE THE BOARD OF DIRECTORS  
OF  
BASIN TRANSIT SERVICE  
TRANSPORTATION DISTRICT

IN THE MATTER OF APPROVING ) RESOLUTION AND ORDER  
A TITLE VI PROGRAM TO COMPLY )  
WITH STATE AND FEDERAL )  
REQUIREMENTS ) NO. 2014-04

WHEREAS, this matter came before the Board at its meeting of May 28, 2014, and

WHEREAS, the District is required to adopt a program for establishing guidelines to effectively monitor and ensure that the District remains in compliance with the Federal Transit Administration (FTA) Title VI requirements and regulations under DOT Title VI regulations at 49 CFR Part 21; and

WHEREAS, the President has declared by executive order that Title VI must include provisions for accommodation persons for which English is not their first language; and

NOW AND THEREFORE, the Board of Directors of Basin Transit Service Transportation District of Klamath County, Oregon, RESOLVES AS FOLLOWS:

That the Board of Directors adopts and approves the Title VI Program Policy dated May 28, 2014 and on file in the headquarters offices at 1130 Adams Street, Klamath Falls, Oregon.

DATED this 28<sup>th</sup> of May 2014

BOARD OF DIRECTORS, BASIN TRANSIT  
SERVICE TRANSPORTATION DISTRICT

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MICHAEL McCULLOUGH, CHAIRPERSON

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CAROL NARRAMORE, RECORDING SECRETARY

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JAMES UERLINGS, LEGAL COUNSEL

**Ref:** FTA Circular 4702.B (October 1, 2012), Title VI Dependent Guidelines for Federal Transit Administration (FTA) Recipients, 49 CFR Part 21

## **PURPOSE**

The purpose of this policy is to establish guidelines to effectively monitor and ensure that Basin Transit Service Transportation District (BTS) is in compliance with all FTA Title VI requirements and regulations in order to carry out the provisions of the Department of Transportation's (DOT) Title VI Regulations at 49 CFR Part 21.

## **POLICY**

Discrimination is defined as an intentional or unintentional action through which a person, solely because of race, color, national origin, religion or gender is subjected to unequal treatment under a program or activity receiving federal financial assistance. Basin Transit Service is committed to creating and maintaining public transportation that is free of all forms of discrimination. No person or group of persons shall be discriminated against based on race, color, or national origin with regard to routing, scheduling or the quality of transportation service provided by Basin Transit Service. Basin Transit Service will take whatever preventive, corrective or disciplinary action necessary for behavior that violates this policy or the rights and privileges designed to protect.

Every application for financial assistance from the FTA is accompanied by an assurance that Basin Transit Service carry out the program in compliance with Title VI of the Civil Rights Act of 1964. This requirement is fulfilled annually when the applicant submits its certifications and assurances to the FTA via Oregon Department of Transportation Rail and Public Transit Division (ODOT RPTD).

## **PROGRAM**

### **Providing information**

Basin Transit Service shall provide information to the public regarding Title VI obligations and advise members of the public of the protections against discrimination afforded to them by Title VI. Basin Transit Service has information on its website, [www.basintransit.com](http://www.basintransit.com).

### **Procedures for complaints**

It is the policy of Basin Transit Service to provide an orderly process whereby problems and complaints will be considered as fairly and rapidly as possible without fear of retaliation. Every effort will be made to fund an acceptable solution by informal means at the lowest possible level.

Basin Transit Service has developed procedures for investigating and tracking Title VI complaints filed against them. These procedures are as follows:

Any person who believes he/she has been discriminated against based on race, color, or national origin by Basin Transit Service may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form (Appendix B). Submission may be by mail, drop off, or email. Basin Transit Service investigates each complaint within 24 hours after the alleged incident. Basin Transit Service will only process a complete complaint(s).

Once Title VI Complaint Coordinator (General Manager) receives the complaint, a supervisor is assigned the case. If more information is needed to resolve the case, Basin Transit Service may contact the complainant. After the investigator reviews the complaint, he/she will issue one of two letters: a closure letter or a letter of finding. A closure letter summarizes the allegations and states that there was not a Title VI violation and the case is closed. A letter of finding summarizes the allegations and the interviews regarding the alleged incident. It explains whether any disciplinary action, additional training of the staff or other action will occur. If the complainant wishes to appeal the decision, he/she has 30 days after the date of the letter or the letter of finding to the General Manager.

For additional information, help or filing the customer may:

- Phone Basin Transit Service's office at (541) 883-2877
- E-mail Basin Transit Service at [bts@ccounty.net](mailto:bts@ccounty.net)
- Come to Basin Transit Service Headquarters located at 1130 Adam Street, Klamath Falls, OR 97601
- Mail written complaint to 1130 Adam Street, Klamath Falls, OR 97601

A person may also file a complaint directly with the Federal Transit Administration or the Oregon Department of Transportation.

FTA Office of Civil Rights  
1200 New Jersey Avenue SE  
Washington, DC 20590  
1-866-377-8642

Oregon Department of Transportation  
Office of Civil Rights, Title VI Office  
355 Capital Street NE  
Salem, OR 97301  
(503) 986-3169

### **Transit -related Title VI Investigations, Complaints and Lawsuits List**

Basin Transit Service shall maintain a list of any active investigations, lawsuits or complaints conducted by entities other than the FTA that name Basin Transit Service and allege discrimination based on race, color, or national origin. This list shall include the date of filing, a summary of the allegation(s), the status, and actions taken by the recipient in response. The General Manager maintains these files. Basin Transit Service has had no Title VI investigations,

complaints or lawsuits that have occurred between April 15, 2005 and the submission of this program.

### **Reporting**

Basin Transit Service will report certain general information to determine their compliance with Title VI annually to ODOT RPTD as part of Basin Transit Service's Title VI Program. To ensure compliance with 49 CFR Section 21.9(b), Basin Transit Service will submit a Title VI Program to FTA's designated recipient, ODOT RPTD, once every three years.

### **Basin Transit Service Responsibilities:**

It is the responsibility of all Basin Transit Service employees to follow the intent of these guidelines in a manner that reflects this policy.

They shall:

- Ensure that there are no barriers to service or accommodation that would prevent public transit usage or access.
- Take prompt and appropriate action to avoid and minimize the incidence of any form of discrimination.
- Notify the General Manager Coordinator and/or General Manager in writing of the circumstances surrounding any reported allegations of discrimination no later than the next business day.

### **Administration responsibilities:**

- Train subordinates as to what constitutes discrimination and barriers to access.
- The General Manager receiving information regarding violation(s) of this order, shall determine if there is any basis for the allegation and shall proceed with resolution as stated in the section Complaint Procedure.

### **Public Participation Plan**

Basin Transit Service's public participation strategy offers, early and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions. Transportation decisions include and are not limited to transportation development and Coordinated Plans, service design changes, new services, fare changes, and changes of service policy that may limit access to service. Basin Transit Service will seek out and consider the viewpoints of minority, low-income, and limited English proficiency (LEP) populations in the course of conducting public outreach and involvement activities. Basin Transit Service will comply with grant-related public involvement requirements as defined by grant application documents.

Basin Transit Service's public involvement will be proactive in providing information, timely public notice, key decisions and opportunities for early participation.

This involves:

- the identification of social, economic, and environmental impacts of BTS's proposed transportation changes
- timely information about transportation issues and processes to citizens, Klamath County, other affected public agencies, other providers of transportation, other interested parties and segments of the community who would be affected by Basin Transit Service's transportation plans, programs, and projects
- adequate public notice of public involvement activities and time for public review and comment at key decision points including persons with low-income, minority populations and those with Limited English Proficiency (LEP)
- contact of agencies and individuals who are or who represent minorities, people with low-incomes and people with low English proficiency to participate in BTS's program.
- a process for demonstrating explicit consideration and response to public input during the planning and program development process
- periodic review of the effectiveness of the public involvement process to ensure that the process provides full and open access to all

The processes used will vary from time to time depending on the subject, purpose and scope of the program, policy and funding decisions. They include but are not limited to:

- Public surveys
- Stakeholder advisory committees
- Website information
- Formal solicitation of comments within a public announcement
- Open public meetings
- Board of Directors meetings
- Annual Budget Meeting

## **Meetings**

- All meetings shall be held in accessible locations, at convenient meeting times and with appropriate notice. Meeting materials are prepared in alternative formats for people with disabilities if requested.
- Provide adequate public notice
- All meeting agendas will include time for public comment arrangements made in advance. The meetings are open to the public; the meeting schedule and agenda are published and a contact number are posted on Basin Transit Service's website
- When possible, committee members will represent people with disabilities, Indian tribes, people with low-income, seniors, local government and local transit agencies.
- Offer time for adequate review of material at key decision points.
- Demonstrate explicit and considered responses to input by maintaining documentation of responses.

**Title VI Language Assistance Plan**

Limited English Proficiency (LEP) users primarily interact with Basin Transit Service through fixed routes and para-transit service. Fixed routes are within a mixture of the City of Klamath Falls and immediate housing surrounding Klamath Falls called the Urban Growth Boundary (UGB). This area has an approximate population of 45,000. Basin Transit Service, needing the assessment to determine the LEP used the U.S. Department of Transportation’s (USDOT) Four Factor Analysis to determine this population of LEP individuals within the described boundaries. Four Factor Analysis:

**Factor 1. Demography or the number or proportion and LEP persons served and languages spoken in the service area.**

Basin Transit Service is the public transit agency for the Greater Klamath Falls Urban Area. The area extends from Wocus Road in the north to the OR 140 Southside Expressway in the south and from the Klamath Falls western city limits near Orindale Road to HWY 39 in the east. Within this area BTS provides: Fixed Bus Routes, Dial-a-Ride, required by ADA, Extended Services for customers needing service within the UGB.

Basin Transit Service used U.S. Census’s American Community Survey (ACS) 2007-2011 data for Klamath County to determine the percentages of LEP people.

Population age 6 years or older – 21,447

	%	Individuals
Speak only English	95.4%	20,460
Speak language other than English	4.6%	987
Spanish or Spanish Creole	2.8%	601
Other Indo-European languages	1.2%	257
Asian and Pacific Islands	0.2%	43
Other languages	0.4%	86

Population age 18 or older – 18,453

Speak only English	96.3%	17,770
Speak language other than English	3.7%	683
Spanish or Spanish Creole	2.3%	425
Other	1.4%	258

**Factor 2. Frequency of contact with LEP persons**

Basin Transit Service operates six days a week, Monday through Saturday, an extended service program reaches outlying areas; riders on fixed routes served hourly to every 30 minutes and persons with disabilities that are unable to ride the regular bus are served by Dial-a-Ride. Our mission is to continue and expand.

### **Factor 3. Importance of the program or service affect people's lives**

The services provided by Basin Transit Service include fixed routes and para-transit services within the transit service area. The service area population is approximately 45,000. Common destinations of riders include Hospital, courts, senior centers, medical services, entertainment, shopping, schools, college and links to other existing modes of transportation.

### **Factor 4. Resources and Costs**

The service area of Basin Transit Service has long had a population of Spanish speaking customers. Our fixed routes are designed to serve all neighborhoods especially those minority locations. Spanish is the only language that has yet been identified that requires our attention.

### **Analysis Conclusion:**

Title VI and its implementing regulations require that FTA recipients take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP). To meet the language needs of the identified customers all route map/schedules are in both English and Spanish formats. Additionally all drivers and Supervisors have been issued the Colorado DOT "Basic Spanish for Transit Employees" handbook. Additional translation services are available upon request. If other language groups are identified, Basin Transit Service will respond by providing instructions on how to use the public transit system in their language with Board of Directors approval.

### **Minority Representation Table**

Board of Directors, Budget Committee, and STF Citizen Advisory Committee are English speaking Caucasians.

### **Fixed Route Standards and Policies**

#### **Vehicle Load Standards**

The average of all loads during the peak operating period does not exceed the vehicles' achievable capacity of 30 seated passengers with no standees.

#### **Vehicle Headway Standards and Periods of Operation**



Basin Transit Service Public Transportation operates within the Urban Growth Boundary, (UGB) of Klamath County. Transit service provided by BTS includes Fixed Route, Para-Transit and Extended Service for outlying areas. Days and hours of operations for all services; Monday through Friday, 6:00 am to 7:30 pm and Saturday, 10:00 am to 5:00 pm, dispatching hours 8:00 am to 5:00 pm Monday through Friday. Basin Transit Service does not provide service on Sunday.

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

Basin Transit Service fixed route buses operate on a system schedule; 15 minutes past the established times buses are considered late. When a fixed route bus is as late as 15 minutes or later, the Field Supervisor takes immediate corrective action to return that bus to a timely route service. Appointments exclusively make up the schedules for Dial-A-Ride; drivers arriving 15 minutes past the designated time are considered late.

### **Service Availability Standards**

The service area includes the City of Klamath Falls, surrounding suburban neighborhoods and other locations within the Urban Growth Boundary of Klamath County. Services provided by Basin Transit Service are fixed routes, para-transit, extended services to the outlying areas, and historical trolley tour during summer months, connecting bus services with the Klamath Tribes, City and County schools, Klamath Community College and Oregon Institute of Technology. All vehicles are fully ADA accessible and equipped with bicycle racks. All neighborhoods within the service area are interconnected and served equally.

### **Service Policy**

It is the commitment of Basin Transit Service to maintain vehicles and equipment in excellent condition in accordance with manufacturer's recommendations to provide safe, reliable transportation, effective and efficient service to the community protecting the public investment in that equipment.

Program elements: Pre-trip inspections, basic service routines, vehicle cleaning, repairs, documentation, and analysis.

### **Transit Amenities Policy**

Installation of transit amenities along the bus route are based on demand for amenities from our customers, availability of financing, need and the existence of suitable locations without regard to location in the community.

## **Title VI Notice**

### **Basin Transit Service Transportation District**

Basin Transit Service operates its programs and services without regard to race, color, or national origin in accordance with Title VI of the Civil Rights Act. Any person who believes he or she has been subjected to any unlawful discriminatory practice under Title VI may file a complaint with Basin Transit Service.

For more information on Basin Transit Service's civil rights program and obligations and procedures to file a complaint, contact 541-883-2877, email [bts@ccountry.net](mailto:bts@ccountry.net), visit our website at [www.basintransit.com](http://www.basintransit.com), or visit Basin Transit Service at 1130 Adam Street Klamath Falls, Oregon 97601

A person may also file a complaint directly with the Federal Transit Administration: Office of Civil Rights, Attn: Title VI Program Coordinator, East Building, 5<sup>th</sup> Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590