

**Special Mobility Services
Spokane Community Transportation
Policy**

NUMBER/NAME: 1.2.1 Title VI Plan

RESPONSIBLE FOR MONITORING: Regional
Manager

EFFECTIVE DATE: 4/10/2010

REVIEW INTERVAL: Three Years

REVIEWED/REVISED DATE: 3/4/2020

REVIEWED/REVISED DATE: 5/4/2013

REVIEWED/REVISED DATE: 12/7/2022

REVIEWED/REVISED DATE: 7/5/2017

RETIRED DATE:

POLICY:

SMS complies with Title VI of the Civil Rights Act of 1964 and is committed to equal access to its programs.

PROCEDURE:

TITLE VI PLAN 2023-2026

Program Overview

Under grants from the Washington State Department of Transportation (WSDOT) and with support from local communities, Special Mobility Services (SMS) provides intercity transportation in a three-county area, linking rural communities in Eastern Washington with Spokane. SMS also provides dial-a-ride service in the Deer Park area for residents wishing to travel locally. The Community Shuttles operate weekdays and are fully accessible to people using wheelchairs or other mobility devices. Community Shuttles serve these areas:

Davenport	Deer Park	Newport
Reardan	Ritzville	Sprague

Under a federal grant through the Spokane Transit Authority (STA), SMS is also working to increase transportation options for seniors and people with disabilities in Spokane County. This mobility management program engages community stakeholders to promote transportation resources available in the community as well as develop new resources to fill identified gaps in the transportation network.

With funding from STA and WSDOT, SMS provides travel training to help community member use existing public transit and human services transportation in Spokane. The program promotes individuals' independent travel in the community.

Policy Statement. Special Mobility Services (SMS) is committed to a policy of non-discrimination in the conduct of its business, including its Title VI responsibilities - the delivery of equitable and accessible transportation services. SMS recognizes its responsibilities to the communities in which it operates and to the society it serves. It is SMS's policy to utilize its best efforts to assure that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under its programs of transportation service delivery and mobility management.

Objective:

Toward this end, it is SMS's objective to:

- A. Ensure that the level and quality of transportation service is provided without regard to race, color, or national origin;
- B. Identify and address, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of programs and activities on minority populations and low-income populations;
- C. Promote the full and fair participation of all affected populations in transportation decision making;
- D. Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations;
- E. Ensure meaningful access to programs and activities by persons with limited English proficiency.

Responsibility. The responsibility for carrying out SMS's Title VI program has been delegated to the Regional Manager by the General Manager. The Regional Manager is responsible for the day-to-day operations of this program and will receive and investigate Title VI complaints; however, all managers, supervisors and employees share in the responsibility for making SMS's Title VI program a success. SMS will notify the public of their rights under Title VI through its website and notices available in its offices.

Low Income and Minority Demographics

Estimates of poverty data from the US Census Bureau show that most areas served by SMS programs have poverty rates greater than the state average.

Poverty Status in Last 12 Months

	Total Population for whom Poverty Status is Determined	Population Below Poverty Level	Percent Below Poverty Level
Washington State	7,161,708	821,621	11.5%
Davenport	1,6523	102	6.2%
Deer Park	3,969	532	13.4%
Newport	2,025	442	21.8%
Reardan	576	130	22.6%
Ritzville	1,508	195	12.9%
Spokane County	483,477	69,738	14.4%
Sprague	447	79	17.7%

(Source: Data Set ACSST5Y2018)

Data from the US Census Bureau American Community Survey 5-Year Estimates, appearing in the following table, show a small minority population the service area.

Total Population by Race

	Davenport		Deer Park		Newport		Reardan		Ritzville		Spokane County		Sprague	
Total Population	1,717		4,026		2,142		584		1,628		497,875		452	
White	1,638	95%	3,765	94%	2,021	94%	577	98 %	1,397	85.8%	438,838	88%	415	91.8%
Black or African America	2	0.1%	20	0.5%	10	0.5%	0	0%	0	0%	8,007	1.6%	0	0.0%
American Indian & Alaska Native	10	0.6%	31	0.8%	29	1.4%	0	0%	8	0.5%	7,248	1.5%	1	0.2%
Asian	7	0.4%	0	0%	0	0%	0	0%	39	2.4%	11,117	2.2%	0	0%
Native Hawaiian & Pacific Islander	11	0.6%	45	1.1%	7	.3%	0	0%	0	0%	2,507	0.5%	0	0%
Other	0	0%	74	1.8%	15	0.7%	0	0%	71	4.4%	7,063	1.4%	5	1.1%
Two or More Races	49	2.9%	91	2.3%	60	2.8%	7	1.2%	113	6.9%	23,093	4.6%	31	6.9%

(Source: Data Set ACSDP5Y2018)

Inclusive Public Participation

Title VI requires community outreach that seeks out and considers the viewpoints of minority and low-income populations regarding the services SMS offers. The activities described below detail SMS's outreach activities since the last update of this plan and will continue to form the basis of outreach efforts in the coming years.

Coordinated Public Transit-Human Services Transportation Plan. As part of the WSDOT application process for Community Shuttles funding, SMS participated in the development of regional Coordinated Public Transit-Human Services Transportation Plans. These plans are locally developed and identify the transportation needs of individuals with disabilities, older adults, and people with low incomes, provide strategies for meeting those local needs, and prioritize transportation services for funding and implementation. Community outreach was a major emphasis of plan development, and included stakeholder meetings, community meetings, and surveys.

Spokane Transportation Collaborative. In May 2019, SMS began partnering with SNAP to establish the Spokane Transportation Collaborative. The Collaborative works to assess transportation needs among Spokane County's senior and disabled populations and look for ways to address gaps in service. Agencies representing people with low income, minorities, and LEP populations serve on the Collaborative and on its Steering Committee. As part of its work, public meetings and workshops are held throughout the county to assess need and provide information about available transportation resources.

Customer Complaint and Comment Process. Stakeholders have several methods for communicating comments or complaints:

- By phone at 509-534-9760
- Via the SMS website
- On Customer Comment Cards available on Community Shuttle buses

All complaints are logged and distributed to the relevant manager who researches each complaint and responds back to the complainant. Comments and suggestions are also forwarded to the relevant manager for possible action.

Surveys. Customers of our Medicaid transportation brokerage can complete a service quality survey on our website, and the results are gathered and reviewed on a quarterly basis. Surveys regarding Community Shuttles are conducted on an ad-hoc basis, but generally triennially, to gather information about customer use, satisfaction, and gaps in service.

Bilingual Outreach. SMS's bi-lingual staff member provides Spanish-speaking customers with information on services. Staff assistance can be utilized in outreach programs and offered for public meetings.

Minority and LEP Populations Outreach Activities

In-person outreach was limited for much of the period since the last update because of COVID restrictions. The following are outreach activities to minority and LEP populations accomplished since the last update:

- Staffed transportation booths at events with cross-cultural focus for outreach to minority and LEP populations, including: World Refugee Day, Unity in the Community, Valleyfest Cultural Celebration, Juneteenth Celebration, el mercadito, and Asian Pacific Islander Heritage Day.
- Staffed transportation booths at events serving low-income people, often including a large percentage of minority and LEP individuals. Events included: Avista Energy Assistance Fair, Point in Time Count/Homeless Connect, Caritas Health Fair, Blessings under the Bridge Summer Barbeque, Family Youth System Roundtable-Self-Care Fair, Silver Cafes (Meals on Wheels), and the Southside Senior Center Community Health and Wellness Program.
- Staffed transportation booths serving other groups that include minority and LEP populations: Veteran's Stand Down, Community Court, Spokane Public Libraries, STA Plaza.
- Distributed transportation newsletter to stakeholders including organizations representing low income, LEP and minority populations
- Trained staff from organizations serving refugees in using transportation options
- Translated Deer Park Dial a Ride and Community Shuttle schedules into Pashto. Distributed by e-newsletter, with printed versions distributed on buses and through LEP and minority social service organizations

The following are planned outreach activities to minority and LEP populations:

- Develop video travel guide and distribute to LEP populations
- Provide one-on-one help to refugee organizations to assist clients in accessing transportation programs
- Staff information booths at LEP and minority population outreach events

Limited English Proficiency Plan

Policy Statement. Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., provides that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives Federal financial assistance. 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 have limited English proficiency (LEP). A person with LEP is one who does not speak English as their primary language and who has a limited ability to read, speak, write or understand English.

LEP Assessment. SMS conducted an LEP assessment for the service area by using US Census Bureau estimates based on the 2010 US census and consultation with community organizations, including SMS staff. SMS conducted the “four-factor analysis” per the U.S. Department of Transportation LEP guidance. The results are as follows:

1. *Determine the number of LEP persons eligible to be served or likely to be encountered by a program, activity or service.* SMS interviewed operations staff and found that the transportation program is rarely used by LEP residents. Census information confirms that the towns served by SMS routes have a small number of residents who lack proficiency in English. Similarly, Spokane County, served by the Mobility Management program, shows a low percentage of the population with limited English proficiency.

2013-17 US Census Estimate Language Spoken at Home by Persons over 5 Years Old

	Total Population	Spanish-Speak English Less than Very Well		Other Indo-European-Speak English Less than Very Well		Asian/Pacific Islander-Speak English Less than Very Well		Other Languages-Speak English Less than Very Well	
Davenport	1,713	0		0		0		0	
Deer Park	3,651	33	0.09%	0		0		0	
Newport	2,011	3	0.1%	8	0.4%	0		0	
Reardan	532	0		0		0		0	
Ritzville	1,559	12	0.8%	6	0.4%	22	1.4%	0	
Spokane County	467,275	2,876	0.6%	5,025	1.1%	3,490	0.7%	584	0.1%
Sprague	436	0		0		0		0	

2. *Determine the frequency with which LEP persons come into contact with our program.* SMS participated in public meetings as part of its grant application review

process and no comments were received about LEP services. SMS consulted program staff about LEP contacts and found them to be rare.

3. *Determine the importance of the program, activity or service to people's lives.* Transportation from rural areas to access medical and other services available only in the City of Spokane can be critical for transportation disadvantaged people. SMS provides the only low-cost public transportation from Ritzville, Davenport, Deer Park and Newport to Spokane. However, the number of LEP persons living in the service area who are also transportation disadvantaged appears to be small considering the low number of contacts SMS has had from LEP persons and the low numbers of LEP persons living in the area according to census figures.

4. *Determine the resources available and cost.* SMS has the following resources for LEP persons:

- Interpretation services are free of charge upon request by calling (509) 532-9505. SMS contracts with Language Line to provide interpretation services. The firm provides real-time interpretation services and is available 24 hours a day, 7 days per week at a cost to SMS of 62 cents a minute.
- A full time staff member is bilingual in Spanish and available for interpreting.
- Printed route information and schedules are available in Spanish, Russian, and Vietnamese. SMS will consider translating materials into other languages upon request. Cost: \$600
- SMS equips buses with Language Identification Flashcards.
- Translated Deer Park schedules are available into Pashto. Cost: \$170.

All staff members are trained during orientation to provide timely and reasonable language assistance, including on the use of the Language Identification Flashcards and Language Line translation services.

SMS believes it has taken responsible steps to ensure quality access for LEP persons to its transportation programs and does not anticipate implementing any further measures to improve LEP access at this time.

Notifying the Public. SMS will notify the public on our website, on bus schedules and other informational flyers that language assistance is available. The notification language, "If information is needed in another language, contact (509) 534-9760," will also appear in Spanish, Russian, and Vietnamese. The notification language will be added as documents and website pages are updated.

Monitoring and Updating the LEP Plan. This plan is designed to be flexible and easily updated. SMS will follow the Title VI program update schedule for monitoring and updating the LEP plan.

Each update should examine all plan components such as:

- How many LEP persons were encountered?
- Were their needs met?
- What is the current LEP population in the service area?
- Has there been a change in the languages needing translation services?
- Is there still a need for continued language assistance for previously identified programs? Are there other programs that should be included?

- Have SMS's available resources, such as technology and staff changed?
- Were there any complaints received?

Safe Harbor Provision

According to the US Department of Justice's (DOJ) Safe Harbor Provision, adopted by US Department of Transportation (DOT), a recipient of federal funds will provide written translation of vital documents for language when the LEP population constitutes five percent (5%) or 1,000 persons of the total population served by the agency. As of the 2017 ACS 5-year estimates, Russian, Spanish and Vietnamese qualify as "Safe Harbor" languages in Spokane County and SMS will make vital documents available in those languages.

Transit-Related Committees, Councils and Boards

Title VI regulations require that the Title VI plan include a table depicting the membership of any transit-related non-elected committees, councils, and boards, broken down by race, and the process the agency uses to encourage the participation of minorities on such committees. SMS has no non-elected committees, councils, or boards.

Equity Analysis of Facilities

Title VI regulations require that the Title VI plan include an equity analysis if the agency has constructed a facility, such as a vehicle storage facility, maintenance facility, or operations center. SMS has not constructed any such facilities that would require a Title VI equity analysis.

Title VI Notice to the Public

To comply with 49 CFR 21.9(d), SMS and its sub-recipients must provide information to beneficiaries regarding their Title VI obligations and inform beneficiaries of the protections against discrimination afforded them by Title VI. SMS has established a policy statement to inform individuals of their Title VI rights and posts this statement on SMS's website http://www.sms1.org/assets/files/docs/Equity_and_Access_Statement.pdf and in its offices.

Non-Discrimination Notice. Special Mobility Services (SMS) provides equal access to its programs without regard to gender, religion, disability, sexual orientation, or age. In accordance with Title VI of the Civil Rights Act of 1964, Special Mobility Services does not discriminate on the basis of race, color, or national origin.

For more information on your rights or the procedures to file a discrimination complaint, or to request this information in an accessible format, please contact the Regional Manager at (509) 534-9760 (TTY Relay 711), or the SMS office at 12615 E Mission, Suite 312, Spokane Valley, WA 99216.

If information is needed in another language, contact (509) 534-9760.

Si necesita información en otro idioma, comuníquese al (509) 534-9760.

Для получения информации на другом языке звоните по тел. (509) 534-9760.

Nếu quý vị cần thông tin bằng một ngôn ngữ khác, xin vui lòng gọi số (509) 532-534-9760

Title VI Complaints

Title VI Complaint Procedures. The Regional Manager will communicate to anyone wishing to file a Title VI complaint that if he or she believes that he or she has been excluded from participation in, denied the benefits of, or subjected to discrimination based on race, color or national origin under SMS's programs of transportation service delivery, he or she may file a complaint with the SMS Regional Manager at 12615 E Mission, Suite 312, Spokane Valley, WA 99216. A Civil Rights Complaint Form has been developed for this purpose (attached).

All complaints will be investigated promptly. Reasonable measures will be undertaken to preserve any information that is confidential. The Regional Manager will review every complaint, and when necessary, assign a neutral party to investigate. At a minimum the investigation will:

- Identify and review all relevant documents, practices and procedures;
- Identify and interview persons with knowledge of the Title VI violation, i.e., the person making the complaint; witnesses or anyone identified by the Complainant; anyone who may have been subject to similar activity, or anyone with relevant information.

SMS will generally complete an investigation within 30 days from receipt of a completed complaint form. If more information is needed to resolve the case, SMS may contact the complainant. Unless a longer period is specified by SMS, the complainant will have ten days from the date of the letter to provide the requested information.

Upon completion of the investigation, the Regional Manager will complete a final report for the General Manager. If a Title VI violation is found to exist, remedial steps as appropriate and necessary will be taken immediately. The Complainant will also receive a final report. The investigation process and final report should take no longer than forty-five days. If no violation is found and the complainant wishes to appeal the decision, he or she may appeal directly to the General Manager, 2101 NE Flanders, Portland, OR 97232.

The complainant also has the right to file a complaint or lawsuit with the following organizations:

Organization Name and Address			
Spokane Transit Authority Attn: STA Ombudsman 1230 West Boone Spokane WA, WA 99201	Washington State DOT Public Transportation Division Attn: Title VI Coordinator P O Box 47387 Olympia, WA 98504-47387	Federal Transit Administration Attn: Title VI Program Coordinator East Building, 5 th Floor--TCR 1200 New Jersey Ave, SE Washington, DC 20590	U.S. Dept of Justice Civil Rights Division Coordination and Review Section NWB 950 Pennsylvania Avenue NW Washington, DC 20530

Record Keeping. The Regional Manager shall maintain a log of Title VI complaints, including lawsuits, received from this process which name SMS or any of the above-

named organizations and shall include the date the complaint was filed; a summary of the allegations; the status of the complaint; and actions taken by SMS in response to the complaint. The log shall include investigations by outside agencies. The log and related records shall be kept according to federal and state record retention requirements, but at least six years from the closure of the grant project or the useful life of equipment, whichever is applicable.

Title VI Complaints Received. SMS has not been the subject of any civil rights investigations, complaints or lawsuits since the last update of the Title VI plan.

Protection from Retribution. Customers should be able to make complaints without fear of retribution. If a customer feels that s/he is being treated unfairly in response to a complaint, s/he may contact the General Manager.

CIVIL RIGHTS COMPLAINT FORM

The following information is necessary to assist us in processing your complaint. **The form must be completed and returned within 180 days of the alleged discrimination.** Should you require any assistance in completing this form, please contact Rusty Koontz by phone at 509-534-9760 or by e-mail at rutstyk@specialmobility.org or at the address below.

Complete and return this form to:
Special Mobility Services
Rusty Koontz, Regional Manager
12615 E Mission, Suite 312
Spokane Valley, WA 99216

1. Complainant's Name: _____

2. Address: _____

3. City: _____ State: _____ Zip Code: _____

4. Telephone (home): _____ (business): _____

5. Which of the following best describes the reason you believe the discrimination took place? Was it because of your:

Race/Color National Origin Age Gender Disability Religion

6. What date did the alleged discrimination take place? _____

7. In your own words, describe the alleged discrimination. Explain what happened and who you believe was responsible.

Please use the back of this form if additional space is needed.

8. Were there any witnesses to the alleged discrimination? Yes No

If yes, please provide information below (if known):

Witness Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone (home): _____ (business): _____

Please use the back of this form if additional space is needed.

9. 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 each box that applies:

Federal agency Federal court State agency State court Local agency

10. Please provide information about a contact person at the agency/court where the complaint was filed.

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: _____

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

Signature Date

Civil Rights Complaint Appeal Procedures

If you were notified that no civil rights violation was found as a result of your civil rights complaint and you wish to appeal the decision, you may appeal directly to the Special Mobility Services General Manager.

More Information

For more information concerning non-discrimination rights or how to file a civil rights complaint appeal, you may contact SMS in any of the following ways:

Mail: Regional Manager
Special Mobility Services
12615 E Mission, Suite 312
Spokane Valley, WA 99216.

Phone: 509-534-9760

FAX: 509-534-6980

E-mail: rustyk@specialmobility.org

Appeal Procedures

1. The appeal should be in writing and addressed to:

Fred Stoffer, General Manager
Special Mobility Services
2101 NE Flanders St.,
Portland, OR 97232

2. The appeal should be made within 30 days of receipt of the investigation results.

3. The appeal should state why you feel the findings of the Regional Manager's investigation were incorrect and/or present new evidence that you were discriminated against on the basis of race, color, national origin, age, religion, sex, or disability.

You also have the right to file a complaint or lawsuit with the following agencies:

	Organization Name and Address		
Spokane Transit Authority Attn: STA Ombudsman 1230 West Boone Spokane WA, WA 99201	Washington State DOT Public Transportation Division Attn: Title VI Coordinator P O Box 47387 Olympia, WA 98504-47387	Federal Transit Administration Attn: Title VI Program Coordinator East Building, 5 th Floor–TCR 1200 New Jersey Ave, SE Washington, DC 20590	U.S. Dept of Justice Civil Rights Division Coordination and Review Section NWB 950 Pennsylvania Avenue NW Washington, DC 20530