

2020 City of Bellevue Title VI Program for FTA Compliance

Introduction

The City of Bellevue (City) is a Federal Transit Administration sub-grantee to King County. King County Metro contracts with the City to fund commuter incentives, employer programs, and other transportation demand management efforts. The City does not directly provide any transit service.

To meet Title VI program requirements, the City has its own procedures to meet certain requirements such as a complaint process and public participation. In addition to its own compliance measures, the City will rely upon the analysis and overall program efforts conducted by King County Metro to meet requirements, e.g. Limited English Proficiency.

Since the City does not operate any transit service, this plan only addresses the General Reporting Requirements.

General Reporting Requirements

A. Title VI Notice to the Public

The City of Bellevue Title VI Notice to the Public is as follows:

The City of Bellevue hereby gives public notice that it is the City's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities. Title VI requires that no person shall, on the grounds of race, color, sex, or national origin be excluded from the participation in, be denied the benefits of, or otherwise be subjected to discrimination under any Federal Aid Highway program or other activity for which the City of Bellevue receives Federal Financial assistance.

Any person who believe they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with the City of Bellevue. Any such complaint must be in writing and filed with the ADA/Title VI Civil Rights Administrator within one hundred, eighty (180) days following the date of the alleged discriminatory occurrence. Title VI Discrimination Complaint Forms may be obtained through the City's website (www.bellevuewa.gov) or from the Title VI Coordinator at no cost to the complainant by calling (425) 452-6168.

B. Title VI Complaint Procedures and Form

A Title VI complaint form and instructions for filling out a Title VI complaint can be obtained on the City of Bellevue's website (www.bellevuewa.gov). The City of Bellevue's Title VI Complaint Procedures are available in Appendix 1, and a copy of the City's Title VI complaint form is available in Appendix 2.

C. Title VI Investigations, Complaints, and Lawsuits

The City of Bellevue has had no Title VI complaints related to transit during the past three years.

D. Public Participation Plan

The City of Bellevue fully encourages public involvement and participation in decision-making processes. As part of the King County Department of Transportation work plan for public transit projects, the City adopts the public participation plan of King County Metro Title VI Program Report and will coordinate with King County Metro in public participation efforts related to transit projects being managed by the City of Bellevue.

E. Language Assistance Plan

In addition to its own LEP research and compliance efforts, as a sub-recipient, The City relies upon the limited English proficiency analysis conducted by King County. A comprehensive LEP plan has been developed and will be available as an appendix to the full Title VI plan, as well as online.

LEP compliance research conducted by the City of Bellevue indicates that the most prevalent non-English languages in Bellevue are Spanish and Mandarin Chinese. Additionally, the languages of Spanish, Mandarin Chinese, Russian, Korean, and Vietnamese all meet the federal 'safe harbor' threshold for translating vital documents.

City of Bellevue efforts to ensure language access include Language Line interpretation assistance available free of charge, translation of certain "Vital Documents" including the Title VI complaint form into up to twelve languages, and placing "interpretation available" multi-lingual graphics on documents for public release. For more information on the City of Bellevue's language access compliance efforts, consult the full LEP plan online.

F. Monitoring Sub-recipients

The City has no sub-recipients. It will cooperate with King County Metro in providing information and attending meetings as required by King County Metro in its monitoring procedures of our efforts.

G. Review of Facilities Constructed

The City did not build any storage facilities, maintenance facilities or operations centers and did not modify any facilities that require a Title VI analysis.

H. Documentation of Governing Body Review and Approval of the Title VI Program.

The most recent revision of the City of Bellevue's full Title VI Plan was adopted in August 2016, with an official Policy of Nondiscrimination signed and approved by the City Manager, Transportation Department Director, and the Assistant City Attorney. The documentation of approval for FTA compliance can be found in Appendix 3 and will be included as an appendix in the next update of the City of Bellevue's full Title VI plan.

Appendix 1: Complaint Procedures – Allegations of Discrimination in Federally Assisted Programs or Activities

A. Overview

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, Civil Rights Restoration Act of 1987, and the Americans with Disabilities Act of 1990, relating to any program or activity administered by the City of Bellevue Transportation Department, as well as to sub-recipients, consultants, and contractors. Intimidation or retaliation of any kind is prohibited by law.

The procedures do not deny the right of the complainant to file formal complaints with other state or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to resolve complaints informally at the City and sub-recipient level. The option of informal mediation meeting(s) between the affected parties and a designated mediator may be utilized for resolution.

B. Procedures

1. Any individual, group of individuals, or entity that believes they have been subjected to discrimination prohibited by nondiscrimination requirements may file a written complaint with the ADA/Title VI Civil Rights Administrator. A formal complaint must be filed within 180 calendar days of the alleged occurrence. Complaint forms are available through the City's website or by contacting a Title VI Coordinator. The City will not officially act or respond to complaints made verbally.
2. Upon receiving the written complaint, the ADA/Title VI Civil Rights Administrator in consultation with the Transportation Department Title VI Coordinator and other City offices, will determine its jurisdiction, acceptability, need for additional information, and the investigative merit of the complaint.
3. If the complaint is against the City, the City will request the Washington State Department of Transportation (WSDOT) Office of Equal Opportunity conduct the investigation. In the event WSDOT handles the investigation, they will follow their adopted procedures for investigating discrimination complaints, per their current State Title VI Plan. If the complaint is against a sub-recipient, consultant, or contractor, under contract with the City, the appropriate Department and/or division shall be notified of the complaint, within 15 calendar days, and the City will determine whether it will investigate the complaint or request WSDOT to conduct the investigation.
4. Once the City decides its course of action, the complainant and the respondent will be notified in writing of such determination within five (5) calendar days. The complaint will be logged into the records of the Title VI Coordinator, and the basis for the allegation identified including race, color, national origin, handicap/disability, age or sex.
5. In cases where the City of Bellevue assumes investigation of the complaint, the City will provide the respondent with the opportunity to respond to the allegations in writing.

The respondent will have ten (10) calendar days upon receipt, to furnish the City with his/her response to the allegations.

6. Within 60 days of receipt of the complaint, the Title VI Coordinator or WSDOT investigator will prepare a written investigative report for the Department Director and City Manager. The report shall include a narrative description of the incident, identification of persons interviewed, findings and recommendations for disposition.
7. The recommendation shall be reviewed by the City Attorney's office, which may discuss the report and recommendations with the Transportation Department and City Title VI Coordinators and/or other appropriate departmental staff. The report will be modified as needed and finalized for its release to the parties.
8. Once the investigative report becomes final, briefings will be scheduled with each party within 15 days. Both the complainant and the respondent shall receive a copy of the investigative report during the briefings and will be notified of their respective appeal rights.
9. A copy of the complaint and City or WSDOT investigative report will be issued to WSDOT's External Civil Rights Branch (or the appropriate oversight agency) within 60 calendar days of the receipt of the complaint.
10. If the complainant or respondent is not satisfied with the results of the investigation of the alleged discriminatory practice(s) he or she shall be advised of their rights to appeal the decision to WSDOT, U.S. Department of Transportation or U.S. Department of Justice. The complainant has 180 calendar days after the appropriate agency's final resolution to appeal to USDOT. Unless new facts not previously considered come to light, reconsideration of the final determination by the investigating agency will not be available.
11. The Title VI Coordinator will maintain an annual Log of Complaints, which will contain the following information for each complaint filed:
 - The name and address of the person filing the complaint
 - The date of the complaint
 - The basis of the complaint
 - The disposition of the complaint
 - The status of the complaint

Only qualified and well-trained investigators should conduct these investigations. No agency may investigate a complaint against itself.

Appendix 2: Title VI Complaint Form

(This form has been translated into 12 different languages per LEP guidelines)



Discrimination Complaint Form and Procedures

City of Bellevue Use Only

Received	___/___/___
Response	___/___/___
Report	___/___/___
Briefing	___/___/___

If you believe that you have not been treated equally because of your race, national origin, gender, disability, or other legally protected reason, then you have the right to file a formal complaint with the City of Bellevue.

Instructions: If you would like to submit a Discrimination Complaint to the City of Bellevue, please fill out the form below and send it to: City of Bellevue, Attention ADA/Title VI Civil Rights Administrator, PO Box 90012, Bellevue, WA 98009-9012.

1. Your Name:	2. Phone:	3. Home Address: (Street/PO Box, City State, Zip)
4. Who do you feel discriminated against you? List their names and any other information you may know about them:		
		5. Date of alleged incident:
6. Discrimination because of:		
<input type="checkbox"/> Race/color	<input type="checkbox"/> Sex (includes sexual harassment)	<input type="checkbox"/> Vietnam Era Veteran
<input type="checkbox"/> National origin	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Disabled Veteran
<input type="checkbox"/> Creed/religion	<input type="checkbox"/> Marital status	<input type="checkbox"/> Retaliation
<input type="checkbox"/> Disability	<input type="checkbox"/> Age	
7. Explain what happened and how you believe you were discriminated against. Indicate who was involved. Be sure to include how you feel other persons were treated differently than you. If you have any other written materials about what happened, please attach them to this form.		

PLEASE COMPLETE PAGE 2 OF THIS FORM

ADDITIONAL INFORMATION

8. Why do you believe these events occurred?

9. How can this issue be resolved to your satisfaction? Please note that this process will not result in the payment of punitive damages or financial compensation.

10. What other information would help us understand what happened? Is there anyone we may contact for additional information? If so, please list their names, phone numbers, addresses, email addresses, etc.

Signature:

Date:

City of Bellevue Discrimination Complaint Procedures

If you believe that you have not been treated equally because of your race, national origin, gender, disability, or other legally protected reason, then you have the right to file a formal complaint with the City of Bellevue.

HOW TO FILE A COMPLAINT

1. Within 180 days of the incident, complete the Title VI Complaint Form. You must answer every question.
2. Submit the complaint as directed on the form. The City will not act on or respond to a complaint made by telephone or in person.

WHAT HAPPENS NEXT

1. The City will receive and review the complaint form to determine if additional information is needed and which agency, if any, should further investigate the claim.
2. The City will notify you and the person(s) you identified as being involved in the alleged discrimination of the status of the complaint and, if needed, the process to resolve it.

Every effort will be made to resolve complaints informally. Resolution may include informal mediation meetings(s) between you and those you allege were involved. These procedures are part of an administrative process that will not result in the payment of punitive damages or other financial compensation.

3. The person(s) you identified as being involved in the alleged discrimination will have 10 days to respond.
4. Within 60 days of when you filed the complaint, the agency investigating the complaint will prepare a report that includes a description of the incident, who was interviewed, findings and recommendations for resolution. The report will be reviewed and finalized by the City Attorney, in consultation with other City staff.
5. 15 days after the investigative report is finalized, the City will schedule meetings with you and the person(s) you alleged were involved in the incident. You will be given a copy of the investigative report and will be notified of your right to appeal the findings.

These procedures do not deny you the right to file a formal complaint with other state or Federal agencies or seek private counsel for complaints alleging discrimination. Intimidation or retaliation against you of any kind is prohibited by law.

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, Civil Rights Restoration Act of 1987, and the Americans with Disabilities Act of 1990, relating to any program or activity administered by the City of Bellevue, as well as its sub-recipients, consultants, and contractors.

Appendix 3: City Approval of Title VI Program for FTA Compliance

The City of Bellevue assures that no person shall on the grounds of race, color, national origin, or sex as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any City sponsored program or activity. The City of Bellevue further assures every effort will be made to ensure nondiscrimination in all its programs and activities, regardless of whether those programs and activities are federally funded.

As a recipient of financial assistance from the FTA through its financial agreements with King County, the City of Bellevue is subject to Title VI and its accompanying implementation regulations. King County has requested that the City of Bellevue, as a sub-grantee, comply with this requirement and document their compliance by adopting a Title VI program. The Title VI program previously adopted by the City must therefore be updated to meet the reporting requirements of the FTA.

Assurance of compliance falls under the proper authority of the City Manager's Office pursuant to its budgetary authority and responsibility. The City Manager, Department Director, and Title VI Coordinator are authorized to ensure compliance with provisions of this policy and with the law, including the requirements of 23 Code of Federal Regulation (CFR) 200 and 49 CFR 21, and the relevant FTA circular.



City Manager

2/19/20

Date



Director, Transportation Department

2/12/20

Date



Assistant City Attorney

2/12/2020

Date