

Title VI Implementation Plan: A Doorway to Non-discrimination

City of Beaverton

August 23, 2021

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Section 1 | Introduction

As a recipient of federal funds, the City of Beaverton (“City”) is required to develop an implementation plan for Title VI of the Civil Rights Act of 1964 (“Title VI Plan”/“T6 Plan” or “Plan”). All City departments, contractors, subcontractors, and sub-recipients of federal funding are required to prevent discrimination in all of the City’s programs or activities and respond to any complaints of discrimination from other individuals or entities.

The City’s Title VI Plan reaffirms the City’s commitment to being a community that ensures access to opportunities, breaks down systemic barriers, and creates equitable outcomes for everyone in Beaverton.

Sections 2 and 3 list the City’s nondiscrimination policy and all federal, state, and local laws, rules, regulations, Executive Orders, and ordinances that authorize the City to produce and enforce the provisions in this Plan. Sections 4 through 10 describe individual elements of the City’s strategy to fulfil the requirements of Title VI as described in Sections 2 and 3. Section 11 defines important terms used throughout the Plan. Acknowledgments and several relevant appendices can be found in Section 12 and beyond.

This document and all relevant Title VI materials can be found online at www.beavertonoregon.gov/titlevi.

Section 2 | Non-discrimination Policy Statements

The federal statutes listed in Section 3 assure that no person shall, on the grounds of race, color, national origin, English proficiency, sex, age, disability, or income be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity by an entity that receives federal funding.

In addition, the City prohibits the exclusion from participation in, being denied the benefits of, or otherwise being subjected to discrimination under any City program or activity on the basis of religion, sexual orientation, or gender identity.¹

¹ Approved on December 9, 2015 as Resolution #4353.

Section 3 | Title VI Authorities

Title VI of the Civil Rights Act of 1964 [Pub. L. 88-352 (1964), codified as 42 U.S.C. §§2000d through 2000d-4]:

Title VI of the Civil Rights Act of 1964 prohibits the discrimination in, or the denial of benefits under, any program or activity receiving federal financial assistance on grounds of race, color, or national origin.

The Civil Rights Restoration Act of 1987, [Pub. L. 100-259, Sec. 6 (1988), codified as 42 U.S.C. §2000d-4a] :

The Civil Rights Restoration Act of 1987 broadens the scope of Title VI coverage by expanding the definition of the terms "programs or activities" to include all programs or activities of federal aid recipients, subrecipients, and contractors, whether such programs and activities are federally assisted or not.

Federal Aid Highway Act of 1973, [Pub. L. 93-87 (1973), codified as 23 U.S.C. §324]:

The Federal Aid Highway Act of 1973 provides that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

Age Discrimination Act of 1975, [Pub. L. 94-135 (1975), codified as 42 U.S.C. §6102]:

The Age Discrimination Act of 1975 provides that no person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

Americans with Disabilities Act of 1990, Subchapter 2, Part A [Pub. L. 101-336 (1990); codified as 42 U.S.C. §§12131-12134]:

The Americans with Disabilities Act of 1990 provides that no qualified individual with a disability shall, by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination by a department, agency, special purpose district, or other instrumentality of a state or a local government.

Section 504 of the Rehabilitation Act of 1973 [Pub. L. 93-112 (1973), codified as 29 U.S.C. §794]:

Section 504 of the Rehabilitation Act of 1973 provides that no qualified handicapped person, shall, solely by reason of his/her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

23 CFR Part 200:

23 CFR 200 are administrative regulations of the Federal Highway Authority that specify the Title VI implementation requirement for state departments of transportation at state and local levels.

49 CFR Part 21:

49 CFR 21 are administrative regulations of the US Department of Transportation that specify the Title VI implementation requirements for state departments of transportation at state and local levels.

Exec. Order No. 12898:

Executive Order 12898 regards federal actions to address Environmental Justice in minority populations and low-income populations. Environmental justice seeks equal protection from environmental and public health hazards for all people regardless of race, income, culture and social class. Additionally, environmental justice means that no group of people including racial, ethnic or socioeconomic groups should bear a disproportionate share of the negative environmental consequences resulting from industrial, land-use planning and zoning, municipal and commercial operations or the execution of federal, state, local and municipal program and policies.

Exec. Order No. 13166:

Executive Order 13166 regards the improvement of access to services for persons with Limited English Proficiency.

ORS 659A.030:

ORS 659A.030 prohibits discrimination based on race, color, religion, sex, sexual orientation, national origin, marital status, or age in cases of employment.

ORS 659A.403:

ORS 659A.403 prohibits discrimination based on race, color, religion, sex, sexual orientation, national origin, marital status, or age in places of public accommodation.

ORS 659A.421:

ORS 659A.421 prohibits discrimination in transactions for the sale, lease, or renting of real property based on race, color, religion, sex, sexual orientation, national origin, marital status, familial status, or income source.

Beaverton Code Chapter 5.16:

Chapter 5.16 of the Beaverton City Code is the Civil Rights Ordinance. Because discrimination threatens not only the rights and privileges of Beaverton residents, but menaces the institutions and foundation of our community, it is the policy of the City of Beaverton to eliminate discrimination based on race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income.

Section 4 | Title VI Organization and Staffing Responsibilities

This section establishes the Title VI responsibilities of the various City personnel, departments, and committees. The positions below represent the team of individuals who will coordinate all aspects of implementing the Title VI Plan.

Title VI Coordinator

The Director of Human Resources shall be named the Title VI Coordinator. The Title VI Coordinator ensures the City's compliance with all aspects of the Title VI program, which include:

- guide successful implementation of all portions of the Title VI Plan;
- maintain up-to-date content on the City's Title VI webpage and online Title VI complaint process;
- respond to, lead investigations of, and document resolutions for all complaints of discrimination based on race, color, and national origin pursuant to the Title VI Complaint Procedure, attached as Appendix A;
- ensure continued relevance of and meaningful access to the Title VI Complaint Procedure;
- ensure that Title VI assurances, attached in Appendix C, are included in all contracts between the City, its contractors, and sub-contractors as well as all Requests For Proposals (RFPs) for City projects;
- provide relevant Title VI training to all employees of the City at least annually;
- collaborate with all City departments to ensure meaningful access to all Title VI programs, trainings, and documents;
- maintain a list of all Title VI Liaisons;
- ensure all Title VI Liaisons are properly trained in all relevant aspects of Title VI;
- collect department-level data required for the Annual Title VI Accomplishments Report;
- produce the Annual Title VI Accomplishments Report and submit it to the Oregon Department of Transportation (ODOT);
- review, revise (as necessary), and resubmit to ODOT the Title VI plan every three years.

Title VI Liaisons

Each City department shall name a Title VI Liaison. Each Liaison shall be responsible for:

- day-to-day operations of the Title VI program in their respective departments;
- ensure compliance within the Liaison's department and relevant contractors, subcontractors, and other federal funding subrecipients under the department's purview;
- serve as the point of contact between the Title VI Coordinator and the department on all relevant Title VI issues, trainings, and complaints;
- prepare relevant department data and perform the program area review for the Annual Title VI Accomplishments Report;
- develop and utilize mechanisms for identifying affected populations for the department's proposed projects;

- assist the Title VI Coordinator in performing investigatory functions within the Liaison's department, if requested by the Title VI Coordinator, during the complaint process;
- work with the Cultural Inclusion Division to secure meaningful and equitable access to all public notices, hearings, meetings, and other events or functions the department organizes or collaborates on for all English Language Learners, persons with accessibility needs, low-income populations, and people of color.

Title VI Support

The following offices and groups are responsible for supporting the Title VI Coordinator in the successful implementation of the Title VI Plan:

- City Manager
 - delegate relevant authority to the Title VI Coordinator;
 - ensure adequate resources are available for the successful implementation of the Title VI Plan;
- Office of the City Attorney
 - respond to requests from the Title VI Coordinator to review resolution decisions of Title VI complaints;
- City Department Heads
 - name a Title VI Liaison for their department;
 - take responsibility for Title VI compliance in all programs under their authority;
 - provide data as requested by Title VI coordinator.
- Cultural Inclusion Program
 - provide and manage the language assistance services of the City pursuant to the Language Access Policy;
- Human Rights Advisory Commission
 - provide recommendations to the Title VI coordinator in the review and revision of the Title VI Plan every three years;
 - review the Annual Title VI Accomplishments Report prior to submission to ODOT;

Section 5 | Dissemination and Retention of Title VI Information

Information regarding the City's Title VI program, plan, complaint process, and other important documents will be kept on the public website. Vital documents, such as the complaint process and complaint form, will be available in the priority languages identified in the City's [Language Access Policy](#). Translation into other languages will be available upon request.

Distribution of non-discrimination notices and information regarding Title VI may also include the following methods: informational posting and/or announcements at public meetings; posting notices at or in the vicinity of City buildings and worksites (including active and proposed project worksites); publication of non-discrimination language in City public documents, news releases, proclamations, multi-media marketing content, or communication materials; and internal information circulation.

City staff are encouraged to include the following message in their email signatures:

The City of Beaverton ensures meaningful access to city programs, services, and activities to comply with Civil Rights Title VI and ADA Title II laws and reasonably provides: translation, interpretation, modifications, accommodations, alternative formats, auxiliary aids and services. To request these services, contact 503-526-2497 or email ADA@beavertonoregon.gov. Relay service: 711.

The Title VI Plan and its components will be reviewed and updated every three years. Records of complaints, investigations, and findings shall be retained by the Title VI Coordinator for 2 years after final action.² Copies of the Annual Title VI Accomplishments Report shall be retained permanently.³

² OAR 166-200-0235(15).

³ OAR 116-200-0385 (4)

Section 6 | Data Collection and Program Area Review

The City shall maintain statistical data on race, color, national origin, language spoken, income level, persons with disabilities, age, and sex of the population in the City limits. This information shall be used throughout the City's program areas and processes to inform projects, recommendations to City Council, and planning decisions.

The data gathering process shall be reviewed by the Title VI Coordinator before each Title VI Plan update to ensure that the City is providing access to the benefits, services, and information to its programs and activities for all individuals, including persons who are low income, English Language Learners, living with disabilities, and people of color.

Through the process of developing the Annual Title VI Accomplishments Report, the Title VI Coordinator shall request that each Department perform a review of its programs and services to ensure Title VI compliance. These reviews shall evaluate each Department's administrative procedures and staffing; operational guidelines for City staff, contractors and subrecipients; and resources available to ensure compliance with Title VI requirements. All results of each Department's review shall be transmitted to the Title VI Coordinator by the assigned deadline and published in the Annual Title VI Accomplishments Report.

Any areas of special emphasis that the Title VI Coordinator identifies shall be documented in future updates of the Title VI Plan.

Section 7 | Title VI Training

All members of City staff shall attend and complete Title VI training at least annually. The Title VI training shall provide information regarding Title VI requirements that must be met by all departments and staff. The Title VI Coordinator shall communicate training opportunities and requirements to staff as appropriate and available. Training modalities may include online modules, webinars, conference sections, informational lectures, or other formats approved by the Title VI Coordinator. A summary of all City trainings hosted, sponsored, approved, and completed shall be included in the Annual Title VI Accomplishments Report.

Section 8 | Title VI Compliance and Enforcement Procedures

City Department Non-compliance Procedures

The City will seek voluntary compliance of the Title VI requirements laid out in this Title VI Plan by training staff and disseminating Title VI information to all subrecipients, contractors and sub-contractors.

If the Title VI Coordinator identifies through data collection for the Annual Title VI Accomplishments Report observed patterns of non-compliance within City department(s), the Title VI Coordinator and the relevant department head will meet and develop a corrective action plan within 90 days to ensure future compliance. The department head shall produce a progress report and submit to the Title VI Coordinator at minimum every 120 days following agreement of the corrective action plan until the Title VI Coordinator deems the issue resolved.

If staff in a department continue the same pattern of non-compliance, they will be subject to disciplinary action pursuant to the Employee Handbook and/or relevant collective bargaining agreements.

Contractor, Subcontractor, or Subrecipient Non-compliance Procedures

As a jurisdiction which receives federal funds, the City requires all contractors, subcontractors, and subrecipients to comply with Title VI and all related statutes, executive orders, and other binding legislative or administrative actions (Title VI Requirements). The City shall include the standard assurances and non-discrimination language, attached as Appendix C, in all contracts and agreements with contractors, subcontractors, and subrecipients.

The Title VI Coordinator is responsible for reviewing complaints of alleged discrimination by any contractors, sub-contractors, and sub-recipients pursuant to the Title VI complaint procedures.

If any staff member is made aware of potential non-compliance of Title VI Requirements by any contractor, subcontractor, or subrecipient, that staff member is expected to inform the department head, project lead, and/or grant administrator responsible for the City's relationship with the non-compliant entity, the Title VI Liaison for the department, and the Title VI Coordinator within 5 business days.

The Title VI Coordinator or designee shall meet with the non-compliant entity to conduct an initial review of the facts to determine whether there is non-compliance. If the City determines there is evidence to believe that there is non-compliance with Title VI Requirements, then the contractor, subcontractor, or subrecipient will be given a reasonable time, not to exceed 90 days from the date notice is provided to the non-compliant entity, to be voluntarily working towards correction of the activities constituting non-compliance. A copy or summary of this agreement shall be kept on file by the Title VI Coordinator until compliance has been achieved.

The City will seek to obtain the cooperation of the subrecipient, contractor, or subcontractor in correcting non-compliance, and will offer to provide technical assistance needed by the contractor or subrecipient to obtain voluntary compliance with the Title VI Requirements.

A follow-up review will be conducted within 180 days of the date notice is provided to the non-compliant entity to determine whether the violation of the Title VI Requirements has been

corrected. If the review demonstrates that the contractor or subrecipient has failed to correct the violation, the City Manager may take appropriate action required to comply with the City's obligation under Title VI. Some of those actions may include withholding additional funds and terminating the underlying contract or grant agreement.

Retaliation

The City does not allow anyone to intimidate or retaliate, in any way, against a person because that person reported discrimination, opposed discrimination, in good-faith assisted in the enforcement of the Title VI Plan, participated or cooperated with an investigation, or testified in discrimination proceedings related to the Title VI Plan. Retaliation is broadly construed and may include any conduct, whether related to the subrecipient's or contactor's business or not, that could discourage a person from making a report of discrimination.

Section 9 | Environmental Justice

This section responds to Federal requirements that expand the scope of Title VI to include a program that seeks to achieve environmental justice through the avoidance, minimization, or mitigation of negative health or environmental impacts to “minority or low-income populations.”

Environmental Justice Considerations under Title VI

Executive Order 12898, which was signed by President Clinton in 1994, directs federal agencies to develop strategies that address disproportionately high and adverse human health or environmental effects of their programs on “minority and low-income populations”.

As a recipient of federal funds, the City is expected to develop similar environmental justice strategies through its Title VI Plan. Executive Order 12898 reaffirms the commitments made to environmental justice in Title VI. The City shall comply with the requirements set forth by the Executive Order and seek to meet the call for environmental justice generally through the development of relevant programs, goals, and services.

While the language of the 1994 Executive Order uses the term “minority”, current City practice is to use more modern language, such as “people of color” or specific racial groups when referring to impacts to those specific communities. This portion of the plan uses “minority and low-income populations” to align with federal requirements and ensure compliance; however, day-to-day practice and documentation shall continue to use modern language conventions.

Foundation for Environmental Justice in Beaverton

The [2019 Update of the Diversity, Equity, and Inclusion \(DEI\) Plan](#) notes that the City uses race as a primary lens for the City’s diversity, equity, and inclusion work and acts as a part of the foundation for the City’s environmental justice program. The [2019 Climate Action Plan](#) describes how the impacts of climate change will fall disproportionately on low-income populations and people of color. Historically, urban design legislation, housing policy, and gentrification have forced members of our community into areas more susceptible to extreme weather events. This has resulted in a lack of access to healthy and efficient housing, public transit and neighborhoods with safe walking routes.

Additionally, these populations have been systematically underserved from government programs and not fully represented in the creation of climate policy. Transportation options, housing, and access to nutritious food and healthcare are some of the disparities that have affected these members of our community.

Beaverton is proudly home to a diverse community and is actively engaged in advancing equity in all areas of community and civic life. Since 2014, when the city published a Diversity, Equity and Inclusion Plan that serves as a guiding document to use a racial equity lens for programs and policies and to counteract long-standing policies and processes that harmed communities of color.

Several factors influence the use of race as a primary lens for the City’s work:

- Legacy of institutional racism

- Despite the responsibility of public institutions to serve all, across history race has been a basis for exclusion and discrimination against communities of color. In order to repair the legacy of institutional racism and dismantle the infrastructure that it was built on, we must face this reality head on.
- Demographic shift
 - Beaverton has seen a dramatic demographic shift over the past several decades and is now celebrated as one of the most diverse cities in Oregon. One in three residents identifies as a person of color and one in five was born outside of the country. That shift has not yet been reflected in the makeup of city decision-makers. In order to be a responsive local government and move forward successfully as the community we are today, we must increase access and opportunities for historically underrepresented communities to play an integral role in shaping our future.
- Disparities
 - Tragically, research shows that in the US and in Beaverton specifically, race remains one of the most powerful predictors of wellbeing and success. Across indicators of health, education, housing, income, poverty, criminal justice and more, people of color face systemic disparities that prevent them from thriving at the same rates as the white community. Good intentions are not enough; we must intervene boldly to change outcomes.
- Intersectionality
 - The concept of intersectionality allows us to understand that people and forces of oppression are multidimensional and interconnected. This means that we can have a primary lens of race while also positively impacting other marginalized identity groups.

Current Environmental Justice Initiatives

Many of the key goals and indicators of the 2019 DEI plan demonstrate aspects of environmental justice. These include but are not limited to commitments to utilizing community demographic data to inform planning and budgetary decisions, evaluating and removing barriers for marginalized communities to access essential city services, and developing a day center for people experiencing homelessness to access case management and hygiene facilities.

The 2019 Climate Action Plan also lists numerous goals and initiatives that constitute environmental justice work. Forty-seven of the eighty-six Actions identified in the plan are marked as “improving equitable access.”

Commitments to Making Environmental Justice Decisions

In operationalizing the environmental justice requirements described above, the City shall identify “minority and low-income populations” by using available demographic data. When a proposed City project, policy or activity is found to potentially create disproportionately high and adverse human health or environmental effects on those populations, the City shall take the following mitigation actions:

1. Propose measures that will avoid, minimize and/or mitigate disproportionately high and disproportionate adverse impacts and provide offsetting benefits and opportunities to enhance communities, neighborhoods and individuals affected by proposed project;
2. If after mitigation, enhancements and off-setting benefits to the affected populations, there remains a high and disproportionate adverse impact to “minority or low income populations,” then the following questions must be considered:
 - a. Question 1: Are there further mitigation measures that could be employed to avoid or reduce the adverse impact to the affected population?
 - b. Question 2: Are there other additional alternatives to the proposed action that would avoid or reduce the impacts to the affected populations?
 - c. Question 3: Considering the overall public interest, is there a substantial need for the project?
 - d. Question 4: Will the alternatives that would satisfy the need for the project and have less impact on protected populations (a) have other social economic or environmental impacts that are more severe than those of the proposed action, or (b) have increased costs of extraordinary magnitude?
3. Document all findings and determinations in the project file.

Section 10 | Language Access

Executive Order 13166, which was signed by President Clinton in 2000, directs federal agencies to ensure meaningful access to programs and services to otherwise eligible persons who are not yet proficient in the English language.

The Executive Order states that:

“Each federal agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency’s programs and activities.”

As the Executive Order applies to all recipients of federal financial assistance by federal agencies, local jurisdictions are also required to comply with the Executive Order. Therefore, as the City is a recipient of federal financial assistance, the City’s [Language Access Policy](#) states that “English Language Learner (ELL)” is used throughout the document in place of “Limited English Proficient (LEP)” in order to emphasize people’s strengths not deficiencies.

The City is dedicated to treating everyone with respect and dignity in the provision of city services regardless of English proficiency. In order to achieve this goal, reasonable steps will be taken to provide meaningful access for ELLs to city information, programs, and services; ensure that staff are able to communicate effectively with ELLs; and ensure that the city meets federal requirements under Title VI. The City will conduct a regular review of the language access needs of its population, as well as update and monitor the Language Access Policy and its implementation as needed.

Section 11 | Title VI Plan Glossary of Terms

Complainant - The person or entity who makes a Title VI complaint.

Contractor - A person or entity who has entered into an agreement with the City to provide services.

Disparate Impact Discrimination - When a procedure, policy or practice results in fewer services or benefits, or inferior services or benefits, to members of a protected group. With disparate impact, the focus is on the consequences of a decision, policy, or practice rather than the intent.

Disparate Treatment Discrimination - Intentionally or unintentionally treating similarly situated persons differently based on a protected class.

Disproportionately High or Adverse Effects - Effects of City programs, policies and activities which are appreciably more severe for one group or predominantly borne by a single group.

English Language Learner (ELL) - A person who speaks a language (or languages) other than English as their primary language and is currently working on building their reading, writing, speaking and listening skills in English in order to emerge as bilinguals or multilinguals.

Environmental Justice - A set of principles which mandate that jurisdictions:

- avoid, minimize, or mitigate disproportionately high and adverse human health or environmental effects, including social and economic effects, on minority populations and low-income populations;
- ensure the full and fair participation by all potentially affected communities in the transportation decision-making process; and
- prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority populations and low-income populations.

Limited English Proficiency (LEP) - A designation of persons who, as a result of national origin, are limited in their English proficiency.

Meaningful Access - Federal standards require that organizations receiving federal funds ensure meaningful access to their services, programs, and activities despite language ability. An English Language Learner has meaningful access when they:

- are given adequate information;
- can understand the services and benefits available;
- can receive the services for which they are eligible;
- can communicate the relevant circumstances of their situation to the service provider.

Non-compliance - A party has failed to meet prescribed requirements and/or has shown an apparent lack of good faith effort in implementing all the requirements of Title VI and related statutes.

Respondent - The person or entity identified by the Complainant who allegedly committed the Title VI violation.

Subcontractor - A person or entity who has entered into an agreement with a Contractor to provide services pursuant to the Contractor's agreement with the City.

Subrecipient - A person or non-Federal entity that receives federal funds from the City to be used by the entity to further the objectives of a federal project or program, e.g. the City grants federal funds to a non-profit corporation which uses the funds to provide assistance for low-income households to pay utility bills.

Section 12 | Acknowledgments

The following individuals made significant contributions to the production of this Plan:

- Alexis Ball, City of Beaverton
- Erica Fulton, Portland State University
- Grace Wong, City of Beaverton
- Dr. Margaret Banyan, Portland State University
- Max Wedding, Portland State University
- Patricia Anderson-Wieck, City of Beaverton

Additionally, the following groups and individuals were consulted during the course of the project:

- Alex Logue, City of Gresham
- Andrea Napoli, City of Bend Metropolitan Planning Organization
- City of Beaverton Human Rights Advisory Commission
- City of Beaverton Diversity Advisory Board
- City of Beaverton staff members
- David Morrissey, Oregon Department of Transportation

Finally, the following documents were used as reference during the writing of this Plan:

- City of Bend, Oregon Metropolitan Planning Organization Title VI Plan
- City of Gresham, Oregon Title VI Plan
- City of Lawrence/Douglas Co., Kansas Metropolitan Planning Organization Title VI Plan
- City of Rochester Hills, Michigan Title VI Plan
- City of Salem, Oregon Title VI Plan

APPENDIX A: Discrimination/Title VI Complaint Process

What is Title VI? What discrimination does the City prohibit?

Title VI is a section of the Civil Rights Act of 1964 that prohibits discrimination on the basis of race, color, or national origin by anyone who receive federal funding.

Additionally, in accordance with relevant federal, state, and municipal laws, the City of Beaverton assures that no person shall, on the grounds of English proficiency, religion, sex, age, disability, income, sexual orientation or gender identity, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any City of Beaverton program or activity.

If you believe that you have received discriminatory treatment or disparate impact by the City of Beaverton, a city contractor, or a city sub recipient of federal funds on the basis of the protected classes listed above, you have the right to file a complaint with the city's Title VI Coordinator.

This is an administrative process that does not provide for compensatory or punitive damages.

The complaint must be filed no later than 180 calendar days of the alleged discriminatory incident or when the affected party is made aware or should have been aware of the alleged discrimination.

How do I file a formal complaint?

Formal complaints must be made using the city's Title VI Complaint Form at www.BeavertonOregon.gov/titlevi. If the complainant needs assistance in reducing the complaint to writing or signing it, they may request assistance from the Title VI Coordinator or may have another person write and acknowledge the complaint on their behalf. The form may be submitted online or sent, faxed, or emailed to:

Title VI Coordinator
City of Beaverton
12725 SE Millikan Way
PO Box 4755
Beaverton, Oregon 97076-4755

Fax: 503-526-2572

Email: TitleVI@BeavertonOregon.gov

Phone: 503-526-2522

Processing a Complaint

Within 10 business days of receiving the complaint, the Title VI Coordinator will notify complainant in writing via email or First Class mail of receipt, next steps in the process, and provide information regarding the full complaint process. The complainant may request translation services at any point during the complaint process. If this occurs, translation shall be

provided according to the [Language Access Policy](#). Please allow 5 business days for translation services to be made available after request.

The option of informal mediation may be used at any stage of the complaint process. City staff are authorized and encouraged to attempt to resolve complaints or issues at the lowest, most informal level possible in order to satisfy the complainant.

If the parties are unable to resolve the complaint, the Title VI Coordinator will launch a formal investigation. The complainant will receive a written decision within 60 business days of the Title VI Coordinator's receipt of the complaint.

All complaints will be documented by the Title VI Coordinator. Any complaint that involves state and/or federal transportation or transit resources shall be forwarded to the Office of Civil Rights at the Oregon Department of Transportation (ODOT) for additional review.

Appealing the Decision

If the complainant is not satisfied with the Title VI Coordinator's decision, the complainant has 14 business days from the date of the decision to deliver or postmark written notice of appeal to the Title VI Coordinator. The written notice of appeal may be provided via email, paper mail, physical delivery, or fax.

The written notice of appeal must:

- be related to the initial complaint, the handling of the complaint, the determination by the Title VI Coordinator, and/or the lack of resolution to the complaint;
- include the reasons and grounds for the appeal; and
- include any other undisclosed supporting information that would assist in review of the appeal.

The appeal shall be considered by the City's Community Services & Engagement Director. The Community Services & Engagement Director shall issue a decision on the appeal within 30 business days of receipt of the written notice of appeal, which shall be the final decision of the City.

If the complainant remains unsatisfied, the complainant may request an external review through the following agencies:

- For transportation-related issues, contact the Office of Civil Rights at ODOT: <https://www.oregon.gov/odot/business/ocr/pages/index.aspx>.
- For crime victim or survivor issues, contact the CVSSD Civil Rights Complaint Coordinator, Shannon Sivell, at shannon.l.sivell@doj.state.or.us.

Other Formats and Languages

This information is available in alternative formats such as large print or audio recording. To request this document in alternative formats, email the City at ADA@BeavertonOregon.gov or call 503-526-2497. Use 711 for relay service. www.BeavertonOregon.gov/ADA

A version of this document shall be available in the priority languages as defined by the [Language Access Policy](#) and any others upon request.

APPENDIX B: Discrimination/Title VI Complaint Form

Discrimination/Title VI Complaint Form

This form assists you in filing a complaint of discrimination under Title VI of the Civil Rights Act of 1964 ("Title VI").

If you believe that you have received discriminatory treatment or disparate impact by the City of Beaverton, a city contractor, or a city sub recipient of federal funds on the basis of the protected classes listed below, you have the right to file a complaint with the city's Title VI Coordinator.

This is an administrative process that does not provide for compensatory or punitive damages.

The complaint must be filed no later than 180 calendar days of the alleged discriminatory incident or when the affected party is made aware or should have been aware of the alleged discrimination.

This form may be submitted online or sent, faxed, or emailed to:

Title VI Coordinator
City of Beaverton
12725 SE Millikan Way
PO Box 4755
Beaverton, Oregon 97076-4755

Fax: 503-526-2572

Email: TitleVI@BeavertonOregon.gov

Phone: 503-526-2522

If you are viewing this form online, you can also click "Submit" at the end of the form to transmit the completed form directly to the Title VI Coordinator.

This document and full complaint procedure can be found online at www.beavertonoregon.gov/titlevi.

All fields marked with * and colored red are REQUIRED.

1. Complainant's name and contact information.

*Name:

*Address:

*City:

*State:

*Zip code:

*Main phone number:

Text OK? []

Secondary phone number:

Text OK? []

Email:

2. City department, contractor, or sub recipient that allegedly discriminated.

*Name:

Address (if known):

City:

State:

Zip code:

3. *Indicate the reason(s) you believe that discriminatory acts occurred:

- Race/Color National Origin Age Sex
 Religion English Proficiency Disability Income
 Sexual Orientation Gender Identity or Expression Other: _____

4. When and where did the incident occur? (Please be as specific as possible)

*When:

*Where:

5. *Please explain as clearly as possible what occurred, who was involved, why you believe discrimination occurred, and the names and contact information of any witnesses. Use additional sheets of paper or email text if necessary and attach a copy of any written material relevant to your claim.

6. Sign and date the complaint. If submitting this form online, your printed name on the electronic form is acceptable as a signature.

*Print name:

*Signature:

*Date:

If you are unable to sign, please type or have another acknowledge for you. If you are completing this form on behalf of a complainant, please include your name here.

Name of person acknowledging on behalf of complainant:

Main phone number of person acknowledging on behalf of complainant:

Text OK?

Other Formats and Languages

This information is available in alternative formats such as large print or audio recording. To request this document in alternative formats, email the City at ADA@BeavertonOregon.gov or call 503-526-2497. Use 711 for relay service. www.BeavertonOregon.gov/ADA

A version of this document shall be available in the priority languages as defined by the [Language Access Policy](#) and any others upon request.

APPENDIX C: Standard Title VI Assurances⁴

As a condition of receipt of federal financial assistance, the recipient named below (hereinafter referred to as the “Recipient”) provides the assurances stated herein. The Federal financial assistance may include Federal grants, loans and contracts to provide assistance to the Recipient’s beneficiaries, the use or rent of Federal land or property at below market value, Federal training, a loan of Federal personnel, subsidies, and other arrangements with the intention of providing assistance. Federal financial assistance does not encompass contracts of guarantee or insurance, regulated programs, licenses, procurement contracts by the Federal government at market value, or programs that provide direct benefits.

The assurances apply to all Federal financial assistance from or funds made available through the Federal government, including any assistance that the Recipient may request in the future.

The Civil Rights Restoration Act of 1987 provides that the provisions of the assurances apply to all of the operations of the Recipient’s program(s) and activity(ies), so long as any portion of the Recipient’s program(s) or activity(ies) is Federally assisted in the manner prescribed above.

1. Recipient ensures its current and future compliance with Title VI of the Civil Rights Act of 1964, as amended, which prohibits exclusion from participation, denial of the benefits of, or subjection to discrimination under programs and activities receiving Federal financial assistance, of any person in the United States on the ground of race, color, or national origin (42 U.S.C. § 2000d et seq.), and other pertinent executive orders such as Executive Order 13166, directives, circulars, policies, memoranda, and/or guidance documents.
2. Recipient acknowledges that Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency,” seeks to improve access to federally assisted programs and activities for individuals who, because of national origin, have Limited English proficiency (LEP). The City terms these individuals English Language Learners (ELL). Recipient understands that denying a person access to its programs, services, and activities because of LEP is a form of national origin discrimination prohibited under Title VI of the Civil Rights Act of 1964 and the Federal government’s implementing regulations. Accordingly, Recipient shall initiate reasonable steps, or comply with the Federal government’s directives, to ensure that ELLs have meaningful access to its programs, services, and activities.
3. Recipient understands and agrees that meaningful access may entail providing language assistance services, including oral interpretation and written translation where necessary, to ensure effective communication in the Recipient’s programs, services, and activities. Recipient agrees to consider the need for language services for ELLs when Recipient develops applicable budgets and conducts programs, services, and activities.
 - a. For more information on taking reasonable steps to provide meaningful access for ELLs, please visit <http://www.lep.gov>.
4. Recipient acknowledges and agrees that compliance with the assurances constitutes a condition of continued receipt of Federal financial assistance and is binding upon Recipient and Recipient’s successors, transferees, and assignees for the period in which such assistance is provided.
5. Recipient acknowledges and agrees that it must require any sub-grantees, contractors, subcontractors, successors, transferees, and assignees to comply with assurances 1-4 above, and agrees to incorporate the following language in every contract or agreement

⁴ Standard assurances subject to modification based upon funding source.

subject to Title VI and its regulations between the Recipient and the Recipient's sub-grantees, contractors, subcontractors, successors, transferees, and assignees:

The sub-grantee, contractor, subcontractor, successor, transferee, and assignee shall comply with Title VI of the Civil Rights Act of 1964, which prohibits recipients of Federal financial assistance from excluding from a program or activity, denying benefits of, or otherwise discriminating against a person on the basis of race, color, or national origin (42 U.S.C. § 2000d et seq.), which are herein incorporated by reference and made a part of this contract (or agreement). Title VI also includes protection to persons with "Limited English Proficiency" in any program or activity receiving Federal financial assistance, 42 U.S.C. § 2000d et seq., and herein incorporated by reference and made a part of this contract or agreement.

6. Recipient understands and agrees that if any real property or structure is provided or improved with the aid of Federal financial assistance, this assurance obligates the Recipient, or in the case of a subsequent transfer, the transferee, for the period during which the real property or structure is used for a purpose for which the federal financial assistance is extended or for another purpose involving the provision of similar services or benefits. If any personal property is provided, this assurance obligates the Recipient for the period during which it retains ownership or possession of the property.
7. Recipient shall cooperate in any enforcement or compliance review activities by the Federal government of the aforementioned obligations. Enforcement may include investigation, arbitration, mediation, litigation, and monitoring of any settlement agreements that may result from these actions. The Recipient shall comply with information requests, on-site compliance reviews and reporting requirements.
8. Recipient shall maintain a complaint log and inform the Oregon Department of Transportation of any complaints of discrimination on the grounds of race, color, or national origin, and limited English proficiency covered by Title VI of the Civil Rights Act of 1964 and implementing regulations and provide, upon request, a list of all such reviews or proceedings based on the complaint, pending or completed, including outcome. Recipient also must inform the Oregon Department of Transportation if Recipient has received no complaints under Title VI.
9. Recipient must provide documentation of an administrative agency's or court's findings of non-compliance of Title VI and efforts to address the non-compliance, including any voluntary compliance or other agreements between the Recipient and the administrative agency that made the finding. If the Recipient settles a case or matter alleging such discrimination, the Recipient must provide documentation of the settlement. If Recipient has not been the subject of any court or administrative agency finding of discrimination, please so state.
10. If the Recipient makes sub-awards to other agencies or other entities, the Recipient is responsible for ensuring that sub-recipients also comply with Title VI and other applicable authorities covered in this document. State agencies that make sub-awards must have in place standard grant assurances and review procedures to demonstrate that they are effectively monitoring the civil rights compliance of subrecipients.

The United States of America has the right to seek judicial enforcement of the terms of this assurances document and nothing in this document alters or limits the Federal enforcement measures that the United States may take in order to address violations of this document or applicable Federal law.

Under penalty of perjury, the undersigned official(s) certifies that official(s) has read and understood the Recipient's obligations as herein described, that any information submitted in conjunction with this assurances document is accurate and complete, and that the Recipient is in compliance with the aforementioned nondiscrimination requirements.

City of Beaverton Oregon

Recipient

Date

Signature of Authorized Official