



Title VI Policy

Prepared by
Cowlitz-Wahkiakum Council of Governments
Administration Annex / 207 4th Avenue North
Kelso, WA 98626

Executive Director ~ William A. Fashing
Phone (360) 577-3041
Fax (509) 425-7760
Email bfashing@cwco.org
Website www.cwco.org

Approved & Adopted by
Cowlitz-Wahkiakum Council of Governments
Executive Committee May 2016
CWCOG Board May 2016

Washington State Department of Transportation
Office of Equal Opportunity ~ Office of the Secretary
December 2016



**Washington State
Department of Transportation**

Transportation Building
310 Maple Park Avenue S.E.
P.O. Box 47300
Olympia, WA 98504-7300
360-705-7000
TTY: 1-800-833-6388
www.wsdot.wa.gov

December 20, 2016

**Bill Fashing, Executive Director
Cowlitz-Wahkiakum Council of Governments
Administration Annex
207 4th Avenue North
Kelso, WA 98626**

RE: Approval - Title VI Plan and Policy

Dear Mr. Fashing:

The Washington State Department of Transportation (WSDOT), Office of Equal Opportunity has reviewed and approved the Cowlitz-Wahkiakum Council of Governments Title VI Plan and Policy.

We are reissuing the approval letter for the Title Plan and Policy to document its approval. We apologize for the administrative error on our part that caused the delay.

The Washington State Department of Transportation is committed to providing any assistance you may need with your Title VI Program. Please contact me at (360) 705-7082 or email at cerdao@wsdot.wa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Oscar Cerda', written over a horizontal line.

**Oscar Cerda
Title VI Coordinator
WSDOT Office of Equal Opportunity**

cc: Anisa Kisamore, Business Administrator

Cowlitz-Wahkiakum Council of Governments

Regular Board Meeting

Cowlitz Administration Building, General Meeting Room

Thursday, May 26, 2016 ~ 12:00 p.m.

Minutes

Representatives and Alternates:

Michael Green, Woodland School District

Troy Stariha, Port of Kalama

Jeff Wilson, Port of Longview

Dale Boon, Port of Woodland

Adam Smee, City of Kalama

Rick Roberson, City of Kelso

Scott Vydra, City of Longview

Susan Humbyrd, City of Woodland

Al Swindel, City of Woodland

Jana Leanne Jacob, Wahkiakum Port District #1

Dennis Weber, Cowlitz County

Dick Swart, Town of Cathlamet

Bill Hallanger, Cowlitz 2 Fire/Rescue

Dell Hillger, Beacon Hill Water & Sewer District

Scott Westlund, Kelso School District

Dan Zorn, Longview School District

Wendy Hall, Lower Columbia College

Bill Marcum, Kelso-Longview Chamber of Commerce

Scot Walstra, Cowlitz EDC

Paige Lake, Wahkiakum Chamber

Guests: Chris Bornstedt, Kelso citizen; Pat Ryan, Kelso citizen; Dena Horton, Senator Cantwell's Office.

Staff: Bill Fashing; Judith Donovan; Anisa Kisamore; Rachelle Nugent; Sam Rubin; Scott Pouders; Deborah Johnson; Melissa Taylor; Stephanie Helem.

1. Call to Order & Introduction.

Chairperson Michael Green called the meeting to order at 12:00 p.m. Introductions were made.

2. Public Comment.

No public comments.

3. Consent Agenda.

Motion: A motion was made by Susan Humbyrd, and seconded by Scott Vydra, to approve the consent agenda as presented. This included: (A) April 28, 2016 meeting minutes; (B) April 2016 Expenditures in the amount of \$83,468.09. Voting all in favor. Motion carried.

4. Action Items.

A. Title VI Policy and Language Access Policy (LAP). Title VI and Language Access policies are required for any agency receiving federal funds. The policies set standards for fair and equal treatment of protected classes, and persons with Limited English Proficiency (LEP). Washington State Department of Transportation (WSDOT) has reviewed and approved the policies for the organization. The Executive Committee has reviewed and discussed the policies, and has made recommendation for the board to consider and approve the documents.

Motion: A motion was made by Dick Swart, and seconded by Bill Hallanger, to approve Title IV Policy as presented. Discussion followed. Voting all in favor. Motion carried.

B. Unlawful Harassment Discrimination Policy Amendment. This amendment supersedes previous policy and adds a section for non-sexual harassment. Upon WCIA's insurance review, it was recommended to add this policy. The Executive Committee has reviewed and recommended the policy for approval.

Motion: A motion was made by Susan Humbyrd, and seconded by Dick Swart, to approve the policy as presented. Discussion followed. Voting all in favor. Motion carried.

5. Information Item.

- A. Highway Trust Fund Policy Update/Letters of Support. Bill Fashing opened up the discussion by referencing the Highway Trust Fund Policy document, and asked the board for input/guidance on what their preference would be in (1) bringing every issue to the board for approval, or (2) having a legislative policy in place for time sensitive type situations. Historically letters of support have been ratified or preapproved by the board.

It was asked if a delegation of authority document exists. Staff referenced the Articles of Association and Bylaws. The board is the authority/policy makers, the executive committee is a guidance council only authorized to approve payables in lieu of the board due to lack of quorum, and the director is considered an employee.

Motion: A motion was made by Dick Swart, and seconded by Susan Humbyrd, directing the executive director to develop a schedule of priorities with the Executive Committee for presentation back to the board. Voting: 19 in favor, 1 opposed. Motion carried.

6. Executive Director's Report.

- A. New Member. Paige Lake was welcomed to her first board meeting.
- B. Public Comment. It was suggested the board take advantage of available technology to communicate when developing a schedule of priorities for time sensitive items.
- C. Interlocal Agreement Update. CWCOG is at an impasse with Lewis County over the new interlocal agreement for the Southwest Washington Economic Development District to include Wahkiakum County. Staff received formal indication from Lewis County that they will not sign an agreement when the CWCOG is a signatory. They are willing to update the existing agreement between Lewis and Cowlitz County to include Wahkiakum County. This does not solve outstanding issues that the Economic Development Administration and State Auditor are wanting clarification on. Staff will continue to explore options.
- D. Call for Projects. An Economic Development District 'Call for Projects' handout was distributed as a reminder. The deadline is May 27, 2016. Members were encouraged to get the word out. More regional interest is needed.


7. Executive Committee Report.

- A. April 19, 2016 Committee Meeting Minutes. Documents were reviewed as presented.

8. Other Business.

No discussion.

There being no further business, upon motion by Susan Humbyrd, and seconded by Dick Swart, the meeting adjourned at 12:32 p.m.



William A. Fashing/ Executive Director



Stephanie Helem, Administrative Assistant



Troy Stariha, Vice Chairperson

Cowlitz-Wahkiakum Council of Governments
Executive Committee Meeting
Cowlitz County Annex Conference Room
May 17, 2016 ~ 4:00 PM

Minutes

Members Present:

Michael Green, Troy Stariha, Susan Humbyrd, Dennis Weber, Dick Swart, Mike Backman, Dave Vorse

Member Absent: None

Staff Present: Bill Fashing, Anisa Kisamore

Chair Green called the meeting to order at 4:03 p.m.

Action Items

- A. Approve April 19, 2016 EC Meeting Minutes: Susan Humbyrd made a motion to approve the April 19, 2016 minutes as written. Troy Stariha seconded. Motion carried.

Old Business

- B. Title VI/LAP Policy Final Draft - Review: The Title VI / Language Access Policy (LAP) and attached reporting forms were reviewed for a second time with included revisions. Dick Swart made a motion to recommend to the COG Board the adoption of the Title VI/LAP Policy. It was seconded by Troy Stariha. Motion carried.
- C. EDA Interlocal Agreement – Next Steps: Lewis County has countered with revisions to the Economic Development District Interlocal Agreement (ILA) that the CWCOG legal council does not feel is in the agencies best interest. Furthermore, the revisions do not address the issues that both the Economic Development Association (EDA) and the Washington State Auditor (SAO) wish to see addressed. Lewis County is not willing to compromise on any of their requested revisions.

The formation of the EDD was initiated by an Interlocal-agreement between Cowlitz and Lewis Counties naming the CWCOG as the lead agency. However, there isn't any contractual agreement with the COG outlining the duties of the lead agency. This is just one of the issues with both EDA and SAO.

Through discussion, the EC requested that a spreadsheet be produced showing regional projects funded due to participation in the Cowlitz-Lewis Economic Development District (CLEDD), and that the spreadsheet be presented to the Cowlitz County Commissioners for their review and discussion. Susan Humbyrd made a motion in support of the COG providing such documentation to the Cowlitz County Commissioners so that they may either (1) procure Lewis County signatures on the current draft of the ILA or (2) dissolve the standing ILA and enter into a similar one with just Wahkiakum County. Dennis Weber seconded. Motion passed.

A copy of all proceedings are to be provided to Wahkiakum County also.

CWCOG ensures all compliance with Title VI of the Civil Rights Act of 1964 and Americans with Disabilities Act of 1990 by prohibiting discrimination against any person on the basis of race, color, national origin, sex or disabilities in the provisions of benefits and services resulting from its federally assisted programs and activities. For questions regarding CWCOG's Title VI Program, you may contact the Department's Title VI Coordinator at 360-577-3041. If you need special accommodations to participate in this meeting, please call us at 360-577-3041 by 10:00 a.m. three days prior to the meeting.

New Business

D. Unlawful Harassment Policy Draft - Review: Staff presented a revised Unlawful Harassment policy that includes non-sexual harassment as recommended by the agencies insurance company. Sharon Humbyrd made motion to recommend the harassment policy to the full board with revisions as discussed. Troy Stariha seconded. Motion passed.

Executive Director Report


E. City of Kelso Membership Report: Bill Fashing presented a draft report of the COG's services to Kelso much in the same manner as the report to the City of Longview. He has also begun working on a report for the City of Woodland in following the request of the EC at the last meeting to provide reports for the different membership agencies over the next few months.

F. City of Longview Presentation - Update: The new date for the COG's services presentation to the City of Longview will be May 26th in the City's training room during the Council's work session. Michael Green will attend as representative of the COG Board.

G. Additional Discussion:

- Annual State Finance Reports – Board Review: Historically, the Chairman of the COG Board has reviewed the annual reports as required by the State Auditor as part of the transparency and accountability they require. The EC requested that a member of the Finance Committee review the reports as part of their committee duties.
- 2017 UPWP: Recently the Washington State Department of Transportation (WSDOT) reviewed the proposed 2017 Unified Planning Work Program (UPWP). For the first time, they didn't not request and changes and commended Transportation Planner, Judith Donovan, for her excellent work on the plan.

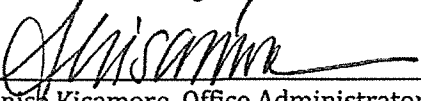
There being no further business, the meeting adjourned at 5:00 p.m.



William A. Fashing, Executive Director



Michael Green, Chairperson



Anisa Kisamore, Office Administrator

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Cowlitz-Wahkiakum Council of Governments

Title VI Policy

PURPOSE:

The purpose of the Cowlitz-Wahkiakum Council of Governments' (CWCOG or Agency) Title VI policy is to establish clear and comprehensive guidelines to fully comply with the laws and regulations governing the fair and equal treatment of any person regardless of race, color, national origin, handicap/disability, sex, age, income, or minority status, and to apply those guidelines to all programs and activities of the CWCOG.

It is the policy of the CWCOG to adhere to any and all federal and state legislation that applies to a Title VI Policy, and that all staff shall conduct themselves according to the requirements of the policy. Further, these requirements by law extend to CWCOG consultants and sub-recipients, regardless of funding source based on Title VI, 42 U.S.C. § 2000d et seq., as enacted as part of the landmark Civil Rights Act of 1964.

OBJECTIVES:

- To establish guidelines that allow the CWCOG to successfully comply with the Civil Rights Act of 1964, as amended;
- To establish guidelines that allow the CWCOG to successfully comply with the Civil Rights Restoration Act of 1987;
- To create consistent agency guidelines that will provide equal access to all CWCOG programs and activities by all citizens;
- To provide CWCOG staff, consultants, sub-recipients, and clients with the tools to fully abide by and enact the Title VI policy; and
- To establish procedures to resolve all Title VI complaints.

STANDARDS:

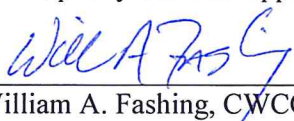
If at any time, this policy is found to be contradictive or out of compliance with current federal or state guidelines, the federal and/or state guidelines shall take precedence until such a time that a revision to this policy can be implemented.

Title VI Policy of Nondiscrimination

The Cowlitz-Wahkiakum Council of Governments (CWCOG) 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 (Public Law 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any CWCOG sponsored program or activity. The CWCOG further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

In the event CWCOG distributes federal aid funds to another entity or consultant, CWCOG will include Title VI compliance language in all written agreements and will monitor for compliance.

Title VI compliance is a condition of receipt of federal funds. Assurance of compliance, therefore, falls under the proper authority of the CWCOG Board pursuant to its budgetary authority and responsibility. The CWCOG Executive Director and Title VI Coordinator are authorized to ensure compliance with provisions of this policy and with applicable laws (See Appendix A).



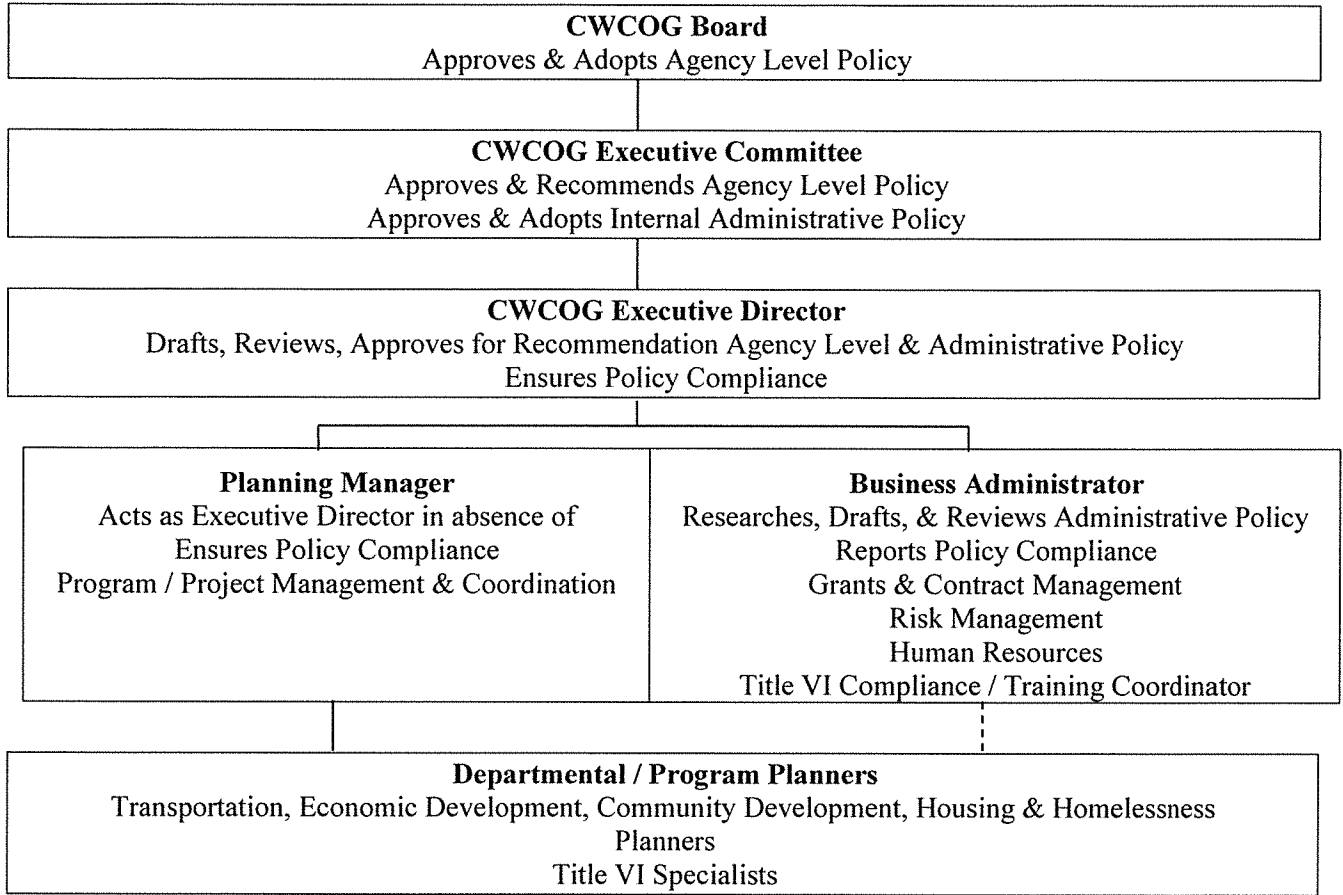
William A. Fashing, CWCOG Executive Director

5-26-2016

Date

STRUCTURE:

A. Organizational Chart – Reporting Relationships



B. Staffing

Executive Director: The CWCOG Executive Director is the agency’s administrator, and is authorized to ensure compliance with provisions of the CWCOG policy of non-discrimination and with the laws governing Title VI compliance. The CWCOG’s compliance function and Title VI coordination shall be performed under the authority of the Executive Director.

Business Administrator: The Business Administrator is the agency’s Grants and Compliance Manager who is charged with performing the duties of the Title VI Coordinator (Coordinator) and ensuring the implementation of the CWCOG’s Title VI Policy regardless of funding source. The Coordinator has other responsibilities in addition to Title VI. At any time, the Business Administrator may solicit the help of their administrative staff in fulfilling the responsibilities of this role. The Business Administrator reports directly to the Executive Director.

Departmental / Program Planners: The CWCOG has designated Title VI Specialists (Specialists) within the different program areas of the CWCOG. These Specialists report directly to the Planning Manager and indirectly to the Executive Director, but work in concert with the Title VI Coordinator to ensure compliance with grant, contract, and Title VI compliance. These key programs or department areas are subject to receiving federal assistance through grants or other types of related funding, and through which, are responsible for implementing CWCOG directives and policies to ensure civil rights compliance and equal opportunity.

The Specialists will work with the Coordinator to ensure their respective departments or programs comply with Title VI regulations and assurances, meet the objectives of the Title VI plan, and meet federal and state

reporting requirements. They shall work with the Coordinator to ascertain Title VI compliance by contractors, sub-contractors, consultants, suppliers and other sub-recipients under the project and programs of the CWCOG, but especially federally funded programs.

The Coordinator, as the agency's Contract Manager, shall ensure applicable Title VI provisions and requirements are included in contractual agreements to prime contractors or consultants and sub-recipients and provide adequate training opportunities for applicable staff and recipients.

Specialists shall work with the Coordinator to obtain statistical data on race, color, national origin, handicap/disability, age and sex of participants within or benefits from programs and activities of the CWCOG especially those which are federally funded. Each of the Specialists will maintain data relative to their respective special emphasis program area. The Coordinator shall use the data to complete annual Title VI reports and for other administrative needs.

At the time of the adoption of this policy, program areas are those listed below; however, specialist and/or department assignments shall not be limited by this policy:

- Administration – Business Administrator and/or Administration Department Assistant
- Community Development – Each Community Development Planner within their jurisdiction and/or program area
- Transportation – Lead Transportation Planner
- Economic Development – Lead Economic Development Planner
- Housing / Homelessness – Lead Community Development Planner

GUIDELINES:

A. Coordinator Responsibilities

The Title VI Coordinator's responsibilities and program administration, as authorized by the Executive Director, shall include initiating, monitoring, and ensuring the CWCOG's compliance with Title VI requirements as follows:

Administration: The Coordinator, in collaboration with the Executive Director, will administer the Title VI policy and implementation thereof ensuring compliance with the assurances, policy, and program(s) objectives. They shall perform Title VI reviews to assess administrative procedures, staffing, and resources, and provide recommendations as necessary to the Executive Director.

Complaints: It is the responsibility of the Coordinator to review written Title VI complaints that may be received by the CWCOG, report them to the Executive Director, ensure that any complaint follows the procedural guidelines and that every effort is made to resolve complaints informally at the local or regional level (see Section G, Complaint Procedures).

Data Collection: Review the statistical data gathering process performed by the Title VI Specialists periodically to ensure data is sufficient for meeting the requirements of the Title VI program administration.

Education and Training: The Coordinator, in collaboration with the Executive Director, is responsible for overall Title VI related training and staff development for Title VI Specialists and other Agency employees.

Title VI Policy Update: The Coordinator shall review and update the CWCOG's Title VI Policy as needed or required, and present it to the Executive Director for approval and recommendation to the Executive Committee for Board approval.

Annual Accomplishment Report(s): The Coordinator, in collaboration with the Executive Director, Planning Manager, and Specialists, shall directly or indirectly prepare an annual report of Title VI accomplishments and changes to the program from the preceding federal fiscal year and identify goals and objectives for the upcoming year. This report shall also address any concerns or additional information required by the Federal or State agency to which it is required to be submitted. Such a report shall be by the annual anniversary date of final state approval or another date as required by the Washington State Department of Transportation.

Public Dissemination: The Coordinator will work with CWCOG staff to develop and disseminate Title VI information to all CWCOG employees and sub-recipients including contractors, sub-contractors, consultants, sub-consultants, and beneficiaries, as well as the general public as necessitated by each department or program area.

Public dissemination may include electronic postings of public statements on the CWCOG website, the inclusion of Title VI language in contracts or other agreements, informational brochures, and annually publishing the Title VI Policy Statement in newspapers having a general circulation in the community when appropriate. Public service announcements or notices will be posted for proposed projects, hearings, meetings, or formation of public advisory boards in newspapers or other media reaching the affected community as needed; utilizing minority publications or media, and, when appropriate, provide written or verbal information in languages other than English.

Prevention of Discrimination: The Coordinator shall work with department or program areas to establish procedures for promptly resolving deficiencies and recommend procedures to identify and eliminate discrimination that may be discovered within the CWCOG's processes.

Maintain Legislative & Procedural Information: The Coordinator shall maintain and update laws, rules, regulations, guidelines, current Title VI policy, reports, and other resource information pertaining to the implementation and administration of the CWCOG's Title VI processes. Information will be made available to other agencies or the public as requested or required.

B. Education and Training

The Coordinator shall conduct or facilitate training and/or distribute information on available training opportunities regarding Title VI issues and regulations to all CWCOG employees as it may become available. Title VI training will be provided for all new employees upon hire and one internal Title VI training session shall be organized or conducted annually. The CWCOG will provide equal access to and participation in applicable Title VI courses for all CWCOG employees as budget allows.

When deemed necessary, the Coordinator and/or appropriate Specialist shall provide necessary training or information to contractors, consultants, and sub-recipients.

The Coordinator will collaborate with the Director to ensure that policy is followed in the selection of instructors for training courses or workshops to ensure equal opportunity is part of the selection process for all training contracts. Per the Draft CWCOG Procurement Policy, when applicable the Agency will provide accessibility to Minority/Women/Disadvantaged Business Enterprise consulting and training firms to compete for training contracts.

A summary of training conducted or provided will be reported in the annual update.

C. Administrative Guidelines

The activities of the CWCOG are those of a long-range planning agency as prescribed under RCW 36.64.080 and include community development, economic and transportation planning. Within these planning activities are elements of public involvement and procurement. Depending on the activity, the following guidelines for ensuring Title VI compliance will be adhered to:

Public Involvement: The CWCOG Public Participation Plan outlines the objectives and strategies used when pursuing public involvement within the agency's activities and programs. It aligns with the Title VI policy for providing equal opportunity and access to any public process of the CWCOG. Activities for including the public shall include but not be limited to:

- a. Invitations to participate shall be disseminated to a cross-section of the populace from social, economic and ethnic groups through written program information to minority media and ethnic organizations, and providing public service announcements for all local media, when forming citizens' advisory committees or planning board, and requesting involvement.
- b. Demographic statistics will be obtained at applicable community meetings and public hearings. Data will be gathered through the use of a voluntary self-reporting form which shall include race, gender, and national origin. Copies of the completed forms will be provided to the Title VI Coordinator after each meeting.
- c. Meetings shall be held in buildings accessible to all.
- d. To ensure access to public meetings, consideration will be given to buildings located along transit routes and vicinity to the community(ies) being specifically impacted by the project.
- e. Translation services shall be made available if anticipated or upon request.

Procurement: The CWCOG Draft Procurement Policy outlines processes and regulations by which the agency procures services, supplies, and equipment. It also aligns with the Title VI policy for providing equal opportunity and access to increasing participation by Disadvantaged and Minority Businesses Enterprises (DBE / MBE) when securing consultant and/or contractual services for the Council of Governments.

- a. Designated projects shall include applicable DBE goals and proactively seek to achieve those goals.

- b. Title VI assurance and provision language shall be included in all federally funded consultant contracts. As the Agency's contract manager, the Title VI Coordinator shall conduct a periodic review of documents and language to ensure compliance with current laws and regulations, and review contracts and amendments for compliance.
- c. The program appropriate Specialist will maintain updated demographic data on the utilization of women and minority-owned consulting firms. As they occur, a copy of the award letter shall be provided to the Coordinator for use in preparing the Annual Report.

D. Sub-Recipient Reviews and Remedial Action Procedures

Sub-Recipient Review: The Coordinator, assisted by Title VI Specialists, shall periodically conduct a Title VI compliance review(s) of select recipients of federal funds. The review of recipients shall ensure adherence to the Title VI requirements (see Section E, Compliance Reviews). The Coordinator and Specialist will work cooperatively to periodically confirm operational guidelines provided to consultants, contractors, and sub-recipients, including Title VI language provisions and related requirements, where applicable.

Post Grant Review: The Coordinator will collaborate with Specialists and staff to conduct periodic post-grant reviews of select recipients of federal funds to ensure adherence to Title VI requirements (see Section E, Compliance Reviews). Appropriate staff will periodically confirm the operational guidelines provided to consultants, contractors, and sub-recipients, including Title VI language provisions and related requirements, where applicable.

Remedial Action: When irregularities occur in the administration of federal programs at either the CWCOG or sub-recipient levels, corrective action will be taken to resolve identified Title VI issues. The CWCOG will seek the cooperation of the consultant, contractor or other sub-recipient in correcting deficiencies found during periodic reviews. The CWCOG will provide technical assistance and guidance, upon request, to support voluntary compliance by the sub-recipient. When conducting Title VI compliance reviews, the CWCOG will reduce to writing any recommended remedial action agreed upon by the CWCOG and sub-recipient, and provide a copy of the letter within a period not to exceed 45 days.

Sub-recipients placed in a deficiency status will be given a reasonable time, not to exceed 90 days after receipt of the deficiency letter, to voluntarily correct deficiencies. When a sub-recipient fails or refuses to voluntarily comply with requirements within the allotted time frame, the CWCOG will submit to the appropriate oversight agency copies of the case file and a recommendation that the sub-recipient be found in non-compliance.

A follow-up review will be conducted within 180 days of the initial review to ascertain if the sub-recipient has complied with the Title VI policy requirements in correcting deficiencies previously identified. If the sub-recipient refuses to comply, the CWCOG and appropriate oversight agency may, with WSDOT's concurrence, initiate sanctions per 49 CFR 21.

E. Data Collection Procedures

The CWCOG makes it a practice to collect regional data on many levels in order to speak to the dynamics and needs of the area as it relates to long-range planning. For the purposes of Title VI requirements, CWCOG shall endeavor to collect data specifically to ensure compliance in all programs and activities especially where programs and activities are federally funded.

All data collected shall be collected and saved to both program and Title VI files for both electronic and paper copies. Originals shall be retained with the project and copied to the agency's Title VI file location(s) except for those concerning Title VI complaints. In this case, originals shall be retained in Title VI files.

Title VI Specialists are responsible for carrying out data collection within their assigned programs, filing it appropriately, and reporting it to the Title VI Coordinator. Data collected shall support timeliness of services so that claims of non-discrimination are supported by appropriate data, and that the program(s) is being operated in compliance with Title VI.

Data shall be analyzed on a project by project basis to determine whether the eligible service population(s) is receiving appropriate benefit from CWCOG programs, projects, and activities.

Advertising: Advertising for public meetings or requests for public participation shall meet all Title VI and LEP requirements. Specialists shall ensure that copies of all advertisements are provided in Spanish, posted to the web page, and when possible advertised in media forms that reach the population of concern. When appropriate, notice advising LEP persons that free language assistant is available shall also be included in advertising.

A copy of all advertisements including but not limited to flyers, newspaper advertisements, handouts, and pamphlets shall be retained in agency's Title VI files. Originals shall be provided to accounts payable for invoice documentation.

Complaints: All complaints shall be collected in a manner consistent with this policy's procedures, and originals retained in Title VI files.

Compliance Reviews: Federally funded programs shall be reviewed on a periodic basis for compliance, benefit application, demographics, contract assurance language, and other applicable data to ensure Title VI is being applied appropriately. Data shall be collected in a way appropriate to the project or program.

Contracts: A list of all contracts, sub-recipients, bids for contracts and consultants, and shall be kept by the Title VI Coordinator. All federally funded contracts shall be reviewed, inventoried and documented in accordance with section D of this policy.

Identification of Services: A list of agencies that support Title VI efforts shall be maintained by the CWCOG of services, websites, and contact information that may be utilized by the CWCOG in providing Title VI and LEP benefits.

Public Meetings: Title VI Specialists shall make available at all public meetings the approved Public Involvement form. These forms shall be collected at the end of every meeting and maintained with the attendance form. Copies shall be provided for the Title VI files. All requests for translations services shall be documented appropriately and reported to the Title VI Coordinator.

Statistics: The CWCOG will continue to collect and use census data for the local region which includes the collection of nationality. When available, language proficiency will also be collected to assess for LEP needs. The Title VI Specialists shall report to the Coordinator when such statistics are being collected and/or analyzed and provide a copy for the Title VI file.

Surveys: Surveys held under federally funded programs shall include demographic questions to assess the population reached. This data shall be used to assess if the program or project benefit was appropriately applied to the service population. Survey originals shall be kept with the program files while a copy of the data collection spreadsheet shall be saved to the Title VI files.

Training: All employees will receive Title VI training upon hire and provide a signed copy of the receipt of training. All Title VI training whether for staff, contractors, consultants or sub-recipients will be documented in writing and maintained in the Title VI files.

F. Annual Reporting Procedures

The CWCOG shall annually report Title VI activities as required by its individual, federally funded programs. Title VI Specialists shall contribute data from their respective departments or programs as needed for each report.

Transportation: Transportation Department consists of the Metropolitan Transportation Planning Organization (MPO) and the Regional Transportation Planning Organization (RTPO). The MPO is federally funded through Federal Highway Administration (FHWA) and Federal Transit Authority (FTA), and requires an annual report be submitted in a format dictated by the Washington State Department of Transportation (WSDOT) Local Agency Guidelines (LAG) Manual, Appendix 28.74 – Annual Report for Agency With Population Over 100,000. This report is due yearly on the anniversary of the approval of the Plan and is to be submitted to Washington State Department of Transportation Regional Local Programs Engineer.

Economic Development: The Economic Development Program is federally funded in part by the US Department of Commerce Economic Development Administration (EDA). No report is required by EDA at this time.

G. Complaint Procedures

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 CWCOG as well as sub-recipients, consultants, and contractors.

Terms:

- a. **Complainant:** The individual, group, or organization filing the complaint and/or named as the victim on the CWCOG Discrimination Complaint Form
- b. **Respondent:** The individual, group, or organization the CWCOG Discrimination Complaint Form names as the alleged discriminator

These 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 CWCOG and sub-recipient level. The option of informal mediation meetings(s) between the affected parties and the Title VI Coordinator or a designated mediator may be utilized for resolution.

- 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 CWCOG's Executive Director. A formal complaint must be filed within 180 calendar days of the alleged occurrence and be signed by the complainant. The CWCOG will not officially act upon or respond to complaints received verbally. Written complaints will be received by mail or email.

Cowlitz-Wahkiakum Council of Governments
Attn: Executive Director
Administration Annex / 207 4th Avenue North
Kelso, WA 98626
Email: titlevi@cwco.org

- 2) Upon receipt of a verbal complaint, the CWCOG representative will notify the party(ies) of the CWCOG Title VI policy, direct them to the CWCOG web page for the policy and complaint form, and /or provide the complainant with a hard copy of each. The representative shall notify the Executive Director as soon as possible of the verbal complaint and action(s) taken to ensure policy compliance.

- 3) Upon receipt of the written complaint, the CWCOG will determine its jurisdiction, acceptability, the need for additional information, and the investigative merit of the complaint. In some situations, such as a conflict of interest determination, the CWCOG may request their cognizant agency, Washington State Department of Transportation (WSDOT) Office of Equal Opportunity or the appropriate state/federal agency to conduct the investigation. In the event an outside agency handles the investigation, they will follow their adopted procedures for investigating discrimination complaints, per their current Title VI Policy.

Only qualified, well-trained investigators should conduct these investigations. No agency is allowed to investigate a complaint against itself.

- 4) If the complaint is against a sub-recipient, consultant, or contractor under contract with the CWCOG, the appropriate division and/or agency shall be notified of the complaint within 15 days.
- 5) Once CWCOG decides the 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 CWCOG Title VI records by the Coordinator, and the basis for the allegation identified including race, color, national origin, handicap/disability, age, or sex.
- 6) In cases where CWCOG assumes the investigation of the complaint, the CWCOG 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 CWCOG with her/his response to the allegations.
- 7) Within 60 days of receipt of the complaint, the Coordinator or outside agency investigator will prepare a written investigative report for the CWCOG Executive Director. The report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition.
- 8) The recommendation shall be reviewed by the CWCOG's legal counsel who may discuss the report and recommendations with the Coordinator and other appropriate staff. The report may be reviewed further and modified as needed, then approved by the CWCOG Executive Director, and made final for its release to the parties.
- 9) Once the investigative report becomes final, briefings will be scheduled with each party within 15 calendar 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.
- 10) A copy of the complaint and CWCOG's investigative report will be forwarded to WSDOT's External Civil Rights Branch (as the CWCOG's cognizant agency) or the appropriate oversight agency within 60 calendar days of the receipt of the complaint.
- 11) If the complainant or respondent is not satisfied with the results of the investigation of the alleged discriminatory practice(s), she/he shall be advised of their rights to appeal CWCOG's determination to the cognizant agency, Washington State Department of Transportation, 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 the appropriate agency. Unless new facts not previously considered come to light, reconsideration of the final determination by the investigating agency will not be available.
- 12) An annual Log of Complaints must be maintained by each agency. The Log of Complaints must contain the following information for each complaint filed:
 - a. The name and address of the person filing the complaint.
 - b. The date of the complaint.
 - c. The basis of the complaint.
 - d. The disposition of the complaint.
 - e. The status of the complaint.
 - f. Whether all appropriate written forms were filed.

Cowlitz-Wahkiakum Council of Governments

Title VI Policy – Authorities & Citations

AUTHORITIES:

Title VI of the 1964 Civil Rights Act and the Civil Rights Restoration Act of 1987 (P.L. 100.259) provides that no person in the United States shall on the grounds of race, color, national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance.

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms “programs and activities” to include all programs and activities of federal aid recipients, sub-recipients, and contractors whether such programs and activities are federally assisted or not (Public Law 100-259 [S.557] March 22, 1988).

ADDITIONAL CITATIONS:

Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (P.L. 100.259)

42 USC 2000d to 2000d-4 – The Public Health and Welfare Subchapter V – Federally Assisted Programs

42 USC 4601 to 4655 – Uniform Relocation Assistance and Real Property Acquisitions Policies for Federal and Federally Assisted Programs

23 USC 109 (h) – Title 23 – Highways, Subsection 109 - Standards

23 USC 324 – Prohibition of discrimination on the basis of sex

DOT Order 1050.2 – Standard DOT Title VI Assurances

EO 12250 – Leadership and Coordination of Nondiscrimination Laws – Coordination of Grant-Related Civil Rights Statutes

EO 12898 – Summary of Executive Order 12898 - Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

28 CFR 50.3 – Guidelines for the Enforcement of Title VI, Civil Rights Act of 1964

DEPARTMENT / PROGRAM SPECIFIC CITATIONS:

1. Transportation

a. Planning

23 CFR 450 – Title 23 Highways; Part 450 – Planning Assistance and Standards

RCW 35.77 – Streets – Planning, Establishment, Construction, and Maintenance

RCW 36 – Counties

RCW 47.06 – Statewide Transportation Planning

RCW 47.80 – Regional Transportation Planning Organizations

b. Procurement

WSDOT Local Agency Guidelines

48 CFR 31 – Federal Acquisition Regulations System, Part 31 – Contract Cost Principles and Procedures

23 CFR 172 – Administration of Engineering and Design Related Service Contracts

2. Economic Development

13 CFR Chapter III 302.20 - Civil rights.

Cowlitz-Wahkiakum Council of Governments

Title VI Policy – Notice(s) To Public Translations

English – Full Statement

The Cowlitz-Wahkiakum Council of Governments (CWCOG) hereby gives public notice that it is the policy of the CWCOG to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, sex, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which CWCOG receives federal financial assistance. Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with CWCOG. Any such complaint must be in writing and filed with the CWCOG Title VI Coordinator within 180 days following the date of the alleged discriminatory occurrence. Title VI Discrimination Complaint Forms may be obtained from the CWCOG at no cost by calling (360) 577-3041.

Spanish – Full Statement

Atravez de esta noticia pública, el consejo de los gobiernos de Cowlitz-Wahkiakum (CWCOG) comunica que es la política de la CWCOG para asegurar el cumplimiento con el Título VI de la Ley de Derechos Civiles de 1964, la Ley de Derechos Civiles de Restauración de 1987, la Orden Ejecutiva 12898 de Justicia del Medio Ambiente, y otros estatutos y regulaciones relacionados, en todos los programas y actividades que la agencia conduce. El Título VI establece que ninguna persona en los Estados Unidos de América, por motivos de raza, color, sexo, u origen nacional, debe ser excluido de la participación en, ser negado los beneficios de, o ser sometido a discriminación bajo cualquier programa o actividad para la cual CWCOG recibe asistencia financiera federal. Cualquier persona que crea que ha sido perjudicada por una práctica discriminatoria ilegal, tiene el derecho a presentar una queja formal con el CWCOG. Quejas debe ser por escrito y presentada al Coordinador del Título VI, 180 días despues de la supuesta ocurrencia discriminatoria. Hojas de reclamaciones del Titulo VI se pueden obtener sin costo llamando al (360) 577-3041.

English – Alternate Statement

The Cowlitz-Wahkiakum Council of Governments (CWCOG) ensures all compliance with Title VI of the Civil Rights Act of 1964 and Americans with Disabilities Act of 1990 by prohibiting discrimination against any person on the basis of race, color, national origin, sex or disabilities in the provisions of benefits and services resulting from its federally assisted programs and activities. For questions regarding CWCOGs Title VI Program, you may contact the Agency's Title VI Coordinator at (360) 577-3041.

Spanish – Alternate Statement

El consejo de los gobiernos de Cowlitz-Wahkiakum (CWCOG) asegura que el cumplimiento del Título VI de la Ley de Derechos Civiles de 1964 y la Ley de Americanos con Incapacidades de 1990, al prohibir la discriminación contra persona en los Estados Unidos de América, por motivos de raza, color, sexo, u origen nacional, debe ser excluido de la participación en, ser negado los beneficios de, o ser sometido a discriminación bajo cualquier programa o actividad para la cual CWCOG recibe asistencia financiera federal. Si tienes preguntas sobre programa del Título VI de CWCOGs, porfavor comuníquese con Coordinador del Título VI al (360) 577-3041.

Cowlitz-Wahkiakum Council of Governments

Title VI Policy - Assurances

The Cowlitz-Wahkiakum Council of Governments (hereinafter referred to as the “Recipient”), HEREBY AGREES THAT as a condition to receiving any federal financial assistance from the U.S. Department of NOTE FUNDING AGENCY, it will comply with Title VI of the Civil Rights Act of 1964, 78 Statute 252, 42 USC 2000d to 2000d-4 (hereinafter referred to as the “Act”) and all requirements imposed by or pursuant to Title FEDERAL FUNDING AGENCY Code of Federal Regulations, Department of FEDERAL FUNDING AGENCY, Nondiscrimination in Federally Assisted Programs of the Department of FEDERAL FUNDING AGENCY – Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the “Regulations”), and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives federal financial assistance from the Department of FEDERAL FUNDING AGENCY, including the NOTE OTHER(S) FEDERAL FUNDING AGENCY, and HEREBY GIVE ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This Assurance is required by Subsection _____ of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances to its NOTE THE FEDERAL Program:

1. That the Recipient agrees that each program and each facility as defined in Subsections NOTE THE FEDERAL FUNDING AGENCY of the Regulations, will be (with regard to a “program”) conducted or will be (with regard to a “facility”) operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations made in connection with the FEDERAL FUNDING AGENCY Program, and in adapted form in all proposals for negotiated agreements:

“The Cowlitz-Wahkiakum Council of Governments, in accordance with Title VI of the Civil Rights Act of 1964 and 78 Statute 252, 2000d to 2000-d4 and Title FEDERAL FUNDING AGENCY, Code of Federal Regulations, Department of FEDERAL FUNDING AGENCY, Subtitle _____, Office of the _____, part _____: Nondiscrimination in Federally Assisted Programs of the Department of _____ issued Pursuant to Such Act, hereby notifies all bidders that it will affirmatively ensure that any contract entered pursuant to this advertisement will afford minority business enterprises full opportunity to submit bids in response to this invitation, and will not discriminate on the grounds of race, color, sex, or national origin in consideration for an award.”
3. That the Recipient shall insert the clauses of Appendix B of this Assurance in every contract subject to the Act and the Regulations.
4. That where the Recipient receives federal financial assistance to construct a facility or part of a facility, the Assurance shall extend to the entire facility and facilities operated in connection therewith.
5. That this Assurance obligates the Recipient for the period during which federal financial assistance is extended to the program, is in the form of personal property, real property, interest therein, structures or improvements thereon, in which case the Assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property 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; or (b) the period during which the Recipient retains ownership or possession of the property.
6. The Recipient shall provide for such methods of administration for the program, as are found by the NOTE STATE AGENCY HEAD or the official to whom she/he delegates specific authority, to give reasonable guarantee that it, other recipients, sub-grantees, consultants, subcontractors, transferees, successors in

interest, and other participants of federal assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this Assurance.

7. The Recipient agrees that the United States has a right to seek judicial endorsement with regard to any matter arising under the Act, the Regulations, and this Assurance.

THIS ASSURANCE is given in consideration of, and for the purpose of obtaining, any and all federal grants, loans, contracts, property, discounts, or other federal financial assistance extended after the date hereof to the Recipient by the NOTE THE FEDERAL FUNDING AGENCY under the FEDERAL Program and is binding on it, other recipients, sub-grantees, consultants, subcontractors, transferees, successors in interest, and other participants in the FEDERAL Program. The person or persons whose signature(s) appear below are authorized to sign this Assurance on behalf of the Recipient.

Director

Date

Cowlitz-Wahkiakum Council of Governments

Title VI Policy – Consultant Assurances

During the performance of this contract, the consultant, for itself, its assignees and successors in interest (hereinafter referred to as the “Consultant”) agree as follows:

1) Compliance with Regulations

The Consultant shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the NOTE FEDERAL FUNDING AGENCY (hereinafter referred to as), Title XX, Code of Federal Regulations, part XX, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

2) Nondiscrimination

The Consultant, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Consultant shall not participate either directly or indirectly in discrimination prohibited by Section XX.X of the Regulations, including employment practices when the contract covers a program set forth in NOTE SECTION of the Regulations.

3) Solicitations for Subcontracts, Including Procurement of Materials and Equipment

In all solicitations either by competitive bidding or negotiations made by the Consultant for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Consultant of the Consultant’s obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, sex, or national origin.

4) Information and Reports

The Consultant shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Cowlitz-Wahkiakum Council of Governments or the NOTE THE FEDERAL FUNDING AGENCY to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a consultant or contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Consultant shall so certify to the Cowlitz-Wahkiakum Council of Governments, or the FEDERAL AGENCY as appropriate, and shall set forth what efforts it has made to obtain the information.

5) Sanctions for Noncompliance

In the event of the Consultant’s noncompliance with the nondiscrimination provisions of this contract, the Cowlitz-Wahkiakum Council of Governments shall impose such contract sanctions as it or the FEDERAL AGENCY may determine to be appropriate, including, but not limited to:

- a. Withholding of payments to the Consultant under the contract until the Consultant complies; and/or
- b. Cancellation, termination, or suspension of the contract, in whole or in part.

6) Incorporation of Provisions

The Consultant shall include the provisions of paragraphs 1 through 5 in every subcontract, including procurement of materials or leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Consultant shall take such action with respect to any subcontractor or procurement as the Cowlitz-Wahkiakum Council of Governments or the FEDERAL AGENCY may direct as a means of enforcing such provisions including sanctions for noncompliance.

Provided, however, that in the event a Consultant becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Consultant may request the Cowlitz-Wahkiakum Council of Governments to enter into such litigation to protect the interests of the state and, in addition, the Consultant may request the United States to enter into such litigation to protect the interests of the United States.



TITLE VI DISCRIMINATION COMPLAINT FORM

Victim(s) of alleged discrimination		
Name		
Street Address		
City	State	ZIP Code
Daytime Phone	E-mail Address	
Person alleging discrimination, if different from above:		
Name		
Street Address		
City	State	ZIP Code
Daytime Phone	E-mail Address	
Relationship to the person(s) named as victim		
CWCOG staff member(s), board member(s), consultant(s) or program(s) that allegedly discriminated:		
Name	Program	
Name	Program	
Name	Program	
Date Alleged Discrimination Began	Date of Last Incident	

Basis of Alleged Discrimination

A complaint must be filed within 180 calendar days of the date the complainant learned of the alleged discrimination. If your complaint is in regard to either alleged discrimination in the delivery of services or in the treatment of you (or the person(s) named as the victim) by associates or programs of the Cowlitz-Wahkiakum Council of Governments, please indicate below what you believe to be the basis of the alleged discrimination.

Example: If you believe that you were discriminated against because you are Native American, circle the word "Race" and write "Native American" in the space provided.

Race: _____

Color: _____

Sex: _____

National Origin: _____

Explanation

In the space below, please explain, as clearly and in as much detail as possible, the nature of the discrimination you are alleging (attach additional sheets if necessary). Provide the names of all witnesses, if any, to the alleged discrimination. Attach copies of all written materials pertaining to your complaint.

By signing below, I certify that the statements contained on this form are true to the best of my knowledge.

Signature

Date

Send this form and all attachments to:

ATTN: Title VI Coordinator
Cowlitz-Wahkiakum Council of Governments
Administration Annex
207 4th Avenue North
Kelso, WA 98626

Documents may be sent via the US Postal Service, faxed to (360) 425-7760, or scanned and emailed to: cwcog@cwcog.org.



Administration Annex 207 North 4th Ave ~ Kelso, WA 98626-4195
 (360) 577-3041 ~ Fax (360) 425-7760 ~ www.cwcog.org

Title VI Public Involvement

Title VI of the Civil Rights Act of 1964 requires the Cowlitz-Wahkiakum Council of Governments (CWCOG) to gather statistical data on participants and beneficiaries of the agency’s federal aid programs and activities. The Cowlitz-Wahkiakum Council of Governments collects information on race, color, national origin, and gender of the attendees to this public meeting to ensure the inclusion of all segments of the population affected by a proposed project.

The CWCOG wishes to clarify that this information gathering process is completely voluntary and that you are not required to disclose the statistical data requested in order to participate in this meeting. This form is a public document.

The completed forms will be held on file at the CWCOG office. For further information regarding this process, please contact the CWCOG Executive Director by phone at 360-577-3041 or e-mail at cwcog@cwcog.org.

Project Name:	
Meeting Location:	Date:

Please respond to the following questions:

Name (please print):	Gender (please circle): Male Female	
General ethnic identification categories (circle one):		
Caucasian	Hispanic American	American Indian/Alaskan Native
African American	Asian/Pacific Islander	Other
Color:	National Origin	

After you complete this form, please fold it and place it inside the Title VI box on the welcome table.

Thank you for your cooperation!



Administration Annex 207 North 4th Ave ~ Kelso, WA 98626-4195
 (360) 577-3041 ~ Fax (360) 425-7760 ~ www.cwcog.org

Título VI Involucramiento Público

Título VI del acta de derechos civiles de 1964 requiere al Cowlitz-Wahkiakum Council of Governments (CWCOG) para reunir datos estadísticos de participantes y beneficiarios de la ayuda federal de los programas y actividades. El Cowlitz-Wahkiakum Council of Governments reúne información de raza, color, origen nacional, y género de las personas presentes en esta reunión pública para asegurar inclusión de todos los segmentos de la población afectada por un proyecto propuesto.

El CWCOG desea aclarar que este proceso para recaudar información es completamente voluntario y que no se requiere que dé los datos estadísticos requeridos en orden para participar en esta reunión. Esta forma es un documento público.

Las formas completadas se archivarán en la oficina de CWCOG. Para más información acerca de este problema, por favor contacte el Director Ejecutivo de CWCOG por teléfono al 360-577-3041 ó por correo electrónico al cwcog@cwcog.org.

Nombre del Proyecto:	
Lugar de la Reunión:	Fecha:

Por favor responda a las siguientes preguntas:

Nombre (en letra de molde):	Género (por favor circular): Masculino Femenino	
Categorías generales de identificación étnica (circule uno):		
Caucásico	Hispano Americano	Indio Americano/Nativo de Alaska
Americano Africano	Asian/Pacific Islander	Otro _____
Color:	Origen Nacional	

Después de que complete esta forma, por favor doblela y póngala dentro de la caja de Título VI sobre la mesa de bienvenida.

¡Gracias por su cooperación!

Cowlitz-Wahkiakum Council of Governments

Language Access Policy

PURPOSE:

The Cowlitz-Wahkiakum Council of Governments' (CWCOG or Agency) Language Access Policy (LAP) is considered a supplement to the CWCOG's Title VI policy. Its purpose is to establish consistent and effective guidelines in order to provide meaningful and timely access to agency programs and/or activities by persons with Limited English Proficiency (LEP).

LEP individuals are defined as persons who do not speak English as their primary language or who are limited in their ability to understand, speak, read, or write English.

OBJECTIVES:

- To establish guidelines that allow the CWCOG to successfully comply with the Civil Rights Act of 1964, as amended, and Executive Order 13166;
- To address LEP barriers that may limit access to important benefits or services, ability to exercise certain rights or comply with applicable responsibilities, and/or the understanding of information provided by federally funded programs and activities administered by the CWCOG;
- To ensure that all people have meaningful access to CWCOG programs, services, and information at no cost to them;
- To create consistent agency guidelines that will provide equal access to all CWCOG programs and activities by all citizens; and
- To provide CWCOG staff, consultants, sub-recipients, and clients with the knowledge and tools to fully abide by and enact the Language Access Policy.

STANDARDS:

If at any time, this policy is found to be contradictive or out of compliance with current federal or state guidelines, the federal and/or state guidelines shall take precedence until such a time that a revision to this policy can be implemented.

All CWCOG personnel shall be responsible for connecting LEP individuals they may encounter with free language assistance services.

All CWCOG personnel will be trained and prepared to inform members of the public that language assistance services are available free of charge to LEP persons and how the agency can provide those services to them.

STRUCTURE:

As a supplement of the CWCOG Title VI policy, the staffing structure, reporting relationships, training, and policy oversight for the LAP is considered the same as the CWCOG Title VI Policy. The CWCOG Executive Director and Office Administrator are responsible for the assurance of staff training and agency compliance where applicable.

GUIDELINES:

A. Determination of Need

The CWCOG utilizes both the federal LEP website www.LEP.gov and the U.S. Department of Justice's (USDOJ) recommended Four (4) Factor LEP analysis (a component of the USDOJ safe harbor provision for recipients of federal funds) to determine the need for language assistance measures. The Four (4) Factors are:

Factor 1: The number and proportion of people with LEP served or encountered in the eligible service population.

The criteria threshold for providing written translation of documents to a LEP language group is 1,000 or more people or at least five (5) percent of the Region's population, whichever is less.

The study region shall be defined as Cowlitz County.

Data derived from the American Community Survey (2008 – 2012/5 year, Table S1601) identifies the Spanish speaking language group within the defined region as meeting the 1,000 or more population threshold. Data will periodically be assessed for additional language groups that may meet the criteria.

	Persons Speaking Spanish language at home	Cowlitz County Population (US Census April 2010)
Estimated number of speakers	4,503	102,410
Margin of error	+/- 689	--
% of Cowlitz Co population	4.4%	--

	Persons Speaking Spanish language at home who also speak English "very well"	Persons Speaking Spanish language at home who speak English "less than very well"
Estimated number of speakers	2,657	1,846
Margin of error	+/-7.8	+/-7.8
% of Spanish population	59.0%	41.0%

Spanish spoken at home with ability to speak English; Persons five (5) years of age and older, Cowlitz Co. Urbanized Area

Factor 2: The frequency with which people with LEP come in contact with the CWCOG programs, activities, or services.

Usage statistics that would quantify the frequency of contact with members of the LEP population are not collected at this time.

COG fully complies with all applicable federal and state public notice requirements of all their programs and applies the adopted *Public Participation Plan* when appropriate.

Factor 3: The importance to people with LEP regarding CWCOG's programs, activities, and services.

The nature of the CWCOG's planning programs and activities can have a wide-range of impact

to the communities of the region. At any given time, the policies and plans developed through these programs can affect the region and attract varying degrees of interest by the population. Each project and/or program is assessed as to the importance or impact to both the population at large and LEP persons.

Factor 4: The resources available to CWCOG and the overall cost to provide assistance to people with LEP.

CWCOG is committed to providing meaningful language access services to the region's Spanish population and, when practical, in assisting speakers of other languages with limited English proficiency, though interpretive services within the region are limited. CWCOG continually seeks creative, low-cost measures to assist LEP individuals.

B. Administrative Guidelines

The CWCOG shall utilize several tools for notifying identified LEP populations when appropriate and applicable to the CWCOG's programs and activities. The Agency shall work with community-based organizations to inform LEP persons of upcoming meetings and that language assistance is available particularly if a program or activity affects an identified LEP neighborhood within the project's scope.

Accessibility for Sight and Hearing Impaired Persons: CWCOG will maintain an accessible website and a TDD/TYY line. All CWCOG public meetings shall be conducted in facilities that are accessible to people with sight, hearing, or mobility disabilities and/or who rely on public transportation.

COG Website: At a minimum, the CWCOG shall post Title VI compliance statements and language access directions in both English and Spanish on the agency's website located at www.cwco.org.

Community-Based Organizations: Identified not-for-profit organizations and community groups that are likely to involve or interact with the Spanish-speaking community will be informed of opportunities for public comment when applicable and to assist with making LEP groups aware of available services: Community Action Program (CAP), Longview Housing Authority (LHA), and Lower Columbia College (LCC), Ethnic Support Council, Family Health Center, Woodland Community Service Center, St. Rose church and school, and St. John Medical Center (SJMC).

Focus Groups, Small Groups and Public Meetings: On occasion, CWCOG convenes targeted outreach meetings and focus groups with community leaders representing Title VI, Environmental Justice, and /or LEP populations. Where CWCOG is either informed or reasonably anticipates that members of the Spanish LEP group will be in attendance, a Spanish-speaking translator will be provided. The CWCOG will take appropriate steps to address translator needs for other LEP individuals as requested.

Mailing List Improvements: CWCOG will monitor and update mailing lists and databases to initiate and maintain contact with interested parties, including those identified as LEP, other underserved groups, community groups, Title VI relevant populations, businesses, membership groups, and local governments.

Translation Services: Appropriate interpretive and/or translation services shall be identified within the region, and utilized to translate outreach materials and instructions on how to access available language assistance services. When required and financially feasible, materials and notices shall be provided in Spanish. When required and not financially feasible, materials and notifications shall bare a statement both in English and Spanish directing LEP persons to language access services provided by the CWCOG.

Visualization Tools: When applicable, the CWCOG may use standardized visualization tools such as ‘I Speak’ language identification cards that can facilitate communication with people having limited English proficiency or a low degree of literacy. Other visual tools may include maps, charts, graphs, illustrations, visual presentations, models, and videos, as well as, printed materials that are predominately graphic to explain concepts.

C. Monitoring and Updating of the LEP Plan

CWCOG will monitor community demographics and record requests for translation services. Data will be gathered and assessed in the same manner outlined in CWCOG Title VI Policy. Periodical updates to this policy shall be made to in order to address changes in data and demographics, and reflect changes in practice to improve LEP services.