

CITY OF SALLISAW

FY 2022

**Title VI/Nondiscrimination Plan
For Subrecipients**

Date and Filed with Department of Transportation

JULY 13, 2022

Date

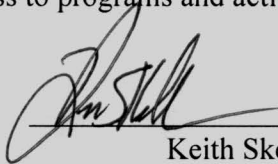
Nondiscrimination Assurances

The City of Sallisaw agrees to comply with all provisions prohibiting discrimination on the basis of race, color, or national origin of Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 200d et seq., and with U.S., DOT regulations, "Nondiscrimination in federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act," 49 CFR part 21.

The City of Sallisaw assures that no person shall, as provided by Federal and State civil rights laws be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity. The city of Sallisaw further ensures every effort will be made to ensure nondiscrimination in all programs and activities, whether those programs and activities are federally funded or not.

The City of Sallisaw meets the objectives of the FTA Master Agreement which governs all entities applying for FTA Funding, including the City of Sallisaw and its third-party contractors by promoting actions that:

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



7/13/2022

Keith Skelton
City Manager

Subrecipient's General Information

1. Provide subrecipient's Mission statement

“The mission of the City of Sallisaw is to provide superior municipal services to all residents of the City in the most efficient, cost-effective manner possible, and to promote growth and development of the community to enhance the quality of life for all citizens.”

2. History (including year started)

The community of Sallisaw can be traced back to 1886. Comprised of mostly Cherokees, the town was not incorporated until 1898. The City of Sallisaw operates under a city charter and has a Council/City Manager form of government. Under this type of government, the Board of City Commissioners acts as the legislative body and is responsible for setting policy, approving annual budgets, and enacting city ordinances. The City Manager serves at the pleasure of the Board of City Commissioners and is responsible for the overall daily operation of the city. The City Manager implements all policies and plans adopted by the City Council.

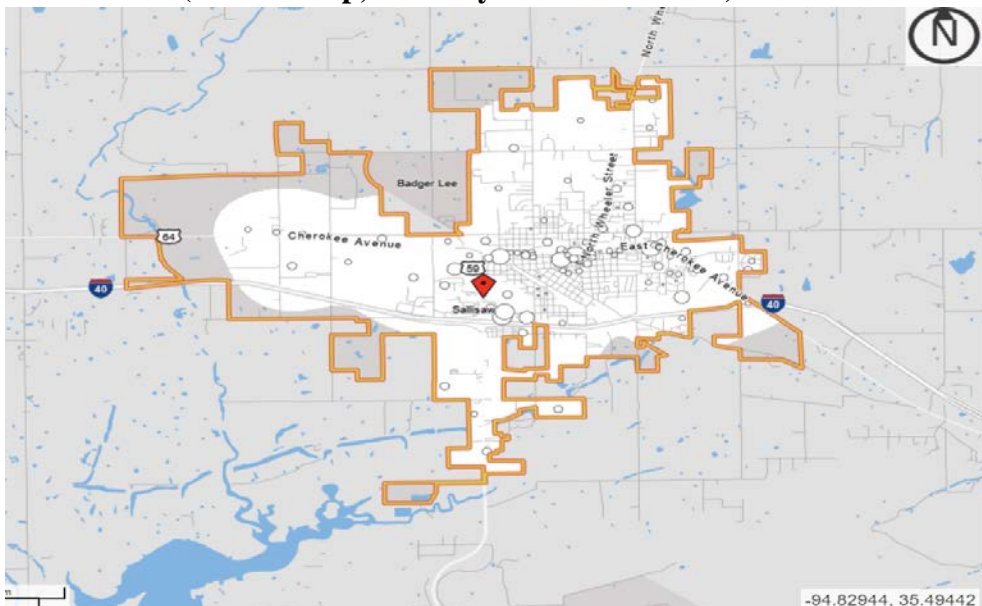
3. Regional Profile

According to the 2020 U.S. Census

4. Population served (in relation to regional population)

According to the 2020 U.S. Census

5. Service area (include map, with any routes identified)



6. Designated Title VI Coordinator (include name, contact information, attendance dates to Title VI trainings)

Kim Jamison, City Clerk
City of Sallisaw
PO Box 525
Sallisaw, OK 7455
kjamison@sallisawok.org
918-775-6241 Ext. 203

7. Governing body make-up (include terms of office)

The Sallisaw Board of City Commissioners is made up of five members. Four members are elected from their respective wards in which they live. The fifth member, the mayor, is elected at large by all the city wards. Each member serves a three-year term.

8. There have not been any facilities constructed under the current operation

Notice of Non-Discrimination

Title VI of the Civil Rights Act of 1964 protects people from discrimination based on race, color, or national origin in programs or activities that receive Federal financial assistance. Title VI states that: **No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.**

Any person who believes that they, individually, as a member of any specific class, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, as amended, may file a complaint with the Title VI Coordinator with the Office of Contract Compliance. Title VI Complaints must be filed within 180 days of the alleged discriminatory event or practice. Complaints must be filed using the ODOT's Title VI Complaint Form and submitted electronically to:

Email ODOT at: transit@odot.org

And/or contact Kyle Stevens at:

Cell 405-215-2552

Kstevens@odot.org

If information is needed in another language, call 918-775-6241

Notice of Non-Discrimination is Posted at City Hall
115 E. Choctaw Ave.
Sallisaw, OK 74955

To receive an electronic copy of this notice, email:
kjamison@sallisawok.org

Procedures For Filing A Complaint

The complaint procedures apply to the beneficiaries of City of Sallisaw programs, activities, and services.

RIGHT TO FILE A COMPLAINT: Any person who believes they have been discriminated against on the basis of race, color, or national origin by City of Sallisaw may file a Title VI complaint by completing and submitting the agency's **Title VI Complaint Form**. Title VI complaints must be received in writing within 180 days of the alleged discriminatory complaint.

HOW TO FILE A COMPLAINT: Information on how to file a Title VI complaint is posted on our agency's website, and in public areas of our agency.

You may download the City of Sallisaw Title VI Complaint Form at www.sallisawok.org, or request a copy by writing to City of Sallisaw, PO Box 525, Sallisaw, OK 74955. Information on how to file a Title VI complaint may also be obtained by calling City of Sallisaw at 918-775-6241.

You may file a signed, dated complaint no more that 180 days from the date of the alleged incident. The complaint should include:

- Your name, address and telephone number;
- Specific, detailed information (how, why, and when) about the alleged act of discrimination; and
- Any other relevant information, including the names of any persons, if known, the agency should contact for clarity of the allegations.

Please submit your complaint form to **Kim Jamison**, City Clerk, City of Sallisaw, PO Box 525, Sallisaw, OK 74955.

COMPLAINT ACCEPTANCE: City of Sallisaw will process complaints that are complete. Once a completed Title VI Complaint Form is received, City of Sallisaw will review it to determine if City of Sallisaw has jurisdiction. The complainant will receive an acknowledgement letter informing them whether or not the complaint will be investigated by City of Sallisaw.

INVESTIGATIONS City of Sallisaw will generally complete an investigation within 90 days from receipt of a completed complaint form. If more information is needed to resolve the case, City of Sallisaw may contact the complainant. Unless a longer period is specified by City of Sallisaw, the complainant will have ten (10) days from the date of the letter to send requested information to the City of Sallisaw investigator assigned to the case.

If the requested information is not received within that timeframe the case will be closed. Also, a case can be administratively closed if the complainant no longer wishes to pursue the case.

LETTERS OF CLOSURE OR FINDING: After the Title VI investigator reviews the complaint, the Title VI investigator will issue one of two letters to the complainant: a closure letter or letter of finding (LOF).

Attachment D

- A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed.

- A Letter of Finding (LOF) summarizes the allegations and provides an explanation of the corrective action taken.

If the complainant disagrees with City of Sallisaw determination, the complainant may request reconsideration by submitting the request in writing to the Title VI investigator within seven (7) days after the date of the letter of closure or letter of finding, stating with specificity the basis for the reconsideration. City of Sallisaw will notify the complainant of the decision either to accept or reject the request for reconsideration within ten (10) days. In cases where reconsideration is granted, City of Sallisaw will issue a determination letter to the complainant upon completion of the reconsideration review.

If information is needed in another language, contact City of Sallisaw at PO Box 525, Sallisaw, OK 74955, or at 918-775-6241.

City of Sallisaw Complaints Form

“No person in the United States shall, on the basis of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

If you feel that you have been discriminated against in the provision of transportation services, please provide the following information to assist us in processing your complaint. Should you require any assistance in completing this form or need information in alternate formats, please let us know.

Please mail or return this form to:
 City of Sallisaw
Kim Jamison , City Clerk
 PO Box 525, Sallisaw, OK 74955
 FAX 918-775-9550 or email to kjamison@sallisawok.org

PLEASE PRINT

1. Complainant's Name:		
a. Address:		
b. City:	State:	Zip Code:
c. Telephone (include area code): Home () or Cell ()		Work
() -		() -
d. Electronic mail (e-mail) address:		
Do you prefer to be contacted by this e-mail address? () YES () NO		
2. Accessible Format of Form Needed? () YES specify: _____ () NO		
3. Are you filing this complaint on your own behalf? () YES If YES, please go to question 7. () NO If no, please go to question 4		
4. If you answered NO to question 3 above, please provide your name and address.		
a. Name of Person Filing Complaint:		
b. Address:		
c. City:	State:	Zip code:
d. Telephone (include area code): Home () or Cell ()		Work
() -		() -
e. Electronic mail (e-mail) address:		
Do you prefer to be contacted by this e-mail address? () YES () NO		
5. What is your relationship to the person for whom you are filing the complaint?		
6. Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party. () YES, I have permission. () NO, I do not have permission.		
7. I believe that the discrimination I experienced was based on (check all that apply):		
() Race () Color () National Origin (classes protected by Title VI)		
() Other (please specify)		

Continued

Attachment E

8. Date of Alleged Discrimination (Month, Day, Year):
9. Where did the Alleged Discrimination take place?
10. Explain as clearly as possible what happened and why you believe that you were discriminated against. Describe all of the persons that were involved. Include the name and contact information of the person(s) who discriminated against you (if known). <i>Use the back of this form or separate pages if additional space is required.</i>
11. Please list any and all witnesses' names and phone numbers/contact information. <i>Use the back of this form or separate pages if additional space is required.</i>
12. What type of corrective action would you like to see taken?
13. Have you filed a complaint with any other Federal, State, or local agency, or with any Federal or State court? () YES If yes, check all that apply. () NO a. () Federal Agency (List agency's name) b. () Federal Court (Please provide location) c. () State Court d. () State Agency (Specify Agency) e. () County Court (Specify Court and County) f. () Local Agency (Specify Agency)
14. If YES to question 14 above, please provide information about a contact person at the agency/court where the complaint was filed.
Name: _____ Title: _____
Agency: _____ Telephone: () _____ - _____
Address: _____
City: _____ State: _____ Zip Code: _____

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

Signature and date is required:

Signature

Date

If you completed Questions 4, 5 and 6, your signature and date is required:

Signature

Date

Documenting Complaints, Investigations, and Lawsuits

All Title VI complaints will be entered and tracked in City of Sallisaw complaint log. Active investigations will be monitored for timely response on the part of all parties. The agency’s Title VI Coordinator shall maintain the log.

City of Sallisaw Title VI Complaints, Investigations, and Lawsuits Log

Date complaint filed	Complainant	Basis of complaint R-C-NO	Summary of allegation	Pending status of complaint	Actions taken	Closure Letter (CL)	Letter of Finding (LOF)	Date of CL or LOF

Documenting Evidence of Agency Staff Title VI Training

City of Sallisaw staff are given Title VI training, and agency can answer affirmatively to all the following questions:

- Are new employees made aware of Title VI responsibilities pertaining to their specific duties?
- Do new employees receive this information via employee orientation?
- Is Title VI information provided to all employees and program applicants?
- Is Title VI information prominently displayed in the agency and on any program materials distributed, as necessary?

City of Sallisaw Limited English Proficiency Plan

Introduction

This Limited English Proficiency (LEP) Plan has been prepared to address City of Sallisaw responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964; Federal Transit Administration Circular 4702.1B, dated October 1, 2012, which states that the level and quality of transportation service is provided without regard to race, color, or national origin.

Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency", indicates that differing treatment based upon a person's inability to speak, read, write or understands English is a type of national origin discrimination. It directs each agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including all City of Sallisaw departments receiving federal grant funds.

City of Sallisaw has developed this LEP Plan to help identify reasonable steps for providing language assistance to persons with LEP who wish to access services provided. As defined Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

To determine if the subrecipient is required to file an LEP Plan, first fill out the LEP Four Factor Analysis form.

LEP Four Factor Analysis

In order to prepare this plan, City of Sallisaw used the four-factor LEP analysis which considers the following factors:

- 1. The number or proportion of LEP persons in the service area who may be served or are likely to require City of Sallisaw services.**

The City of Sallisaw staff reviewed the current U.S. census report and determined that in the City of Sallisaw service area 355 persons (4%) of populations speaks a language other than English. Of those 355 persons (4%) have limited English proficiency; that is, they speak English "not well" or "not at all", this is 4% of the overall population in the service area. In City of Sallisaw service area, of those persons with limited English proficiency, 345 speak Spanish, 5 speak Indo-European, and 5 speak Asian or other Pacific Islander Languages.

2. The frequency with which LEP persons come in contact with City of Sallisaw services.

City of Sallisaw staff reviewed the frequency with which the board/council, office staff and bus drivers have or could have, contact with LEP persons. This includes documenting phone inquiries of office visits. To date, City of Sallisaw has received 0 requests for translated programs and documents.

3. The nature and importance of services provided by City of Sallisaw to the LEP population.

Example Language: There is no large geographic concentration of any type of LEP individuals in the service area for the City of Sallisaw. The overwhelming majority of the population, 96%, speak only English. As a result, there are few social, service, professional and leadership organizations within City of Sallisaw service area that focus on outreach to LEP individuals. City of Sallisaw Board/council, office staff and bus/van drivers are most likely to encounter LEP individuals through bus/van rides, office visits, phone conversations, and attendance at Board/Council meetings.

4. The resources available to City of Sallisaw and the overall costs to provide LEP assistance.

Example Language: City of Sallisaw reviewed its available resources that could be used for providing LEP assistance and which of its documents would be most valuable to be translated if the need should arise. City of Sallisaw has contacted local citizens that would be willing to provide voluntary Spanish translation if needed, within a reasonable time period. Other language translation if needed would be provided through a telephone interpreter line for which the City of Sallisaw would pay a fee.

Based on the Four Factor Analysis, choose Option 1 or Option 2 to complete the LEP Plan:

Option 1: Based on the Four Factor Analysis, our research shows that in the City of Sallisaw service area, we do not meet the minimum requirement of 5% or 1,000 individuals whichever is less. Therefore, a LEP Plan is not required. Listed below are the resources used to obtain this information. Examples of resources can be found at Attachment I.

Resources:

Resource #1 American Fact Finder

Resource #2

Resource #3

City of Sallisaw agrees to the following requirements, the Translation of Documents and Monitoring and Updating the LEP Plan, as mentioned below:

Translation of Documents

City of Sallisaw weighed the cost and benefits of translating documents for potential LEP groups. Considering the expense of translating the documents, the likelihood of frequent changes in documents and other relevant factors, at this time it is an unnecessary burden to have any documents translated.

Due to the very small local LEP population, City of Sallisaw does not have a formal outreach procedure in place, as of 2017. Translation resources have been identified and are limited in this region. However, when and if the need arises for LEP outreach, City of Sallisaw will consider the following options:

- When staff prepares a document, or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

Monitoring and Updating the LEP Plan

City of Sallisaw will update the LEP Plan as required. At a minimum, the plan will be reviewed and updated when data from the next U.S. Census is available, or when it is clear that higher concentrations of LEP individuals are present in City of Sallisaw service area. Updates will include the following:

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area.
- Determination as to whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet the need.
- Determine whether City of Sallisaw financial resources are sufficient to fund language assistance resources needed.
- Determine whether City of Sallisaw fully complies with the goals of this LEP Plan.
- Determine whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.
- Maintain a Title VI complaint log, including LEP to determine issues and basis of complaints.

Public Participation Plan

Identification Of City of Sallisaw Stakeholders By Race

Stakeholders	Caucasian	Latino	African American	Asian American	Total
Board of Directors	4	1	0	0	5
Advisory Bodies					
Transit Riders/Clients	Avg per month 128				128
Private Businesses/Organizations					
Others					

City of Sallisaw Outreach Practices

City of Sallisaw ensures all outreach strategies, communications and public involvement efforts comply with Title VI. City of Sallisaw Public Engagement Plan proactively initiates the public involvement process and makes concerted efforts to involve members of all social, economic, and ethnic groups in the public involvement process. Events such as public meetings and/or open houses are held at schools, churches, libraries and other non-profit locations easily accessible to public transit, convenient times, and compliant with the Americans with Disabilities Act.

Aligned with the above referenced communication tactics, City of Sallisaw provides the following:

- a. Public notices published in non-English publications (if available).
- b. Title VI non-discrimination notice on agency’s website.
- c. Agency communication materials in languages other than English (subject to Safe Harbor parameters).
- d. Services for Limited English Proficient persons. Upon advance notice, translators may be provided.

Title VI Program Public Engagement Process

City of Sallisaw will conduct a Public Engagement Process for **the Title VI Program**. This process includes Community Meetings to seek input, provide education, and highlight key components of the Title VI Plan. Materials have been created to explain Title VI policies as well as provide education on how they relate to minority populations.

Attachment H

City of Sallisaw will conduct a 30 day public comment period to provide opportunities for feedback **the Title VI Program.**

Comments are accepted during the public outreach period via:

- Dedicated email address
- Website
- Regular mail
- Telephone
- In person
- Survey tool (agency option)

City of Sallisaw will provide a briefing to the Board of Directors and Advisory Bodies regarding all public comments prior to decision making. A publicly available summary report is compiled, including all individual comments.

Summary of the City of Sallisaw Public Outreach Efforts

Flyers
Ads in Newspaper
Information at Health Fairs

WEB RESOURCES FOR LOCAL DEMOGRAPHICS

American Community Survey

<http://www.census.gov>

American Fact Finder

<http://www.factfinder2.census.gov>

Census Data

<http://www.census.gov>

<http://www.quickfacts.census.gov/gfd/index.html> (Quick Facts for States/Counties/Cities)

Immigration Data

<http://www.migrationinformation.org/USFocus/display.cfm?ID=84>

Modern Language Association

<http://www.mla.org> (Language Maps)

WEB RESOURCES for INTERPRETERS / TRANSLATORS

Interpreter / Translator

<http://www.languageline.com>

American Translators Association (ATA)

<http://www.atanet.org>