**NOTE:** Instructions are in green. Areas in yellow *must* be completed with details related to your entity. REMOVE all highlights before submitting.

*Note: The following is a suggested Title VI Plan template for WSDOT’s FHWA Subrecipients. For specific Title VI Plan requirements, refer to WSDOT Local Agency Guidelines, Chapter 28*.

**Title VI Plan for LPAs with Populations over 75,000**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Name of LPA and Department)

Beginning date of Plan \_\_\_\_\_\_\_\_\_

Agency Administrator/Signatory Authority

Public Works Director

**Prepared by**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Name and Job Title)

Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Phone#:\_\_\_\_\_\_\_/\_\_\_\_\_\_-\_\_\_\_\_\_\_\_\_

1. **Title VI Policy Statement**

It is the policy of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Agency Name) that no person shall on the grounds of race, color, and national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (LPA Name) as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

This policy applies to all operations of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (LPA Name), including its contractors and anyone who acts on behalf of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (LPA Name). This policy also applies to the operations of any department or agency to which \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (LPA Name) extends federal financial assistance. Federal financial assistance includes grants, training, equipment usage, donations of surplus property, and other assistance.

Prohibited discrimination may be intentional or unintentional. Seemingly, neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Harassment and retaliation are also prohibited forms of discrimination.

Examples of prohibited types of discrimination based on race, color, or national origin include: Denial to an individual any service, financial aid, or other benefit; Distinctions in the quality, quantity, or manner in which a benefit is provided; Segregation or separate treatment; Restriction in the enjoyment of any advantages, privileges, or other benefits provided; Discrimination in any activities related to highway and infrastructure or facility built or repaired; and Discrimination in employment.

Title VI compliance is a condition of receipt of federal funds. The Title VI Coordinator is authorized to ensure compliance with this policy, Title VI of the Civil Rights Act of 1964, 42 USC § 2000d and related statutes, 42 USC 4601 to 4655; 23 USC 109(h); 23 USC 324; DOT Order 1050.2; EO 12250; EO 12898; 28 CFR 50.3 and 49 CFR part 21.

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_

(insert Title of Agency Administrator) Date

1. **Organization, Staffing, and Structure**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name of top LPA official) is ultimately responsible for assuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related statutes and has directed that non-discrimination is required of all LPA employees, contractors, and agents pursuant to 49 CFR Part 21.

\_\_\_\_\_\_\_\_\_\_\_\_ (LPA) has created the position of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to perform the duties of the Title VI Coordinator and ensure implementation of their Title VI program. The position of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is located within \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name of department or division).

The Title VI Coordinator is responsible for:

* Submitting a Title VI plan and annual reports on the agency’s behalf;
* Developing procedures for the prompt processing and disposition of complaints;
* Investigating complaints, compiling a complaint log, and reporting to WSDOT;
* Developing procedures for the collection and analysis of statistical data;
* Developing a program to conduct Title VI reviews of program areas;
* Conducting annual Title VI assessments of pertinent program areas;
* Developing Title VI information for dissemination; and
* Establishing procedures for resolving deficiency status and reducing to writing the remedial action agreed to be necessary.

*Add any other information about the Title VI Coordinator’s responsibilities and/or the LPA’s organizational structure. An organizational chart should be attached as a supplement to this description.*

**III. Primary Program Area Descriptions & Review Procedures**

**Title VI Coordinator’s Responsibilities and Program Administration** – As authorized by the Agency Administrator, the Title VI Coordinator is responsible for initiating, monitoring, and ensuring \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (LPA)’s compliance with Title VI requirements as follows:

|  |  |  |  |
| --- | --- | --- | --- |
| **Program Area** | **General Description** | **Title VI/Non-Discrimination Concerns and Responsibilities** | **Review Procedures for Ensuring Non-Discrimination** |
| *Ex: Right of Way* |  |  |  |
| *Ex: Planning* |  |  |  |
| *Ex: Environmental* |  |  |  |
| Ex: Training |  |  |  |
| Ex: Construction |  |  |  |
| Ex: Maintenance |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

1. **Review Procedures**

How does the LPA conduct reviews of any sub recipients, contractors, etc.

1. **Data Collection/Reporting/Analysis**

*Describe your LPA’s process for collecting and analyzing data on the race, color, or national origin, of participants and beneficiaries of your programs and activities. Examples include tracking the race/ethnicity of residents relocated through your right-of way-program; tracking the race/ethnicity of members of the public participating in public meetings; and collecting U.S. Census data on populations impacted by your projects.*

|  |  |  |
| --- | --- | --- |
| **Program Area** | **Type of Data Collected & Process for Collecting** | **Intended Outcome of Data Analysis****(i.e. Title VI Purpose for Collecting the Data)** |
|  |  |  |
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1. **Title VI Training**

**Address plans for LPA Title VI staff to attend NHI, FHWA, and/or WSDOT training**

In keeping with adopted \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (LPA) policy of nondiscrimination, departmental procedures will be established or followed for Public Works employees to have equal access to applicable educational and training opportunities. Public Works staff will maintain program administration documentation and data necessary for preparation of annual Title VI reports, and will routinely supply the necessary data to the Title VI Coordinator.

**Address how LPA will train staff members and subrecipients.** The Title VI Coordinator is responsible for overall Title VI related training and staff development for Title VI Specialists and other employees. The Coordinator will organize or conduct a minimum of one internal Title VI training session annually. The Coordinator will organize and facilitate the provision of Title VI training sessions for consultants, contractors, and subcontractors periodically. WSDOT’s Office of Equal Opportunity may be asked to provide applicable training.

1. **Title VI Complaint Procedures**

*Describe how your complaint procedures are disseminated to the public, state whether they are translated in other languages, and provide a copy of your complaint procedures. Below is a sample complaint procedure.*

Discrimination Complaint Procedure for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (LPA)

Federal law prohibits discrimination on the basis of race, color, or national origin in any \_\_\_\_\_\_\_\_\_\_\_ (LPA) program, service, or activity. This prohibition applies to all branches of \_\_\_\_\_\_\_\_\_\_ (LPA), its contractors, consultants, and anyone else who acts on behalf of \_\_\_\_\_\_\_\_\_\_ (LPA).

Complaints related to the Federal-aid programs may be filed with \_\_\_\_\_\_\_\_\_\_ (LPA) and will be forwarded to Washington State Department of Transportation – Office of Equal Opportunity. If you need assistance to file your complaint or need interpretation services, please contact \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (LPA’s Title VI Coordinator).

Who is eligible to file a complaint?

Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (LPA) program, service, or activity because of their race, color, or national origin may file a complaint.

Discrimination includes lack of access, harassment, retaliation and disparate impacts from a program or activity. Harassment includes a wide range of abusive and humiliating verbal or physical behaviors. Retaliation includes intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they filed a complaint or otherwise participated a discrimination investigation.

How do you file a complaint?

Complaints must be filed no later than 180 days from the last date of the alleged discrimination. Contact \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (LPA’s Title VI Coordinator) if you believe your complaint may fall outside this deadline.

Reasonable efforts will be made to assist persons with disabilities, non-English speakers, and others unable to file a written complaint. For assistance in filing a complaint, please contact \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (LPA’s Title VI Coordinator).

Complaints should be in writing, signed, and may be filed by mail, fax, in person, or e-mail. If a complainant phones \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (LPA) with allegations, the allegations of the complaint will be transcribed as provided by phone and then the written complaint will be sent to the complainant for correction and signature.

A complaint should contain the following information:

* The complainant’s contact information, including, if available: full name, mailing address, phone number (and best time to call), and email address (if available);
* The basis of the complaint (e.g., race, color, national origin);
* The names of specific person(s) and/or agencies/organizations alleged to have discriminated;
* A description of the alleged discriminatory actions, meaning sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives Federal financial assistance; and
* The date(s) of the alleged discriminatory act(s) and whether the alleged discrimination is ongoing.

All Title VI complaints are logged. The Complaint log must contain the following information for each complaint filed:

* The name and address of the person filing the complaint.
* The date of the complaint.
* The basis of the complaint.
* The disposition of the complaint.
* The status of the complaint.

The Complaint Log and documentation are destroyed four years after the end of the fiscal year in which the case is closed.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (LPA) then forwards complaints to WSDOT-Office of Equal Opportunity for processing by FHWA. [WSDOT investigates complaints only if delegated by FHWA after acceptance of a complaint.] FHWA is responsible for all determinations regarding whether to accept, dismiss, or transfer the complaint and finding no violation or failure to comply.

Complainants have the right to file a complaint directly with the federal funding agency. The following address is where Title VI complaints may be filed directly with FHWA:

Federal Highway Administration
U.S. Department of Transportation Office of Civil Rights
8th Floor E81-105
1200 New Jersey Avenue, SE
Washington, DC 20590

CivilRights.FHWA@dot.gov

What happens after a complaint is filed?

If your complaint is forwarded to another agency, you will be provided the name and contact information of the employee handling your complaint.

Federal law prohibits retaliation against individuals because they have filed a discrimination complaint or otherwise participated in a discrimination investigation. Any alleged retaliation should be reported in writing to the investigator.

FHWA will render final decisions in all cases including those investigated by WSDOT. There are no administrative appeal forums in Title VI complaints. Once FHWA issues its final agency decision, a complaint is closed.

There is no prohibition against a complainant filing a Title VI complaint simultaneously with an LPA, WSDOT, and FHWA.

1. **Title VI Complaint Form**

Please complete this form to the best of your ability. If you need translation or other assistance, contact \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(contact info for service or individual in your LPA).

Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_City\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Zip\_\_\_\_\_\_\_\_\_\_\_

Phone: Home\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Work\_\_\_\_\_\_\_\_\_\_\_\_\_ Mobile\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Best time of day to contact you about this complaint: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Basis of Complaint (circle all that apply):*

|  |  |  |
| --- | --- | --- |
| Race | Color  | National Origin (includes language access) |

*Date of alleged incident: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*Who discriminated against you?*

Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Organization \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ City\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Zip\_\_\_\_\_\_\_\_

Telephone\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Explain what happened, why you believe it happened, and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. If you have any other information about what happened, please attach supporting documentation to the form. (Attach additional pages if more space is needed.)*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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*What remedy are you seeking for the alleged discrimination? Please note that this process will not result in the payment of punitive damages or financial compensation.*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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*List any other persons that we should contact for additional information in support of your complaint. Please list their names, phone numbers, address, email address below.*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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*Have you filed your complaint, grievance, or lawsuit with any other agency or court?*

Who \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ When \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Status (pending, resolved, etc.) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Result, if known \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Complaint number, if known \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Do you have an attorney in this matter? \_\_\_\_\_\_\_\_\_\_\_\_\_*

Name (print) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Phone\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Address\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ City\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Zip\_\_\_\_\_\_\_

Signed\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Public Participation**

*Describe your LPA’s processes for conducting public outreach. Your description should include answers to the following:*

* *How does your LPA identify minority populations for outreach? (e.g., demographic data, use of community liaisons, etc.)*
* *How does your LPA communicate with and conduct outreach to minority populations? (e.g., website, newsletters, public meetings, etc.)*
* *How does your LPA communicate with and conduct outreach to Limited English Proficient individuals?*
* *Explain how your LPA considers input from minority populations for decision making within its pertinent program areas.*
1. **Limited English Proficiency**

Describe how the LPA implements LEP requirements. How does the LPA determine which records are vital, which are translated, and into which language(s). Explain procedures for determining which staff is trained and frequency of training on the use of language services. Outline the process used by the LPA to determine which languages are needed for notices related to construction notices, right of way letters, planning, etc.

1. **Environmental Justice**

Describe LPA policy/procedures to prevent, mitigate, and correct the possible high and adverse disproportionate burdens or environmental effects of an agency’s programs, policies, and activities on minority and/or low-income populations. Federal statutes and policies require state and local governments that receive federal assistance to establish EJ procedures.

1. **Notice of Title VI Rights**

*Describe how your notice is disseminated to the public, whether the notice is provided in other languages, and provide a copy of the notice. A sample notice is provided below.*

##

## Your Rights against Discrimination under Title VI of the Civil Rights Act of 1964

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (LPA) hereby gives public notice that it is the Agency’s policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities. Title VI requires that no person shall, on the grounds of race, color, or national origin be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any Federal Aid Highway program or other activity for which Agency 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 \_\_\_\_\_\_\_\_\_\_\_\_\_\_ (LPA). Any such complaint filed with the \_\_\_\_\_\_\_\_\_\_\_\_\_\_(LPA) Title VI Coordinator within 180 days following the date of the alleged discriminatory occurrence. Title VI discrimination Complaint Forms may be obtained from the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (LPA) Human Resources office at no cost to the complainant.

To file a Title VI discrimination complaint, contact:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (LPA contact)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Washington Department of Transportation

Office of Equal Opportunity – Title VI

Box 47314

Olympia, WA 98504-7314

TitleVI@wsdot.wa.gov

Phone: (800) 259-9143

**ATTACHMENT:**

USDOT 1050.2A, Standard Assurances with Appendices