Washington State Department of Transportation (WSDOT)
Quarterly Title VI Coordinators Meeting
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Introductions
Agenda

• Reporting Requirements
• Limited English Proficiency (LEP)/Environmental Justice (EJ)
• Federal Reports
• Public Involvement Forms
• Training Needs
• Program Updates
Title VI Reporting Requirements:

- **Title VI Plan** – Agencies serving a population of 100,000 or more.

- **Non-Discrimination Agreement (NDA)** - Agencies serving a population less than 100,000.

- **Annual Update & Accomplishment Reports** - Due yearly on the date that your plan was approved.

- **Compliance Reviews** - Completed periodically.
Title VI Plan Submission

Policy Statement
✓ Signed by current CEO
✓ Reflection of commitment
✓ Include all related Federal Laws and Regulations

Authorities
✓ Title VI of the Civil Rights Act of 1964
✓ CFR 23 Part 200
✓ 49 CFR 21.5(b)(7)
✓ National Environmental Policy Act (NEPA)
✓ Civil Rights Restoration Act of 1987
✓ 23 U.S.C. 109(h)
✓ Presidential Executive Order 13166 (LEP)
✓ Presidential Executive Order 12898 (EJ)
Title VI Plan Submission...cont

Organization & Staffing
- Table of organization
- Title VI Coordinator & Specialists should be clearly identified
- Reporting relationships identified

Program Emphasis Area – must demonstrate Title VI compliance
- Planning
- Research
- Design
- Education & Training
- Right of Way
- Construction
- Maintenance

Title VI Standard Assurances & Appendixes

Complaint Procedures

Table of Contents
Non – Discrimination Agreement (NDA)

• WSDOT generic template
• Review for clarity – this is a legally binding document
• Policy Statement and NDA need CEO signature
• Attachment #1 should include Table of Organization
• Attachment #2 should include a list of major transportation related programs and activities
  ✓ What are the Title VI responsibilities for each program identified?
Annual Update & Accomplishment Reports

***Due yearly on the date that the most current plan/NDA was approved

Areas that need improvements:

• Demographic data
  – How is this information being used?
  – Do you have a significant population of a minority group?

• Public Outreach
  – Is public outreach being conducted?
  – Does it reach minorities and low income populations?
  – How do you determine if there are language barriers?
Break – 10 minutes
Executive Order 13166
Limited English Proficient (LEP) Populations

• Directive to agencies to ensure people who are LEP have meaningful access to services
• Non-discrimination authority based in Title VI - National Origin Discrimination
• Federal aid recipients must take reasonable steps to ensure LEP persons have meaningful access to programs, services and information those recipients provide
• May require providing written/oral communications in a language other than than English
• Also see: www.lep.gov/recipbroch.html and www.usdoj.gov/crt/cor/lep/dotlep.htm
Assessment: Four Factors

- **Demography** - Number and/or proportion of LEPs served and languages spoken in service area
- **Frequency** - Rate of contact with service or program
- **Importance** - Vital documents - Nature and importance of program/service to peoples lives (transportation)
- **Resources** - Available resources, including language assistance services
LEP Plan of Action: Five Elements

- Demographics - identification of volume and location of LEPs and LEP communities
- Language Assistance Measures:
  - Types of Language Assistance available
  - How to respond to LEP callers/in person/in writing
  - Types of documents to translate *see four factor assessment
- Staff:
  - Policy and Procedures
  - Linguistic diversity and sophistication/certification
  - Cultural sensitivity and communication skills
  - Training and experience
- Outreach Measures:
  - Notification of special language assistance
  - Provided in appropriate languages other than English
- Monitoring and Evaluation of Efforts
LEP Services: Key Points

• Provide Qualified Interpreters - family, friends and staff may satisfy initial contacts, but they are not necessarily qualified interpreters
• Use qualified translation services for documents
• Remember dialect differences
• Services are not required in every language
  – 5% rule
  – Four Factor Analysis
  – Individual service still required
• Train staff to anticipate the need for LEP services
Environmental Justice (EJ)
Presidential Executive Order 12898

- Federal Actions to Address Environmental Justice (EJ) in Minority Populations and Low-Income Populations
- Signed by President Clinton on February 11, 1994
- Requires identification of high and adverse human health or environmental effects of programs, policies, and activities on minority and low-income populations
- DOT Order 5680.1, April 15, 1997 establishes policies to promote the principles of EJ by incorporating them in all DOT programs
- Also, Chapter 24 of WSDOT’s LAG Manual & Chapter 458 of WSDOT’s Environmental Procedures Manual
Avoid Discrimination and Adverse Effects/Impacts by:

- Identifying and evaluating aspects of programs that are likely to result in adverse effects/impacts
- Proposing mitigation measures or offsetting benefits and opportunities
- Considering alternative options
- Providing public input opportunities to assist in the above
- Document, document, document
Environmental Justice – Three Basic Principles

• Avoid, minimize or mitigate disproportionately high and adverse effects on minority and low-income populations
• Ensure the full and fair participation of minority and low-income populations
• Prevent the denial of benefits to minority and low-income populations
Some Specific Strategies

• Maintain proper statistical, income, and demographic data;
• Develop public involvement strategies according to the situation at hand;
• Create an atmosphere of trust and respect;
• Empower the community by listening, and providing prompt response to inquiries;
• Establish a two-way free and frank line of communication with the public;
• Conduct periodic reviews and evaluations;
Lunch

• List of local restaurants in packet
Federal Reports – Title VI

- FHWA Title VI Plan
- FTA Title VI Plan (updated every 3 years)
- FHWA Annual Update & Accomplishment Report (yearly)
- FTA Title VI Review
- Statewide Management Review
- Triennial Review
Public Involvement Forms

- Public Involvement Form - English (pdf 26 kb)
- Public Involvement Form - Spanish (pdf 27 kb)
- Public Involvement Form - Korean (pdf 125 kb)
- Public Involvement Form - Russian (pdf 47 kb)
- Public Involvement Form - Tagalog (pdf 26 kb)
- Public Involvement Form - Vietnamese (pdf 54 kb)
- Public Involvement Form - Chinese Simplified (pdf 139 kb)
- Public Involvement Form - Chinese Traditional (pdf 150 kb)
Training Needs

1. Does your organization need Title VI Training?
   - Do you need general training or specific (LEP, EJ, Public Participation, etc).

2. Formal training vs. Self Study
Break – 10 minutes
Program Updates
Final Remarks

• Questions?
• Comments?
• Suggestions?
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