

Title VI Implementation Plan

Federal Highway Administration

FFY 2016



GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF TRANSPORTATION



TITLE VI IMPLEMENTATION PLAN

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Federal Highway Administration

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TABLE OF CONTENTS

I.	INTRODUCTION	Page 1
II.	TITLE VI NON-DISCRIMINATION POLICY STATEMENT	Page 3
III.	TITLE VI ASSURANCES	Page 3
IV.	AUTHORITIES	Page 3
V.	OFFICE OF CIVIL RIGHTS: ORGANIZATION, STAFFING, AND COORDINATION	Page 6
	A. Organization	
	B. Staffing	
	C. Coordination	
VI.	DDOT PROGRAM AREA REVIEW	Page 9
	A. Office of the Director	
	B. Infrastructure Project Management Administration	
	C. Policy Planning, and Sustainability Administration	
	D. Progressive Transportation Services Administration	
	E. Public Space Regulations Administration	
	F. Transportation Operations Administration	
	G. Urban Forestry Administration	
VII.	SPECIAL EMPHASIS PROGRAM AREAS	Page 20
VIII.	SUB-RECIPIENT REVIEW	Page 20
IX.	DATA COLLECTION	Page 22
X.	PUBLIC PARTICIPATION/PUBLIC INVOLVEMENT	Page 28
	A. Engaging People Through Outreach and Organization	
	B. Techniques for Public Involvement	
	C. Generating Feedback	

XI.	COMPLYING WITH LIMITED ENGLISH PROFICIENCY (LEP)	Page 33
	A. Language Access Assistance Plan	
	B. Limited English Proficiency Plan	
XII.	ENVIRONMENTAL JUSTICE	Page 34
XIII.	TITLE VI TRAINING	Page 41
XIV.	TITLE VI COMPLAINT PROCEDURES	Page 42
	A. Title VI Complaint Processing Procedures	
	B. Title VI Complaint Log	
	C. Title Complaints Form	
	D. Status of Complaints/Investigations/Reviews	
XV.	DISSEMINATION OF INFORMATION	Page 44
XVI.	REVIEW OF STATE TRANSPORTATION AGENCY’S (STA) DIRECTIVES	Page 46
	A. Integrating Title VI in the Planning Process	
XVII.	COMPLIANCE AND ENFORCEMENT PROCEDURES	Page 51
XVIII.	APPENDIX (Separate Attachment)	
	A. Title VI Non-Discrimination Policy Statement	
	B. Title VI Assurances	
	C. DDOT Official Organization Chart	
	D. DRAFT DDOT Reorganization Chart	
	E. Program Area Review Questionnaires	
	F. DDOT 2015-2016 Biennial Language Access Plan	
	G. DDOT 2015 Limited English Proficiency Plan	
	H. Title VI Complaint Processing Procedures	
	I. Title VI Complaint Log	
	J. Title VI Complaint Form	
	K. Title VI Display Poster	
	L. <i>“Know Your Rights Under Title VI”</i> Brochure	

I. INTRODUCTION

Title VI of the Civil Rights Act of 1964 is a federal law that prohibits discrimination on the basis of race, color or national origin in federally assisted programs. It is codified at 42 U.S.C. § 2000d, et. seq., and states, “[n]o person in the United States, shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any program or activity receiving Federal financial assistance.” Moreover, several related statutes contain additional prohibitions that fall under the purview of the Title VI program, including prohibitions on discrimination based on age, sex and disability.

The District of Columbia Department of Transportation (DDOT) is a recipient of federal financial assistance. As a recipient of federal funding, DDOT is required to comply with various non-discrimination laws and regulations, including Title VI of the Civil Rights Act of 1964.

The Federal Highway Administration, in accordance with Title 23 of the Code of Federal Regulations (CFR) 23 CFR 200.9, requires the District of Columbia Department of Transportation, as a recipient of federal funding, to prepare a Title VI Implementation Plan and submit to FHWA every three years, clarifying the roles, responsibilities and procedures for assuring compliance with Title VI of the Civil Rights Act of 1964 and related regulations and directives. This report documents DDOT’s Title VI implementation plan for FY16-18.

DDOT’s Mission, Vision and Core Values

The mission of DDOT is to develop and maintain a cohesive and sustainable transportation system that delivers safe, affordable, and convenient ways to move people and goods—while protecting and enhancing the natural, environmental, and cultural resources of the District.

DDOT manages and maintains transportation infrastructure. The Department:

- Plans, designs, constructs, and maintains the District's streets, alleys, sidewalks, bridges, traffic signals, street lights, trails and bicycle facilities;
- Manages and makes improvements to the street system to facilitate traffic flow through the District of Columbia;
- Assists with the removal of snow and ice from the streets, and the coordination of activities during snow emergencies; and
- Coordinates the District's mass transit services, including the reduced-fare program for students using MetroBus and MetroRail, DC Circulator services and DC streetcar operation.

The District Department of Transportation (DDOT) is responsible for the planning, designing, building, and maintenance of 1,100 miles of streets, 241 bridges, 1,600 miles of sidewalk, 453 miles of alleys, and 144,000 street trees.

Vision

DDOT is committed to achieving an exceptional quality of life in the nation's capital through more sustainable travel practices, safer streets and increased access to goods and services. DDOT's vision is to ensure that:

- People and goods will move efficiently and safely, with minimal adverse impacts on District residents and the environment;
- Improved transportation information will make the system as user-friendly for the first-time visitor as it is for the lifelong resident or commuter, regardless of travel mode or traveler's native language;
- Tourist travel around town will increasingly be part of the fun of visiting the Nation's Capital, as the transportation system, deliberately planned to take advantage of the District's historical design, current land uses, and natural advantages, becomes part of the city's ambience; and
- Public transit, automobile travel and parking, water transportation, bicycling, and walking will be balanced and integrated to offer excellent internal mobility, along with convenient access to city gateways, the region, the eastern seaboard and the world.

Central to this vision is improving energy efficiency and modern mobility by providing next generation alternatives to single occupancy driving in the city.

Core Values

- A. Safe Passages: Safety is paramount for DDOT. Last reported in 2013 by the Insurance Institute for Highway Safety, DC is proud to have the lowest fatality rates among all state DOTs and the highest highway safety rating in the United States. DC also enjoys a 93% seat belt usage rate, one of the highest in the country. We are committed to retaining that rank and improving overall safety for all users of the system, regardless of mode and inclusive of all ages and abilities.
- B. Sustainable Living: At DDOT "sustainability" equates to creating great spaces and moving people and goods in ways that preserve, protect, or even restore our human and natural environments, minimizing waste and consumption, and making the most of the transportation assets.
- C. Capital Assets: Investing in the maintenance of our transportation system is vital to asset preservation and good stewardship of the public infrastructure. Prioritizing

the maintenance of infrastructure not only protects the public, but also means lower costs and improved safety in the future.

- D. Prosperous Places: Streets are the living rooms of communities. DDOT knows that well designed public right-of-way means good access to businesses, safe and efficient operations, and attractive spaces and places.

- E. Firm Foundation: DDOT can help create a better Washington by continually improving the excellence of our agency through investment in our workforce via education and training, enhanced communications, cutting-edge technology, and outstanding customer service.

II. TITLE VI NON-DISCRIMINATION POLICY STATEMENT

A copy of DDOT's Title VI Non-Discrimination Policy Statement is listed in Appendix A.

III. TITLE VI ASSURANCES

A copy of DDOT's Title VI Assurances is listed in Appendix B.

IV. AUTHORITIES

A. Nondiscrimination Statutes

1. **Title VI of the 1964 Civil Rights Act** provides that "No person in the United States shall, on the grounds of race, color or 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." (42 USC Chapter 21, Section 2000d)

2. **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970** prohibits unfair treatment of persons displaced or whose property has been acquired because of federal and federal-aid programs and projects. (42 USC 4601)

3. **The Federal-Aid Highway Act of 1973** provides that "No person shall on the grounds of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance under this title or carried on under this title." (23 USC 324)

4. **Federal Transit Laws, as amended (49 U.S.C. Chapter 53 et seq.).**

5. **Section 504 of the Rehabilitation Act of 1973** provides that "No qualified handicapped person shall, solely by reason of his handicap, be excluded from

participation in, denied benefits of, subjected to discrimination under any program or activity that receives benefits from Federal financial assistance.” (29 USC 790)

6. **The Age Discrimination Act of 1975**, as amended, provides that “No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” (42 USC 76, Section 6101)
7. **The Civil Rights Restoration Act of 1987** broadened the scope of Title VI coverage by expanding the definition of terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not. (PL 100-209)
8. **Title II of the Americans with Disabilities Act of 1990** provides that “No qualified individual with a disability shall, by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination by a department, agency, special purpose district or other instrumentality of a State or local government.” (PL 101-336)

B. Nondiscrimination Executive Orders

1. EO 12250 (November 2, 1980) mandates that U.S. Department of Justice (DOJ) will provide leadership and coordination of nondiscrimination laws.
2. EO 12898 (February 11, 1994) mandates that "Each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.
3. EO 13166 (August 16, 2000) improves access to services for persons with Limited English Proficiency (LEP).

C. Nondiscrimination Regulations

1. 23 CFR 200 – FHWA Title VI regulation.
2. 23 CFR 450 and 49 CFR 613 - Joint FTA/FHWA regulation, “Planning Assistance and Standards.”
3. 23 CFR 771 - Joint FTA/FHWA regulation, “Environmental Impact and Related Procedures.”

4. 23 CFR 1235 – FHWA and NHTSA joint regulation governing Uniform System for Parking for People with Disabilities.
5. 28 CFR 35 – DOJ regulation governing nondiscrimination on the basis of disability in State and local government services.
6. 28 CFR 36 – DOJ regulation government nondiscrimination on the basis of disability in public accommodations and commercial facilities.
7. 28 CFR 41 – Implementation of Executive Order 12250.
8. 28 CFR 42, Subpart C – DOJ’s regulation implementing Title VI of the Civil Rights Act of 1964.
9. 28 CFR 42, Subpart F – DOJ’s regulation, “Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs.”
10. 28 CFR 50.3 – DOJ’s guidelines for the enforcement of Title VI of the Civil Rights Act of 1964.
11. 49 CFR 21 – U.S. Department of Transportation (USDOT) Title VI regulation.
12. 29 CFR 27 – USDOT’s regulation implementing Section 504 of the Rehabilitation Act of 1973.

D. Nondiscrimination Directives

1. DOT Order 1000.12 – Implementation of the DOT Title VI Program.
2. DOT Order 1050.2 – Standard Title VI Assurances.
3. DOT Order 5610.2 – Environmental Justice Order (April 15, 1997).
4. FHWA Order 4710.1 – Right-of-Way Title VI Review Program.
5. FHWA Order 4710.2 – Civil Rights Compliance Review of Location.
6. FHWA Order 6640.23 – Actions to address Environmental Justice.
7. Joint FHWA/FTA Memo dated May 9, 2000 – Guidance on implementing Title VI in Metropolitan Planning.
8. DOT Policy Guidance Document – Clarifying responsibilities of Federal-aid with respect to Limited English Proficiencies populations.

E. Local Authorities

1. District of Columbia Human Rights Act of 1977, (Amended)
2. District of Columbia Language Access Act of 2004

V. OFFICE OF CIVIL RIGHTS: ORGANIZATION, STAFFING AND COORDINATION

A. Organization

Office of the Director

The Office of the Director (OD) is responsible for the oversight and management of the entire agency.

The Office of the Director is broken down into the following functional areas:

Office of the General Counsel

- Labor Relations

Office of the Chief Financial Officer

Chief of Staff

- Economic Development
- Safety and Risk Management
- Communications
- Policy and Government Affairs

Office of Contracting and Procurement

Transportation Equity and Inclusion

- Office of Civil Rights
- Senior and Elderly Affairs
- ADA Coordinator

During the development of this report, OCR's Title VI team met with all key Administrators to discuss the Title VI program and activities. At the time, the structure of DDOT was as shown in the organization chart attached in Appendix C. Although DDOT is currently undergoing reorganization as shown in the draft reorganization chart in Appendix D, all relevant Title VI elements are addressed in this report.

The regulations at 23 CFR 200.9 provide for the structure and organizational placement of the civil rights office. The Office of Civil Rights (OCR) is located within the Office of the Director. OCR administers the agency's civil rights compliance and monitoring programs. Additionally, OCR assists the Director in developing and administering

operational procedures to ensure that all individuals have the right to be protected from and compete for work opportunities without discrimination based on race, color, religion, gender, sexual orientation, national origin, age or disability.

DDOT’s Office of Civil Rights is primarily responsible for ensuring that DDOT implements its programs and activities in compliance with all applicable non-discrimination laws and regulations. OCR contains a staff member who serves as the agency’s Title VI Coordinator (Coordinator) and is responsible for Title VI program development, coordination of compliance activities across program areas, complaint processing and compliance monitoring.

The Coordinator reports directly to the Chief of the Office of Civil Rights. The Coordinator is authorized to ensure compliance with the provisions of DDOT’s non-discrimination policy and with the law. The Coordinator has direct contact with the Chief of OCR and coordinates implementation and compliance with all Title VI program requirements. The Chief of OCR will have direct access to the Director as needed. The Title VI Coordinator will have easy access to the Director to discuss Title VI issues as needed (per 23 CFR 200.9(b)(1)).

B. Staffing

The Office of Civil Rights administers the agency’s nondiscrimination programs, and monitors program areas and sub-recipients for compliance with applicable civil rights statutes. A team of seven full-time civil rights specialists are responsible for ensuring compliance with various federal and local nondiscrimination authorities. A listing of the specialists is shown below.

Office of Civil Rights Staff

Name	Position	Responsibilities
Lisa Gregory	Chief, OCR	Oversees and Manages Division activities.
Linda Fennell	Program Manager	BOWDC Program / DBE & OJT Supportive Services
Luisa Nguyen	Equal Opportunity Specialist	DBE Program / DBE Certification, Title VII Specialist
Mohammed Kabir	Equal Opportunity Specialist	EO Local and Federal Compliance Officer
Cesar Barreto	Program Manager	ADA Program
Leutisha Stills	Equal Opportunity Specialist	DBE Program / DBE Certification
Karen Randolph	Program Manager	Title VI Program/Language Access Program

The Civil Rights staff is responsible for administering the following programs:

- I. Title VI Compliance
- II. Title VII Compliance /Affirmative Action
- III. ADA Program
- IV. Disadvantaged Business Enterprise Program (DBE)

- V. On-the-Job Training Program
- VI. Business and Workforce Development Program

Title VI Responsibilities:

1. Coordinate Title VI Program, provide technical assistance to program areas and work collaboratively with Title VI Implementation Committee and key program managers to implement Title VI requirements.
2. Manage Title VI data collection process.
3. Review program directives, policies, and manuals for compliance with Title VI. Incorporate applicable language or guidance as needed.
4. Conduct annual reviews of program areas for compliance with Title VI.
5. Conduct periodic reviews of sub-recipients (contractors, subcontractors, sub-grantees), including pre and post award reviews, for compliance with Title VI.
6. Maintain Title VI complaint procedures and process or redirect complaints as appropriate.
7. Disseminate Title VI information and resources to the public.
8. Maintain partnerships with the Mayor's outreach offices to ensure effective engagement of minority and limited English proficient populations.
9. Monitor implementation of mitigating measures.
10. Identify and eliminate Title VI violations and deficiencies according to established guidelines.
11. Develop annual Accomplishments and Goals Report.

C. Coordination

Title VI Implementation Committee

To ensure direct involvement and maximum participation from the agency's functional program administrations, in the Title VI program requirements, OCR formed the Title VI Implementation Committee. This committee replaces the former Title VI Advisory Taskforce formed in 2008. This committee is comprised of representatives who work in each of the agency's functional program areas.

To maintain compliance across the functional program areas, DDOT works with Associate Directors in each administration through their designated Title VI liaisons. The Title VI liaisons serve as members of the Title VI Implementation Committee. The following chart identifies the members of the Title VI Implementation Committee. The Title VI Coordinator's role is to work with the Title VI liaisons to prevent, identify and address potential and existing Title VI implementation issues within each program area. The Title VI Coordinator, with the support of the Title VI liaisons, will ensure DDOT's compliance with Title VI requirements in the program implementation process. Specific roles of the Title VI liaisons include:

- Assisting OCR in identifying/developing new procedures to prevent potential or address existing Title VI issues;
- Managing and collecting data (race, color, national origin, sex, age and disability) of participants in and beneficiaries of DDOT programs for each Administration;
- Providing input to OCR on the Title VI Implementation Plan via Program Area Review Questionnaire; and
- Fostering awareness of Title VI and its requirements in each Administration.

A listing of the Title VI Implementation Committee is shown below.

Title VI Implementation Committee

NAME	POSITION	ADMINISTRATION
Karen Randolph	Title VI Coordinator	Office of the Director, Office of Civil Rights (OCR)
Karen Campblin	Title VI Assistant	Office of the Director, Office of Civil Rights (OCR)
Walter Graham	Customer Relations Division Manager	Public Space Regulations Administration (PSRA)
Reg Bazile	Transportation Compliance Manager	Policy, Planning and Sustainability Administration (PPSA)
Alberta Paul	Communication Specialist	Infrastructure Project Management Administration (IPMA)
James Cheeks	Program Manager	Transportation Operations Administration (TOA)
Spring Worth	Transportation Planner	Progressive Transportation Services Administration (PTSA)
Earl Eutsler	Supervisory Forester	Urban Forestry Administration (UFA)
John Duel	Right-of-Way Officer	Infrastructure Project Management Administration (IPMA)
Dorinda Floyd*	Chief Administrative Office	Office of the Director (OD)
James Graham*	GIS and Applications Manager	Office of Information Technology and Innovation (OITI)

*Technical Advisor to the Implementation Committee

VI. DDOT PROGRAM AREA REVIEW

The Title VI Coordinator is responsible for the application, evaluation and monitoring of DDOT's Title VI Implementation Program. Monitoring is conducted through the review and analysis of U.S Census and other relevant demographic or statistical information. Monitoring is conducted through feedback from the public at meetings, hearings and

events. Documents that support project development decisions are vetted with the public, and public comments are evaluated.

As part of the Title VI monitoring program, the Title VI Coordinator will perform annual Program Area Reviews (PAR) that focus on internal and external programs. The internal monitoring program focuses on specific program areas within the department, whereas the external monitoring program is intended for recipients of Federal-aid highway funds, including, municipalities, contractors, universities and planning agencies.

This section defines the internal review process. Section VII defines the external review procedures.

Internal Program Area Review Procedures

A. Notifications

Each year, the Title VI Coordinator disseminates a Title VI Questionnaire to be completed by each Program Area (see Appendix E). The questionnaire is intended to gather information on how effectively Title VI/Nondiscrimination requirements are being addressed by each Administration, as well as to identify program deficiencies, if any, and opportunities for improvement. The findings and recommendations of the PAR will be delivered via electronic mail to the Associate Directors and Title VI Implementation Committee.

B. Findings

Upon receipt of each completed questionnaire, the Title VI Coordinator reviews for completeness, identifies and addresses areas of accomplishments, concerns, trends and/or shortfalls concerning Title VI compliance. Each program will receive a rating based on fulfillment of applicable requirements, innovative community involvement approaches and techniques, and Title VI Program Compliance throughout the year. If deficiencies or potential violations are found, the Title VI Coordinator will work with the appropriate Program Area Manager, to discuss why certain actions were taken, evaluate all information and data, and provide technical assistance to collaboratively address the deficiencies or potential issues in a manner that achieves voluntary compliance.

In the event that a trend or pattern of discrimination is identified in a particular area, the Title VI Coordinator will notify the Chief of OCR to fully evaluate and assess the observed issue. OCR will then notify, recommend a corrective action plan, and work with the appropriate Program Area Manager and Title VI liaison to remedy the trend or pattern of discrimination. The DDOT Director and Transportation Equity & Inclusion Officer will also be notified and kept abreast of the issue and OCR's involvement with the Program Area in correcting the discrimination. Once the corrective action has been implemented, the Title VI program will monitor the area on a regular basis. Currently, DDOT does not have any Special Emphasis Program Areas within the agency. The results of the PAR review will be summarized and included in the Title

VI/Nondiscrimination Annual Accomplishment & Goals Report, submitted to FHWA. The findings will be used to identify areas for process reviews, training needs and/or creating any special focus area(s) for the next federal fiscal year.

C. Follow Up and Monitoring

The Title VI Coordinator will determine if additional monitoring is needed to ensure on-going compliance with Title VI requirements.

The following key program areas were identified, as it relates to Title VI, for annual reviews:

- A. Office of the Director (OD)
 - 1. Office of Civil Rights
 - 2. Office of Contracting and Procurement
 - 3. Office of Information Technology and Innovation
 - 4. Office of Communications Division

- B. Infrastructure Project Management Administration (IPMA)
 - 1. Design and Construction
 - 2. Right-of-Way

- C. Policy, Planning and Sustainability Administration (PPSA)
 - 1. Planning
 - 2. Environment
 - 3. Research

- D. Progressive Transportation Services Administration (PTSA)

- E. Public Space Regulation Administration (PSRA)

- F. Transportation Operations Administration (TOA)

- G. Urban Forestry Administration (UFA)

A. Office of the Director

The Office of the Director (OD) is responsible for the oversight and management of the entire agency. The Program Area Review focuses on three key program areas:

- 1. Office of Contracting and Procurement
- 2. Office of Information Technology and Innovation
- 3. Office of Communications
- 1. The Office of Contracting and Procurement (OCP) provides contract support to

DDOT when purchasing quality goods and services in a timely and cost-effective manner while ensuring all purchasing actions are conducted equitably and according to the law. OCP collaboratively works with DDOT's program areas to implement and maintain the agency's Architect-Engineering Schedule (A&E Schedule). The A&E Schedule allows vendors interested in providing professional services to DDOT to obtain pre-qualification status for up to three years.

Title VI Responsibilities:

- Monitor federal-aid construction/consultant services and sub-contracts to ensure they contain Title VI Assurances;
 - Ensure contracts are executed properly and timely;
 - Work collaboratively with the Office of Civil Rights to effectively address delinquent payment complaints from DBE consultants/sub-consultants;
 - Ensure the A&E Schedule (DDOT's professional procurement process) is implemented with full-disclosure to all potential and active participants. Consultant selection is conducted in a nondiscriminatory manner;
 - Report Title VI complaints to the Title VI Coordinator immediately upon receipt; and
 - Ensure all requests for professional services are widely distributed throughout the District, including minority and women professional publications/organizations.
2. Office of Information Technology and Innovation (OITI) is responsible for the planning, development and management of technology-related services for DDOT and ensuring services are aligned with the strategies, plans and operations of the agency. OITI works with program areas to design and implement application software, project management tools, online systems that increase the efficiency of service delivery, and provides the general public with a simple way to request city services and information, such as tree planting, permits and roadway repairs.

Title VI Responsibilities:

- Ensure transparent and equal access to DDOT information, services and programs.
3. The Office of Communications maintains and supports the mission and goals of the Department through a comprehensive communication strategy that uses print, TV, radio media outlets, social media platforms, public outreach efforts, public notifications, advertisements, etc. The Office also acts as spokesperson on behalf of the Department to promote and improve DDOT and the city's image among the residents, elected officials, businesses and general public.

Title VI Responsibilities:

- Ensure transparent and equal access of all DDOT information relating to services, improvement, and programs, to all District residents; and
- Facilitate public involvement and encourage robust public participation.

B. Infrastructure Project Management Administration

The Infrastructure Project Management Administration (IPMA) is responsible for the design, engineering and construction of roadways, bridges, traffic signals, right-of-way management, stormwater, and alley projects in the District of Columbia. IPMA also manages special construction projects and all roadway assets. Also housed within IPMA are the Anacostia Waterfront Initiative/Special Projects Division, the Quality Assurance and Quality Control Division and the Project Development & Environment Division.

Title VI Responsibilities:

Design and Construction

- Identify and address potential impacts of transportation activities on low-income, minority, elderly, disabled, and limited English proficient populations, including those not previously identified;
- Conduct outreach among minority, low-income, limited English proficient and elderly populations to ensure effective public engagement during planning and project development. Document targeted strategies and methods utilized to engage these populations, including but not limited to:
 - Advertising public meetings, etc. in diverse media resources.
 - Making technical information available in user-friendly format.
 - Making information available electronically.
 - Contacting minority groups or leaders to identify information needs and issues of concerns.
 - Utilizing citizen advisory committees.
 - Holding meetings at accessible locations/convenient dates/times.
 - Utilizing non-traditional meeting formats.
- Provide and document special accommodations for disabled individuals/groups and limited English proficient individuals/groups to ensure that they receive meaningful access to services and are afforded equal opportunities to participate in decision-making;
- Document input received from minority, low-income and other Title VI-protected populations facing barriers to access. Maintain records of agency responses;
- Ensure mitigating measures identified during project development are

- effectively implemented (i.e. safety through construction zones, noise and air impacts, ADA compliant facilities etc.); and
- Review monitoring/inspection activities to ensure procedures/practices do not result in disparate treatment of protected groups.

Right-of-Way

- Work collaboratively with the Office of Contracting and Procurement to encourage diversification in the use of appraisers;
- Ensure that appraisal reviews meet quality standards and are in compliance with nondiscrimination statutes (this can be accomplished through training, standards for selection of fee/staff appraisers, quality assurance process, etc.);
- Review appraisal process and associated reports for compliance with Title VI and related nondiscrimination statutes;
- Ensure that every effort is made to negotiate for required property prior to filing condemnation;
- Fully inform property owners of their rights to receive just compensation of their property before any donation of such property;
- Ensure proper translation/interpretation services are available during all phases of the negotiation process;
- Review negotiation procedures for compliance with Title VI and other nondiscrimination provisions (i.e. whether the offer was made for the full amount of the appraiser's determination of compensation);
- Review application of minimum payment policy for Title VI compliance;
- Review procedures and practices relating to relocation advisory assistance to ensure compliance with Title VI and other nondiscrimination provisions (encourage diversification of relocation staff, obtain feedback from displaced individuals, conduct appropriate needs assessment, conduct self evaluations, etc.);
- Review application of inspection standards for decent, safe and sanitary inspections in compliance with Title VI and nondiscrimination provisions; and
- Establish Right-of-Way requirements and processes to safeguard against disparate impacts to low-income, minority, elderly, LEP and disabled populations.

C. Policy, Planning, and Sustainability Administration

Policy, Planning and Sustainability Administration (PPSA) establishes broad strategic goals to guide multi-modal program development, and the policies necessary to implement these goals and ensure compliance through plan review and permitting.

Title VI Responsibilities:

Planning

- Ensure that all aspects of planning comply with Title VI regulations;
- Analyze and assess the regional distribution of benefits and burdens of transportation system investments included in the TIP and other major planning documents for different socio-economic groups;
- Participate in activities with the MPO regarding identifying and responding to needs of minority and low-income populations. Make recommendations or undertake endeavors to ensure that the views of these populations and others facing barriers to access are solicited and addressed;
- Conduct outreach among all DC residents, including minority and low-income populations to ensure effective engagement in the transportation planning process. Document targeted strategies and methods utilized to engage these populations, including but not limited to:
 - Advertising public meetings, etc. in diverse media resources.
 - Making technical information available in user-friendly format.
 - Making information available electronically.
 - Contacting minority groups or leaders to identify information needs and issues of concerns.
 - Utilizing citizen advisory committees.
 - Holding meetings at accessible locations/convenient dates/times.
 - Utilizing non-traditional meeting formats.
- Provide and document special accommodations for disabled and limited English proficient individuals/groups to ensure these individuals/groups are afforded equal opportunities to participate in the planning process;
- Document input received from minority and low-income populations, as well as, other groups facing barriers to access;
- Coordinate with OCR and maintain records of agency responses to public inquiries; and
- Evaluate public involvement activities on a project-by-project basis.

Environment

- During project development, identify and address disproportionately high or adverse human health and environmental effects on minority and low-income populations per EO12898 (EJ) requirements;
- Ensure that potential effects of a project on minority and low-income populations are identified and considered, regardless of the project's level of NEPA documentation (Categorical Exclusion, Environmental Assessment, and Environmental Impact Assessment);
- Collect data on program beneficiaries and develop community profiles to support effects analysis (data to be collected may include community boundaries, racial and ethnic makeup, age, income levels, property taxes, community services, schools, hospitals, shopping areas, existing

- transportation assets, etc.);
- Conduct outreach among minority and low-income populations to ensure effective public engagement during project development. Document targeted strategies and methods utilized to engage these populations, including but not limited to:
 - Advertising public meetings, etc. in diverse media resources.
 - Making technical information available in user-friendly formats.
 - Making information available electronically.
 - Contacting minority groups or leaders to identify information needs and issues of concerns.
 - Utilizing citizen advisory committees.
 - Holding meetings at accessible locations/convenient dates/times.
 - Utilizing non-traditional meeting formats.
- Provide and document special accommodations for disabled individuals/groups and limited English proficient individuals/groups to ensure equal opportunities to participate in decision-making;
- Engage affected communities in the development of avoidance, minimization, mitigation and enhancement strategies;
- Document input received from minority, low-income and other populations facing barriers to access; and
- Coordinate with OCR and maintain records of agency public responses.

Research

- Consider Title VI considerations and the needs of low-income and minority populations, as well as other Title VI protected populations facing barriers to access in the selection and prioritization of problem statements; and
- Encourage diversification in the selection of consultants/universities. Take efforts to ensure that minority universities or universities with significant minority student representation are afforded equitable opportunities to participate in DDOT's research projects.

D. Progressive Transportation Services Administration

The mission of the Progressive Transportation Services Administration (PTSA) is to provide the public with efficient, affordable and diverse means of travel within the District for the residents, workers and visitors. PTSA oversees the DC Circulator and DC Streetcar transit services as well as the Student Transit Subsidy Program.

PTSA utilizes several forms of outreach to share information about our programs and services. Some of these forms include: public meetings, meet the rider events, social media, printed materials, websites, customer surveys, and e-newsletters. Outreach is focused on highlighting current mass transit projects, studies, plans, initiatives,

and service changes that affect District residents.

Title VI Responsibilities:

- Conduct equity analysis when changing service route(s);
- Document changes to service features of fare rates and assess any effects it will have on minority transit users, low-income transit users, etc. Conduct analysis prior to adjusting fare rates when certain criteria are met;
- Conduct outreach among minority populations and low-income populations to ensure effective public engagement during project development, including changes to services features or fare rates. Document targeted strategies and methods utilized to engage these populations, including but not limited to:
 - Advertising public meetings, etc. in diverse media resources.
 - Making technical information available in user-friendly format.
 - Making information available electronically.
 - Contacting minority groups or leaders to identify information needs and issues of concerns.
 - Consulting citizen advisory groups.
 - Holding meetings at accessible locations/convenient dates/times.
 - Utilizing non-traditional meeting formats.
- Provide and document special accommodations for physically challenged, visually and hearing impaired, and limited English proficient individuals to ensure that meaningful access to services and equal opportunities to participate in decision-making are afforded to all;
- Document input received from minority, low-income and other populations facing barriers to access. Maintain records of agency responses;
- Evaluate public involvement activities and address any concerns received;
- Provide public information regarding DDOT programs in an equitable manner to all wards and communities; and
- Engage affected communities in the development of avoidance, minimization, and mitigation of Title VI concerns.

E. Public Space Regulations Administration

The Public Space Regulation Administration (PSRA) is responsible for ensuring that all work conducted in public spaces is completed in accordance to all applicable public space laws and regulations, and DDOT standards and guidelines. PSRA provides technical reviews and comments for public space permit applications, and process all applications for permits. Such permits include temporary permits, occupancy permits for work zones and permanent changes to public spaces such as a new sidewalk and street trees. DDOT's Customer Services Division is also housed

in PSRA. The Customer Service Division serves as the main point of contact for all applicants and public inquiries regarding public space permits and inspections.

Title VI Responsibilities:

- Review procedures relating to the fulfillment of customer service requests for compliance with Title VI to identify and eliminate barriers to access for Title VI protected populations;
- Provide and document special accommodations for disabled individuals/groups and limited English proficient individuals/groups to ensure meaningful access to services, and opportunities to participate;
- Provide special accommodations for limited English proficient/non-English proficient individuals when a field inspection is requested.
- Increase access for LEP/NEP individuals seeking applications for public space permits;
- Collect LEP data based on number and types of encounters with LEP individuals and report to OCR quarterly; and
- Document input received from minority, low-income and other populations facing barriers to access. Maintain records of agency responses.

F. Transportation Operations Administration

The Transportation Operations Administration (TOA) seeks to effectively maintain the integrity of public assets, such as roadways, sidewalks, traffic calming devices, alleyways, bridges, tunnels, streetlights, and parking meters to ensure a safe and user-friendly transportation environment.

Title VI Responsibilities:

- Review procedures relating to the fulfillment of service requests for compliance with Title VI and identify and eliminate barriers to access;
- Provide and document special accommodations for disabled individuals/groups and limited English proficient individuals/groups to ensure meaningful access to services and provide equal opportunities for all to participate in decision-making;
- Document input received from minority, low-income, elderly, and other Title VI protected populations facing barriers to access. Maintain records of agency responses;
- Ensure that mitigating measures identified during project development are effectively implemented (i.e. safety through construction zones, noise and air impacts, traffic calming, ADA compliant facilities, etc.); and
- Review monitoring/inspection activities to ensure procedures/practices

do not result in disparate treatment of Title VI protected groups.

G. Urban Forestry Administration

The Urban Forestry Administration (UFA) manages and increases the District's street trees to maintain healthy trees that provide: improved air quality; increased ground water retention that minimizes runoff and flooding; temperature moderation; aesthetics; and other benefits to the community. UFA is divided into two divisions, Program Operations Division and the Field Operations Division. The Program Operations Division provides educational information to District residents about the benefits of growing trees and encourages planting of appropriate tree species. The Field Operations Division provides public services such as pruning, small tree removals and clean-up of tree debris and stumps, to provide safe sidewalk and street clearance.

Title VI Responsibilities:

- Conduct outreach among minority and low-income populations to ensure effective public engagement during project development. Document targeted strategies and methods utilized to engage these populations, including but not limited to:
 - Advertising public meetings, etc. in diverse media resources.
 - Making technical information available in user-friendly format.
 - Making information available electronically.
 - Contacting minority groups or leaders to identify information needs and issues of concerns.
 - Utilizing citizen advisory committees.
 - Holding meetings at accessible locations/convenient dates/times.
 - Utilizing non-traditional public meeting formats.
- Provide and document special accommodations for disabled individuals/groups and limited English proficient individuals/groups to ensure meaningful access to services and equal opportunities to participate in decision-making;
- Document input received from minority, low-income and other Title VI protected populations facing barriers to access. Maintain records of agency public responses;
- Evaluate public involvement activities; and
- Ensure mitigating measures identified during project development are effectively implemented (runoff minimization, storm water, air quality, etc.).

VII. SPECIAL EMPHASIS PROGRAM AREAS

A Special Emphasis Program is a program area in which, during the annual program area reviews or as a result of a complaint received by DDOT, a trend or pattern of discrimination is identified. Thus far, OCR's Title VI program has strived to manage its program in a proactive manner, relying on the cooperation from the managers and Title VI liaisons in its internal program area offices. In the event that a trend or pattern of discrimination is identified in a particular area, the Title VI Coordinator will notify the Chief of OCR to fully evaluate and assess the observed issue. OCR will then notify, recommend a corrective action plan, and work with the appropriate Program Area Manager and Title VI liaison to remedy the trend or pattern of discrimination. The DDOT Director and Transportation Equity & Inclusion Officer will also be notified and kept abreast of the issue and OCR's involvement with the Program Area in correcting the discrimination. Once the corrective action has been implemented, the Title VI program will monitor the area on a quarterly basis. Currently, DDOT does not have any Special Emphasis Program Areas within the agency.

VIII. SUB-RECIPIENT REVIEW

Title VI sub-recipient compliance reviews are performed by the agency's Title VI Coordinator, OCR staff in coordination with DDOT program area staff. The purpose of a Title VI compliance review is to determine whether sub-recipients (entities that receive federal assistance through DDOT, including 'pass-through' assistance) are in compliance with requirements under applicable federal and state regulations.

The Title VI sub-recipient compliance reviews are the principal vehicle used for determining whether sub-recipients are meeting their obligations to ensure nondiscrimination. In accordance with Federal regulations, DDOT must ensure that sub-recipients do not discriminate in the selection and retention of contractors, including those whose services are retained for or incidental to, construction, planning, research, highway safety, engineering, property management, fee contracts and other commitments with person for services and expenses incidental to the acquisition of right-of-way.

The Title VI Coordinator ensures sub-recipient compliance with Title VI by conducting pre-award reviews, post-award reviews, and complaint investigations. Pre-award and post-award reviews may take the form of a desk-audit and/or an on-site review. The information gathered during the review is used to evaluate the sub-recipient's efforts to comply with program requirements and to identify deficiencies or violations that require the agency to take further action.

When deficiencies or violations are found as a result of a pre-award or post-award review, the first priority is to secure voluntary compliance. The Title VI Coordinator may recommend that the applicant take preventive measures to ensure that discrimination will not occur in their program as a condition of receiving federal funds. The Title VI

Coordinator and OCR staff will also identify and provide technical assistance to sub-recipients as part of a proactive approach to achieve voluntary compliance.

Deficiencies, Remedies and Sanctions

When voluntary compliance procedures have been unsuccessful in bringing a sub-recipient into compliance, DDOT is authorized to impose sanctions, up to and including refusal to grant or termination of funds.

Complaint Investigations

In addition to pre-award and post-award reviews, OCR staff investigates sub-recipients against whom they have received complaints alleging violations of Title VI or other Federal civil rights statutes. OCR will interview both complainant and respondent. Depending on the nature of the complaint and the amount of information available, the investigation may also take the form of an on-site review and will be based on current Title VI regulations. The Chief of OCR will submit a written report regarding each complaint and its investigation to FHWA.

Outreach and Education

OCR staff provides outreach and education to inform its sub-recipients of their obligations and rights under Title VI. These outreach efforts include:

- Summarizing the requirements of Title VI;
- Noting the availability of Title VI information from the recipient and the Federal funding agency;
- Explaining the procedures for filing a complaint;
- Using other forms of public distribution, such as pamphlets, handbooks, manuals, and broadcast media to disseminate Title VI and civil rights information; and
- Providing information on the recipient's program in non-English languages, as needed.

Technical Assistance

OCR staff provides technical assistance to its sub-recipients in an effort to meet general reporting requirements and prevent or correct discriminatory practices and activities. The provision of technical assistance is integral to the voluntary compliance process. Technical assistance may include:

- Providing sample Title VI outreach materials, including sample notices to the public informing beneficiaries of their rights under Title VI and procedures for filing a complaint;
- Providing sample Title VI complaint procedures;
- Explaining procedures for data collection and resources for obtaining demographic information;

- Providing sample grant applications;
- Helping sub-recipients establish an advisory board; and
- Conducting trainings, workshops and conferences.

Monitoring of Sub-recipient Activities

Sub-recipients must submit a Title VI Plan to the DDOT Office of Civil Rights (OCR) within thirty (30) days of notification of selection. Firms that do not have a current report on file with DDOT, will also be required to submit a Title VI Plan within thirty (30) days of this notification. You have the option of submitting these documents electronically to the applicable DDOT Program Manager via electronic or hardcopy mail. A copy should also be delivered to the Title VI Coordinator, via electronic or hardcopy mail.

The Title VI Coordinator may request additional information and/or recommend corrective actions to secure the sub-recipient's voluntary compliance. The VI Coordinator, in collaboration with the DDOT Program Manager, may also randomly schedule an on-site compliance review at the sub-recipient's office or worksite.

If deficiencies are identified, the sub-recipient will have 90 days from receipt of the letter of deficiency to voluntarily bring their program into full compliance. If compliance cannot be achieved within the allotted time frame, the sub-recipient may be found in noncompliance and DDOT is authorized to cease negotiations, withhold payments, cancel, terminate, or suspend the contract or agreement in whole or part.

Pre-Award and Post-Award Reviews

Compliance reviews are the principle vehicle used for determining whether sub-recipients are meeting their obligations to ensure nondiscrimination. OCR will conduct compliance reviews on an annual basis or immediately following receipt of a complaint. The reviews may take the form of either a desk-audit or an on-site review. The information gathered during the review process is used to evaluate the sub-recipient's efforts to comply with program requirements and to identify deficiencies or violations that require DDOT to take further action.

Each year, OCR in coordination with the applicable DDOT program office will develop annual schedules for conducting reviews. Priority will be given to reviews specifically requested by the Federal Highway Administration.

IX. DATA COLLECTION

Statistical data on program beneficiaries (e.g., relocates, affected populations, participants, sub-recipients) will be gathered and maintained by DDOT. Data collection is the primary means by which DDOT can monitor whether its program funds are reaching the communities that needs assistance. OCR works collaboratively with the

Title VI Implementation Committee to manage the data collection process and identify strategies for integrating these requirements into existing activities and procedures. OCR intends to meet quarterly with the Committee to ensure data is collected appropriately.

OCR has begun working with OITI's GIS and Applications Manager to explore ways to identify and address potential gaps in the opportunities and services DDOT provides to the elderly, low income, minorities, and foreign born residents in all wards of the District. DDOT will use various demographic indicators, from the census and DDOT data to help make decisions on where DDOT services are needed most. DDOT will also be working with OITI to simplify the public involvement data collection and documentation process by automating information received from the public regarding meetings and events hosted by DDOT.

At a minimum the following data will be collected on program beneficiaries:

- Race
- Color
- National Origin
- Sex
- Disability
- English proficiency
- Income level
- Age

In analyzing the relative distribution of benefits and burdens of the transportation program on minority and low-income populations, DDOT will also collect the following data:

- Community boundaries
- Racial and ethnic make up
- Income levels
- Community services (car seat program)
- Senior centers
- Schools
- Hospitals
- Shopping areas
- ADA compliant facilities

In addition to the categories of data described above, each program area will be responsible for reporting:

- The manner in which services are provided by the program;
- Data regarding covered employment, including the use of bilingual

- employees to work with beneficiaries having limited English proficiency;
- The location of existing or proposed facilities and information regarding whether the location will have the effect of denying access to any person on the basis of prohibited discrimination;
- The race, color, and national origin of the members of any planning or advisory body that is an integral part of the program;
- Requirements and procedures designed to guard against unnecessary impact on persons on the basis of race, color, or national origin when relocation is involved; and
- Number and nature of discrimination complaints received.

Data Sources

Data will be obtained from a variety of sources including:

- Surveys from public meetings;
- Data received from public comments;
- Data received from discrimination complaint forms;
- Census Bureau/American Community Survey data;
- DC Office of Planning data;
- GIS overlays;
- Community/neighborhood profiles;
- Data from Mayor's outreach office (Office on Latino Affairs, Office on African Affairs, Office on Asian and Pacific Islander Affairs, and Office of Disability Rights);
- Data from local school and school district boundaries;
- Data and information from community leaders/organizations/local contacts; and
- Data and information from public/social service agencies.

Listed on the following pages are the DDOT Data Collection Matrixes for each of the Program Administrations.

Office of Civil Rights (OCR)

Title VI Compliance Areas	Data Collection by Program Area	Methods of Reporting	Reporting Period
<ul style="list-style-type: none"> Title VI Program Administration 	Title VI Complaints	<ul style="list-style-type: none"> Complaint Log 	<ul style="list-style-type: none"> Updated Continuously
	Sub-recipient Data	<ul style="list-style-type: none"> Sub-recipient Title VI Plan Pre-award Reviews Post-award Reviews 	<ul style="list-style-type: none"> Annually Prior to award Annually or following receipt of complaint
<ul style="list-style-type: none"> Title VI Program Administration 	Demographic Data	<ul style="list-style-type: none"> Census and Office of Planning Data 	<ul style="list-style-type: none"> As requested

Infrastructure Project Management Administration (IPMA)

Title VI Compliance Areas	Data Collected by Program Area	Method of Reporting	Reporting Period
<ul style="list-style-type: none"> Design and Construction Right-of-Way/Property Management 	Demographic data on program beneficiaries	<ul style="list-style-type: none"> Title VI Public Event Form Title VI Public Involvement Form for Meeting Attendees 	<ul style="list-style-type: none"> Monthly Monthly
	Public Involvement data	<ul style="list-style-type: none"> Title VI Public Event Form Title VI Public Involvement Form for Meeting Attendees Meeting Evaluation Forms/Comment Cards 	<ul style="list-style-type: none"> Monthly Monthly Monthly
	Language access data on program beneficiaries	<ul style="list-style-type: none"> Title VI Public Event Form Title VI Public Involvement Form for Meeting Attendees Language Line Data 	<ul style="list-style-type: none"> Monthly Monthly Quarterly

Policy, Planning and Sustainability Administration (PPSA)

Title VI Compliance Areas	Data Collected by Program Area	Method of Reporting	Reporting Period
<ul style="list-style-type: none"> • Planning • Environmental • Research 	Ethnic/Racial Makeup of Communities	<ul style="list-style-type: none"> • GIS Demographic & Project Maps 	<ul style="list-style-type: none"> • Annually/Biannually
	Limited English Proficient (LEP) individuals, individuals who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English. Non-English Proficient (NEP) individuals are individuals who cannot speak, read, write or understand English.	<ul style="list-style-type: none"> • Title VI Public Event Form • Title VI Public Involvement Form for Meeting Attendees 	<ul style="list-style-type: none"> • Monthly • Monthly
	Public Involvement data	<ul style="list-style-type: none"> • Title VI Public Event Form • Title VI Public Involvement Form for Meeting Attendees • Meeting Evaluation Forms/Comment Cards 	<ul style="list-style-type: none"> • Monthly • Monthly • Monthly
	Language access data on program beneficiaries	<ul style="list-style-type: none"> • Title VI Public Event Form • Title VI Public Involvement Form for Meeting Attendees • Language Line Data 	<ul style="list-style-type: none"> • Monthly • Monthly • Quarterly
	Environmental Justice Impacts	<ul style="list-style-type: none"> • Environmental Evaluation Screening Forms • EA/EIS Documentation 	<ul style="list-style-type: none"> • Project-by-project basis • Project-by-project basis

Progressive Transportation Services Administration (PTSA)

Title VI Compliance Areas	Data Collected by Program Area	Method of Reporting	Reporting Period
<ul style="list-style-type: none"> • Project Development 	Demographic data on program beneficiaries	<ul style="list-style-type: none"> • Title VI Public Event Form • Title VI Public Involvement Form for Meeting Attendees 	<ul style="list-style-type: none"> • Monthly • Monthly
	Public Involvement data	<ul style="list-style-type: none"> • Title VI Public Event Form • Title VI Public Involvement Form for Meeting Attendees • Meeting Evaluation Forms/Comment Cards 	<ul style="list-style-type: none"> • Monthly • Monthly • Monthly
	Language access data on program beneficiaries	<ul style="list-style-type: none"> • Title VI Public Event Form • Title VI Public Involvement Form for Meeting Attendees • Language Line Data 	<ul style="list-style-type: none"> • Monthly • Monthly • Quarterly

Public Space Regulations Administration (PSRA)

Title VI Compliance Areas	Data Collected by Program Area	Method of Reporting	Reporting Period
<ul style="list-style-type: none"> • Public Space Inspections • Public Space Permits • Plan Review • Customer Service 	Public Space Permitting Activities	<ul style="list-style-type: none"> • Public Space Permits Report 	<ul style="list-style-type: none"> • Quarterly
	Public Space Inspection Activities	<ul style="list-style-type: none"> • Monthly Inspection Activities Report (Notice of Violation/Stop Work Order) 	<ul style="list-style-type: none"> • Quarterly

Transportation Operations Administration (TOA)

Title VI Compliance Areas	Data Collection	Method of Reporting	Reporting Period
<ul style="list-style-type: none"> • Emergency Management • Service/Maintenance • Inspections 	Customer Service Requests	<ul style="list-style-type: none"> • Service Request Performance Report 	<ul style="list-style-type: none"> • Monthly
	Inspection Activities	<ul style="list-style-type: none"> • Monthly Inspection Activities Report (# assets inspected and locations) 	<ul style="list-style-type: none"> • Quarterly

Urban Forestry Administration (UFA)

Title VI Compliance Areas	Data Collected by Program Area	Method of Reporting	Reporting Period
<ul style="list-style-type: none"> • Project Development • Service/Maintenance 	Demographic data on program beneficiaries	<ul style="list-style-type: none"> • Title VI Public Event Form • Title VI Public Involvement Form for Meeting Attendees 	<ul style="list-style-type: none"> • Monthly • Monthly
	Public Involvement data	<ul style="list-style-type: none"> • Title VI Public Event Form • Title VI Public Involvement Form for Meeting Attendees • Meeting Evaluation Forms/Comment Cards 	<ul style="list-style-type: none"> • Monthly • Monthly • Monthly
	Language access data on program beneficiaries	<ul style="list-style-type: none"> • Title VI Public Event Form • Title VI Public Involvement Form for Meeting Attendees • Language Line Data 	<ul style="list-style-type: none"> • Monthly • Monthly • Quarterly
	Customer Service Requests	<ul style="list-style-type: none"> • Service Request Performance Report 	<ul style="list-style-type: none"> • Monthly

Sub-recipients

OCR, in coordination with the Office of Contracting and Procurement and applicable program area, will collect data on DDOT's contractors, subcontractors, and grantees.

Data to be collected include, but is not limited to:

- Type of entity
- Grant type
- Affirmative Action Plan
- Title VI Policy Statement and Assurances
- Complaints
- Summaries of applicable compliance reviews
- DBE participation
- Recruitment activities
- Civil Rights training activities
- Summary of Title VI violations, deficiencies

Data will be collected from sub-recipients during pre and post-award reviews, and during applicable civil rights compliance investigations. Each year, OCR will determine an annual schedule for reviewing sub-recipients' compliance with Title VI. Program areas with existing procedures for reviewing sub-recipient/sub-grantees that are independent of OCR activities, will report such data to OCR on an annual basis.

X. PUBLIC PARTICIPATION/PUBLIC INVOLVEMENT

Public participation is an integral part of the transportation process which helps to ensure that all communities have an opportunity to consider and comment on proposed DDOT transportation projects (USDOT-FHWA website). DDOT is committed to ensuring opportunities for the public to be involved in all phases of project development, from planning to implementation. Early effective public involvement allows for public input in the planning process which ensures that projects are nondiscriminatory and include various viewpoints. It may also prevent delays or surprises in the project development phase. As such, DDOT is in the midst of developing its public participation plan. The newly hired Community Engagement Supervisor and Public Information Officer are working with the Office of Civil Rights on this effort.

Public participation can be grouped into three areas:

- A. Engaging People Through Outreach and Organization
- B. Techniques for Public Involvement
- C. Generating Feedback

A. Engaging People Through Outreach and Organization

Public Participation Process

DDOT has a proactive public involvement process providing a public comment period prior to the adoption of key transportation plans and programs. The comment periods vary depending on DDOT's projects. DDOT has procedures in place to inform the public about how, when, and where they may participate. DDOT public involvement process strives to do the following:

- Providing complete information about DDOT's activities;
- Providing timely public notification;
- Allowing full access to key decision-makers;
- Providing early and continuing involvement in the development of transportation plans and programs;
- Providing outreach programs for all stakeholders;
- Addressing Title VI and Environmental Justice provisions; and
- Providing continuous interaction with Advisory Neighborhood Commissions (ANC) and other community organizations regarding DDOT's project plans.

Public Meetings

DDOT holds public meetings for planning activities, corridor studies, environmental assessments (EA) and environmental impact statements (EIS), during all phases of project development. Public meetings are held in every ward in the District of Columbia for the purpose of engaging the public in the decision-making process, and soliciting feedback. Meetings are held at locations that are accessible and convenient for community members and individuals facing barriers to access; locations can include schools, churches and community centers. The intent of holding public meetings at diversified locations is to solicit broad public comment.

In addition to hosting public meetings, DDOT program managers and other staff members attend ANC meetings, and community events across the city to expand outreach efforts. DDOT will continue to reach hard-to-reach groups and individuals.

Notice of public hearings and public informational meetings are provided to ANCs and other groups representing minority and low-income populations. DDOT requests that the ANCs provide their members with meeting notices and information.

Special accommodations are made for LEP, low-income and disabled individuals. Also, DDOT accommodates for individuals without transportation by scheduling meetings during the times when public transit and para-transit services are operating or will make special arrangements to ensure that individuals have an opportunity to access transportation to the meetings. Interpreters are provided, when requested, at public

meetings. The Office of Civil Rights maintains a blanket purchase order to enable use of interpreters on short notice and on an as-needed basis.

Opportunities for Participation

As part of the transportation planning process in meeting the requirements of Title VI and to better serve the community, DDOT has developed specific outreach strategies for low-income, minority, LEP and disadvantaged communities, to ensure participation. Outreach strategies for these communities include:

- **Accessible Meetings:** For those without transportation and the disabled, DDOT holds meetings and public hearings during times when public transit and para-transit service is available. A reasonable attempt is made to notify organizations representing minority and disabled individuals. Additionally, DDOT requests that ANCs provide their members with meeting notices and information. DDOT strives to host public outreach events at both “traditional” and non-traditional to ensure greater participation by those who cannot attend evening meetings due to other commitments;
- **Meeting Location:** DDOT public outreach events are held at a variety of accessible location types, including schools, community centers, transit stops, and festivals;
- **Meeting Format:** DDOT hosts public outreach events in a variety of formats that are both attractive and accessible to its constituents, including open-house style public meetings, “pop-up” events at locations such as transit centers, community centers and festivals that allow for one-on-one interaction;
- **Partnerships with Community Organizations:** DDOT may partner with community-based organizations to help promote outreach events, distribute materials, and develop deeper relationships with the communities it serves.
- **Translation:** DDOT translates print outreach materials for LEP populations, as required by DDOT’s Language Access Plan;
- **Interpretation:** DDOT provides interpreters, at public meetings and events, as needed. The DDOT Office of Civil Rights maintains a blanket purchase order to enable use of interpreters on short notice and on an as-needed basis.
- **ADA Accommodation:** DDOT provides ADA accommodation at meetings, as requested;
- **Ethnic Media:** DDOT promotes events in ethnic and non-English language media, including local Spanish language newspapers and television stations;
- **Language Access Line:** DDOT offers the Language Line interpretation service for LEP and NEP constituents who contact DDOT by phone or in-person at DDOT offices; and
- **“I Speak” Cards:** DDOT distributes “I Speak” cards at public outreach events for limited English or non-English speaking constituents in areas identified as having an above average number of linguistically isolated households.

B. Techniques for Public Involvement

DDOT's public involvement process contains the following elements:

- Involvement opportunities for the public to be involved in all phases of the planning process;
- Mechanisms for establishing and maintaining communications between the public and local officials via methods including mailings, listserves, legal ads, displays, website/webpages, newsletters, and mass and diverse media outlets. DDOT's website and related projects websites are easy ways for the public to quickly obtain information about ongoing projects and activities in their community, ask questions, and voice comments and concerns;
- Dissemination of information ensuring that technical information is available and in simplified user-friendly formats. Vital information and documents may be translated into a variety of foreign languages depending on the area of distribution and intended audience;
- Venue for DDOT to respond to public comments through phone calls and letters. The names of individuals and groups are placed on DDOT's listserv(s) in order to receive follow-up information or documentation on specific projects and activities; and
- Use of Advisory Committees (ANCs, Citizen and Technical Advisory Committees) to engage stakeholders during planning and project development, and ensure concerns are seriously considered in the decision-making process.

Access to Information

DDOT provides the public with reasonable and timely access to technical and policy information relating to the data or content used in the development of transportation plans, programs and projects. Documents are available for public inspection at DDOT headquarters, DDOT's website and project related websites/webpages, and at the project site office (as applicable).

Targeted public involvement strategies include, but are not limited to:

- Communicating and seeking assistance from members of the community and community based organizations that are able to identify minority and/or low-income communities that are affected by the proposed action;
- Forming community advisory taskforces, and ensuring that representatives from minority, low-income, and limited-English proficient communities are included, as applicable;
- Utilizing the Mayor's Offices on Latino Affairs, Asian and Pacific Islander Affairs, African Affairs, and the DC Language Access Coalition, to distribute information to limited-English proficient communities;

- Using oral interpreters at public meetings and events, and translating project information into other languages;
- Selecting meeting locations and times to accommodate low-income groups;
- Soliciting information from the local community on environmental issues through nontraditional methods (i.e., survey community hot spots where the locals gather, barbershops, and popular restaurants); and
- Soliciting public comments on environmental issues through formal/informal public notice and comment procedures tailored to the community.

C. Generating Feedback

Public Education

DDOT continually educates the public on the existence of its resources and how they can benefit from them. Whenever DDOT conducts outreach activities, every effort will be made to ensure communication will be written and presented in a manner that is easy to understand. The following are ongoing activities used by the DDOT staff to educate the citizens of the District of Columbia.

- Compilation of education packets/brochures made available at public meetings, public offices, agencies, and also posted on DDOT's and the District of Columbia's websites;
- Presentation made by DDOT staff at community and ward-based meetings of DDOT's ongoing and upcoming activities and projects;
- Distribution of "I Speak" cards for limited English or non-English speaking individuals;
- Availability of a Language Access Line at DDOT offices;
- Public meeting calendar posted on DDOT's and the District of Columbia's websites; and
- DDOT's project-related websites/webpages

Efforts through Planning to Project Development

At DDOT, the public involvement process starts at the planning stage and continues through project development, including:

- Outreach to the public to inform the community about DDOT's plan
- Efforts to seek community comments and suggestions
- Advertisements in newspapers, websites, fliers, etc.
- Community Meetings
- Grass roots efforts, door-to-door notices
- Survey Forms/Public Comments (reports)
- Public access to drawings, plans, etc.
- Efforts to accommodate the community (mitigation efforts)

The DDOT Office of Civil Rights Title VI staff will continue to work with members of the Title VI Implementation Committee to research new and innovative ways to further involve the public in its transportation process.

Statistical Information: DDOT Public Involvement Overview 2014-2015

From October 1, 2014 to September 30, 2015, DDOT hosted or attended 161 events, including “Pop-Up” events at transit centers and festivals, open houses, ANC meetings, civic associations, free child safety seat inspections and installations, and public safety events at local schools (Table 1). These events were spread out across the eight wards of the District of Columbia, and more than half of them took place in wards where the minority populations exceed the District average (Table 2).

**Table 1 - Public Meetings Hosted or Attended
January 2013-September 2015**

Hosted or Attended	Public Outreach Events
Total Hosted	95
Total Attended	66
Total Reported	161

**Table 2 - Public Meetings/Events by Ward and Demographics
October 1, 2014 –September 30, 2015**

Ward	Public Outreach Events	Minority (%) 2009-2013 ¹	Poverty Rate (%) 2009-2013 ¹
One	11	46%	13%
Two	16	24%	12%
Three	12	17%	9%
Four	15	74%	13%
Five	23	83%	21%
Six	42	49%	15%
Seven	11	98%	27%
Eight	31	96%	38%
DC Average	20	60%	19%

XI. COMPLYING WITH LIMITED ENGLISH PROFICIENCY (LEP)

Limited English proficient (LEP) individuals are individuals who do not speak English as their primary language and who have a limited ability to read, speak, write or

¹ American Community Survey 2009-2013 Five Year Estimates (most recent)

understand English. Similarly, non-English proficient (NEP) individuals are individuals who cannot speak, read, write or understand English at all.

A. Language Access and Assistance Plan

The purpose of DDOT's Language Access and Assistance Plan is to (1) identify NEP and LEP persons who need language assistance; (2) provide language assistance to the population in need; (3) develop a plan to train staff; (4) provide notice of services to LEP persons; and (5) develop a plan to monitor/update the plan. On a biennial basis, DDOT develops a Language Access Plan (BLAP), which is based on the same criteria established in FTA's publication "Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers Prepared by: The Federal Transit Administration Office of Civil Rights April 13, 2007."

DDOT has attached the 2015-2016 Biennial Language Access Plan (BLAP) to this document (see Appendix E). DDOT is satisfied that the BLAP meets the standard set by FTA for a state DOT's Language Access and Assistance Plan.

B. Limited English Proficiency Plan

The District of Columbia's LEP policy is intended to ensure that all people, regardless of their proficiency in English, have meaningful access to the benefits of DDOT's programs and services. As a recipient of the U.S. Department of Transportation, DDOT must assure that limited English proficient (LEP) people are provided with meaningful language assistance to ensure equal access to all of its programs and services. The LEP plan provides the analysis DDOT uses for determining the need for an LEP program, outlines the methods for how DDOT collected the information, and discusses how DDOT integrates LEP activities into all of its programs and services to meet the needs of the LEP communities in the District.

DDOT has attached the FHWA approved 2015 Limited English Proficiency Plan to this document (See Appendix F).

XII. ENVIRONMENTAL JUSTICE

Introduction

On February 11, 1994, President Clinton signed Executive Order 12898: *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*. The Executive Order requires Federal agencies to achieve environmental justice (EJ) by identifying and addressing disproportionately high and adverse human health and

environmental effects, including the interrelated social and economic effects of their programs, policies, and activities on minority populations and low-income populations in the United States.

EO 12898, related DOT, and FHWA Orders on EJ, expound upon the principles of Title VI of the Civil Rights Act of 1964 (Title VI) and related statutes emphasizing non-discrimination and equity considerations in the environmental and transportation decision-making processes. The nondiscrimination requirements of Title VI extend to all programs and activities of District Department of Transportation (DDOT) and its respective sub-recipients and contractors, therefore EJ requirements apply to all DDOT projects, including those which do not involve Federal-aid funds.

There are three fundamental environmental justice principles:

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

Integrating EJ in the National Environmental Policy Act (NEPA) Process

DDOT identifies and analyzes for disproportionately high and adverse human health or environmental effects on minority and low-income populations throughout the NEPA process; from the initial phases of the screening analysis through the consideration and communication of all alternatives and associated mitigation measures. Potential impacts to the human environment drives the processing option decision as much as potential impacts to the natural environment. Impacts to both the human and natural environment are given comparable consideration throughout transportation decision-making.

NEPA Analyses

If the proposed activity is deemed significant to warrant the development of an EIS, or if the community has raised significant concerns to be addressed in an EA, DDOT staff will conduct the NEPA analysis. The NEPA section of the public participation plan designed as part of a scoping effort for an EA or EIS will describe any environmental justice concerns identified by DDOT, and include opportunities for the public to suggest and comment on alternatives and mitigation measures aimed at reducing or avoiding disproportionately high and adverse effects on EJ populations.

Specific actions to integrate EJ considerations into the NEPA process include:

- Analyzing environmental effects, including human health, economic, and social effects on minority and low-income populations when such analysis is required by NEPA;
- Ensuring that mitigation measures outlined or analyzed in Environmental Assessments (EAs), Environmental Impact Statements (EISs), and Record of Decisions (RODs), whenever feasible, address disproportionately high and adverse environmental effects or proposed actions on minority and low-income populations; and
- Providing opportunities for community input in the NEPA process, including identifying potential effects and mitigation measures when consulting affected communities and improving accessibility to public meetings, official documents, and notices to affected communities.

It is critical to note that while EO 12898 on Environmental Justice specifically identifies minority and low-income populations as the focus of consideration, Title VI and related non-discrimination statutes also prohibit discrimination on the basis of race, color, national origin (including limited English proficiency), sex, disability, and age. Throughout the NEPA process, special efforts are taken to ensure that project impacts do not adversely affect individuals and populations belonging to any of the aforementioned protected categories.

DDOT's Infrastructure Project Management Administration has established standards to address and identify EJ impacts throughout the NEPA process for all DDOT construction projects. These standards are discussed below and also documented in the DDOT's Environmental Manual, 2nd Edition. DDOT is currently assessing the following projects for environmental impacts:

- Benning Road and Bridge Transportation Improvements Project
DDOT is working with FHWA to conduct an Environmental Assessment (EA) for the proposed Benning Road and Bridge Multi-Modal Transportation Improvements, per the requirements of the National Environmental Policy Act. The project will also include evaluation of historic resources, as required under Section 106 of the National Historic Preservation Act. The study area is along Benning Road, NE, from Oklahoma Avenue to the Minnesota Avenue and Benning Road Metrorail Stations.
- Union Station to Georgetown Transportation Improvements Project
DDOT is working with FHWA to prepare an EA for the Union Station to Georgetown Transportation Improvements Project. The EA will be prepared in accordance with the National Environmental Policy Act, and the Section 106 of the National Historic Preservation Act. The Federal Transit Administration (FTA) is a co-lead for the EA. The study area includes a 3.3

mile long corridor from 3rd Street NE to 33rd Street NW. The EA will evaluate the environmental effects of the reconstruction of the roadway to provide multi-modal and safety improvements. The evaluation of transportation improvements for all modes – streetcar, vehicular, transit, bicycle, and pedestrian – are evaluated to determine the best multi-modal enhancements on the corridor

- Broad Branch Road Project

DDOT is working with FHWA to prepare an EA for the proposed rehabilitation of Broad Branch Road between Linnean Avenue and Beach Drive. FHWA is the lead federal agency for the project with the National Park Service (NPS) as a cooperating agency. The purpose of the proposed action is to rehabilitate Broad Branch Road to satisfy operational and safety needs and done so in a manner keeping with the setting of the project area. Context sensitive solutions will take into account the adjoining land uses - residential developments and wooded areas to the west and Rock Creek Park to the east. Improvements to the corridor will consider all modes of transportation including bicycles and pedestrians.

- Pennsylvania Avenue/Potomac Avenue SE Project

The Pennsylvania and Potomac Avenues SE Intersection Improvement Project proposes to enhance safety at these street intersections for neighborhood pedestrians and transit users of the Potomac Avenue Metrorail Station and the numerous area bus stops. Despite the numerous crosswalk locations, pedestrians traverse the intersection through the grassed median of Pennsylvania Avenue SE. The proposed project would remove some of the current conflicting pedestrian crossings and replace them with more direct routes for pedestrians and transit users.

General Methodology

Incorporating Environmental Justice into NEPA's Scoping Process

The identification of EJ concerns and the incorporation of these concerns into the scoping analysis can help to ensure that the NEPA process is fully utilized to address concerns and enhance protections for EJ populations.

Scoping consists of identifying and defining the range of actions, alternatives and impacts which will be considered in an environmental impact statement. During the scoping phase of the EIS process, DDOT considers related, cumulative and similar actions to the proposed action, identifies alternatives to the proposed action that may mitigate or avoid potential environmental consequences, and assesses potential impacts (direct, indirect, and cumulative). A similar planning process is used for EAs.

Environmental Justice Screening Process

The objective of an environmental justice analysis is to assess the extent to which the benefits and costs of a proposed transportation system change would be experienced differentially by protected populations and other member of society.

A two-step screening analysis is the first step in identifying environmental justice concerns by determining the existence of a low-income and/or minority population, and should occur as soon as the proposed action is well understood; around the time planning for scoping begins for EISs and planning begins for EAs. The first step in the analysis is to determine if the potentially affected community includes minority and/or low-income populations. The second step in the analysis is to determine if the human health and environmental impacts are likely to fall disproportionately on minority, low-income or Native American communities.

Determine Characteristics of the General Population

Using the most recent U.S. Census data, determine the demographic and income characteristics of the general population. For projects without a major impact on regional transportation (for example: bridge reconstruction), an acceptable “general population” could be defined by geopolitical boundaries such as a city or county. However, for major projects (those with a sizable influence on regional transportation, such as a new corridor), it is best to define a project-specific general population—that is, the total population that would be affected, positively or negatively, by the project. For example, for commuter routes, one may use the project’s “travelshed,” the area in which the majority of the facility’s users reside, as the general population. Key data for this analysis include racial characteristics and median household income. This data are best presented in a table or other delineated format, or illustrated by a GIS graphic.

Determine the Project’s Area of Influence

Impacts within the project’s area of influence can include human health impacts such as noise and air quality, environmental degradation, impacts on community cohesion, or displacement and relocation impacts. The impact area can be determined using the project area or “footprint” of the project (this will determine the displacements and right-of-way acquisition associated with the project). Other relevant areas of influence include the 67-dB noise contour (noise impacts) or the project “viewshed” (the area visually impacted by the project). The area of influence is project specific and based on that project’s associated impacts. For example, in the case of major roadway construction through a residential area, one of the major impacts of concern would likely be

noise; thus, using defined noise contours to determine the population that would be subjected to noise levels above the 67-dB contour would be a reasonable “area of influence.”

In limited instances, particularly on large or urban projects, EJ impacts could affect an entire community rather than just the immediate project area. This would occur when the impacts to a low-income or minority community, adjacent to a project, damage the area as a whole (e.g., removal of a large number of affordable housing units so that there is no longer a sufficient amount of affordable, community-wide housing).

Determine the Impacted Population’s Characteristics

To determine the presence of an EJ population, first determine the impacted population’s (i.e., population within the area of influence) characteristics. Using U.S. Census data available for block groups or other small geographic areas such as quarter-sections, determine the impacted population’s racial/ethnic and income characteristics. Other social program participation, such as school lunch programs, can be helpful in determining income characteristics of a defined population. Determine if the incomes in the area fall below the poverty levels established by the U.S. Department of Health and Human Services (DHHS).

In addition to data derived from the U.S. Census and social program participation, also consider the use of local knowledge, public input, field surveys, and customer surveys in your analysis. These methods can assist in better defining small or emerging populations as well as lend new perspectives on how impacts may be experienced by different segments of the populations.

Compare Impacted Population to General Population

Compare the characteristics of the general population to those of the impacted population to determine whether there is a disproportionate impact. A table listing the two populations with appropriate demographic characteristics is the clearest way to compare the populations. A GIS graphic should also be considered to represent the comparison.

Addressing and Mitigating Impacts to EJ populations

If the environmental justice screening analysis does not identify minority or low-income communities, and suggests no disproportionately high and adverse effects on those communities, then the EA and Finding of No Significant Impacts (FONSI) should describe the analysis and note the conclusion.

If the initial screening identifies an effected community that is minority and/or low-income or identifies a disproportionately high and adverse effect upon a minority and/or low-income community, then a smaller scale scoping analysis (than that undertaken for an EIS) should be conducted and some level of public participation should be designed and implemented to solicit community involvement and input, and develop alternatives and mitigation methods.

Mitigations measures should be developed and alternatives should be crafted to allow an evaluation of the relative disproportionate nature of impacts across reasonable alternatives. The EA should also include a comparative socioeconomic analysis that is scaled and tailored to evaluate the potential effects to the minority and/or low-income community (i.e. in the case of environmental justice concerns, the EA should include socioeconomic analyses scaled according to the severity of the impacts.)

All reasonably foreseeable adverse social, economic, and environmental effects on minority and low-income populations must be identified and addressed. As defined in DOT Order 5610.2 on Environmental Justice, adverse effects include, but are not limited to:

- Bodily impairment, infirmity, illness, or death;
- Air, noise, water pollution and soil contamination;
- Destruction or disruption of man-made or natural resources;
- Destruction or diminution of aesthetic values; and
- Destruction or disruption of community cohesion or a community's economic vitality.

If the environmental effects of a project are deemed significant, the scoping notices (including the notice of intent for EIS) should include a description of the results of the environmental justice screening analysis. If the results of the screening analysis is not a minority or low-income community, and the effects are not likely to fall disproportionately on a minority or low income community, then the scoping notice should state this finding and request additional information on whether there may be disproportionately high and adverse effects that were overlooked during the screening analysis.

If the environmental justice screening analysis concludes that there is a potential for disproportionately high and adverse effects, then DDOT staff should ensure that the EIS scoping process raises environmental justice concerns and that sufficient data and information are generated to evaluate the potential effects. Prior to the full-scale scoping process, public outreach strategies should be developed.

In the event that a disproportionately high and/or adverse effect has been identified, and impact avoiding measures are not reasonable, consider mitigation measures. Working with community agencies and relevant not-for-profit groups can help determine appropriate mitigation strategies. Mitigation measures include enhancements or offsetting benefits and opportunities that are reasonable in cost and scope, and help the project fit more harmoniously into the community (examples may range from landscaping/green space, sidewalks or other pedestrian accommodations, and lighting features to the creation of community programs or advisory groups.)

XIII. TITLE VI TRAINING

A. Office of Civil Rights Staff

Title VI Training

Whenever possible, OCR staff participates in training activities related to Title VI compliance requirements, enforcement policies and procedures, related civil rights statutes, and targeted program area trainings.

During FY14 - FY15, staff participated in the following Title VI training courses:

1. The Title VI Coordinator completed the four-day NTI training class entitled "Public Involvement in Transportation Decision-making".
2. The Title VI Coordinator completed the two-day NTI training class entitled "Environmental Justice."
3. The Title VI Coordinator completed the one-day 2015 DOT Civil Rights Virtual Symposium "Speaking with One Voice: Connecting the DOTs."
4. The Title VI Coordinator attended the DOT one-day webinar entitled "Understanding the Travel Needs of Older Adults."
5. The Title VI Coordinator completed the one-half day training on "Language Access."
6. The Title VI Coordinator took the online FTA training on Title VI.
7. The External EEO Compliance Manager attended the five-day Southern Transportation Civil Rights Training Symposium and National Title VI Forum.
8. The Title VI Coordinator completed the one-day DOT/FTA online training on Title VI.
9. A total of 25 DDOT managers and staff attended the one-day Title VI training presented by Mohamed Dumbuya, FHWA Resource Center & Virginia Division.
10. A total of 20 managers as described in Section B below (Program Area Training) and Title VI liaisons attended the Program Area Review meetings where abbreviated Title VI trainings were presented.

Language Access Training

During the FY14-FY15, DDOT partnered with the DC Office of Human Rights (OHR) on the following activities:

1. Offered five Language Access training sessions to DDOT employees; a total of 90 DDOT employees and sub-recipients attended the training sessions.
2. DDOT developed and submitted to OHR the Biennial Language Access Plan.
3. DDOT completed the 2015 Limited English Proficiency Plan which included the Four Factor Analysis.
4. OCR's Language Access Coordinator attended OHR's Bi-Monthly Language Access Coordinators meetings chaired by DC's Office of Human Rights.

Staff is always encouraged to seek out training opportunities provided by federal and local agencies, community organizations, etc. and make recommendations to the Chief of the OCR.

B. Program Area Training

The Title VI Coordinator, in conjunction with other OCR staff and the DDOT Training Office provided abbreviated Title VI and targeted training for each program area. The purpose of the additional training was to raise the Associate Directors and Title VI liaisons' awareness of Title VI and related requirements as it pertains to the more technical aspects of their programs and activities. Program area training may arise from needs specifically expressed by the program area, or as identified by the Title VI Coordinator. As appropriate and taking into consideration the availability of resources, external training vendors, individuals and consultants may be utilized to facilitate program specific trainings.

During the months of September and October 2015, the Title VI Coordinator held separate program meetings with all six of DDOT's program offices. Managers, Title VI liaisons, and staff from each program office attended the meetings. The meetings included a training presentation on DDOT's Title VI program, the Title VI regulations, as well as a discussion on implementing DDOT's program in compliance with the Title VI regulations.

XIV. TITLE VI COMPLAINT PROCEDURES

Overview

These procedures apply to complaints filed pursuant to Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (implementation through 23 C.F.R. 200.9) by DDOT's beneficiaries and sub-recipients, including but not limited to the public, contractors, subcontractors, consultants and other sub-recipients of Federal and

State funds. Title VI complaints filed against a DDOT sub-recipient are processed and investigated by the District Department of Transportation, Office of Civil Rights, 55 M Street SE, Third Floor, Washington, D.C. 20003. Non-transit related Title VI complaints that identify DDOT as the respondent will be forward to the Federal Highway Administration for processing and investigation; transit related complaints filed against DDOT will be forwarded to the Federal Transit Administration.

The DDOT Office of Civil Rights (OCR) makes every effort to resolve the complaint within DDOT; however, these procedures do not deny or limit the right of a complainant to file a formal complaint with an outside enforcement agency (U.S. Department of Transportation, FHWA or FTA) or to seek private counsel for complaints alleging discrimination based on race, color, national origin sex, age or disability. Retaliation is prohibited.

Definitions

- Race is defined as an individual belonging to one of the accepted anthropological racial groups or perception, based usually on physical characteristics that a person is a member of a racial group;
- Color is defined as the color of the skin, including shade of skin within a racial group;
- National Origin is one's birth site. Citizenship is not a factor. Discrimination based on language or a person's accent is also covered;
- Sex includes gender, sexual harassment and pregnancy. Sex applies to both women and men;
- Age covers persons of any age;
- Disability covers physical or mental impairment; permanent, temporary, or perceived; and
- Intimidation or retaliation includes threats, coercion, or discrimination against any individual for the purpose of interfering with any rights or privilege because he/she made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing pursuant to Title VI.

The identity of every complainant will be kept confidential, except to the extent necessary to carry out the purpose of 49 CFR 21.11. Every effort will be made to obtain early resolution of complaints at the lowest possible level. The option of informal mediation between the affected parties and the investigator may be utilized at any stage of the process. The investigator will make every effort to pursue a resolution of the complaint. Information regarding requested relief and settlement opportunities will be sought during the initial interviews with the complainant and respondent.

A. Title VI Complaint Processing Procedures

The processing procedures outline the appropriate steps for both transit and non-transit related complaints. Transit related complaints are any complaints alleging discrimination that are directly related to any local public transit systems. See Appendix G for a copy of the Complaint Processing Procedures.

B. Title VI Complaint Log

DDOT maintains a log of all complaints and appeals. The chart, in Appendix H, demonstrates the information that DDOT maintains in its complaint log, in compliance with 23 CFR 200.9.

C. Title VI Complaint Form

The District of Columbia Department of Transportation is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, as amended.

Title VI complaints must be filed within 180 days from the date of the alleged discrimination or when the alleged discrimination becomes known to the complainant. The complaint form contains information necessary to assist OCR in processing complaints (see Appendix I). If assistance is required to complete the form, the following contact information is provided: Office of Civil Rights at ddot.titlevi@dc.gov, or 202-671-2700. The completed form must be returned to DDOT Office of Civil Rights, Title VI Coordinator, 55 M St. SE, 3rd Floor, Washington, DC 20003.

D. Status of Complaints/Investigations/Reviews

In the last three years, DDOT has received one Title VI complaint. The complaint was received on September 9, 2015 from an employee of a DDOT construction contract. Since this complaint was against a DDOT employee, DDOT's OCR referred the complaint to FHWA for review. The complaint was forwarded to FHWA for review. FHWA dismissed the complaint. DDOT has not received any transit-related complaints in the past three years. See Appendix H for a summary of all civil rights complaints received by DDOT within the last three years.

XV. DISSEMINATION OF INFORMATION

NOTICES TO BENEFICIARIES UNDER TITLE VI AND INFORMATION DISSEMINATION

DDOT provides information to the public regarding its Title VI obligations and appraises the public of the protections against discrimination afforded to them by Title VI. The

notification of rights under Title VI is provided in the DDOT Title VI policy statement, on DDOT websites, posters displayed in public locations and on DDOT Circulator buses; it also is contained in the DDOT Title VI brochure “Your Rights under Title VI of the Civil Rights Act of 1964”. The notifications includes a statement that the agency operates without regard to race, color or national origin, a description of the procedures that members of the public should follow to request additional information, and a description of the procedures to file a Title VI complaint.

The brochure is also available in Spanish, French, Korean, Vietnamese, Chinese, French and Amharic. As described in the notifications, members of the public are instructed to follow the same procedures to request additional information as they would to file a complaint (by contacting the Office of Civil Rights); contact information is included in the notifications/ brochures.

OCR manages the process for dissemination of Title VI notices and information to the public. The Title VI policy and notification of rights are distributed to DDOT employees and to the public via DDOT’s Title VI Program webpage, and the Office of Civil Rights. The Title VI policy and notification of rights are also posted in prominent locations at DDOT’s facilities and available in hardcopy at the physical site of OCR.

DDOT Website and Internal Webpage

DDOT’s Title VI Program webpage is located on DDOT’s external website and is fully accessible to the public. The webpage contains the Title VI policy statement and notifications, Title VI brochure, discrimination compliant form, and contact information for filing complaints and requesting additional information.

Posters

Title VI posters with notices of rights under Title VI are displayed in prominent locations throughout DDOT facilities (see Appendix J for a copy of the poster). The Title VI Coordinator is responsible for ensuring these posters are visibly displayed at the following locations:

- DDOT Headquarters, 55 M Street, S.E.
- TOA, Reeves Center, 2000 14th Street, N.W., 2nd Floor
- TOA, Street and Bridge Maintenance Facility, 1403 W Street N.E.
- TOA, Street and Bridge Maintenance Facility, 414 Farragut Street N.E.
- TOA Sign Shop, 1338 G Street S.E.
- BOWDC, 2235 Shannon Place, S.E., Suite 3031
- PSRA, Permit Office, 1100 4th Street S.W.
- TOA, Warehouse, 1735 15th Street N.E.

Title VI Brochure

The Title VI “Know Your Rights” brochure is disseminated to the public at OCR programs, activities and training sessions, as well as on the DDOT website (see a copy of brochure in Appendix K). DDOT staff is encouraged to distribute the brochure during public meetings and hearings, ANC meetings, community events and city-wide events. Additionally, a hard copy of the brochure is available at OCR’s physical office, 55 M. Street SE, Washington, DC, 20003, as well as at the Business Opportunity and Workforce Development Center (BOWDC), 2235 Shannon Place, SE, Suite 3031, Washington, DC 20020.

Title VI Complaint Procedures & Discrimination Complaint Form

The Title VI Complaint Procedures and Discrimination Complaint Forms are available to the public and DDOT employees via DDOT’s Title VI Program webpage and OCR’s internal webpage (see copy of Title VI Complaint Procedures and Discrimination Complaint Form in Appendices G and I respectively). DDOT’s Title VI brochure also contains information on complaint procedures and is disseminated as identified above.

Dissemination in Non-English Languages

The Title VI Coordinator facilitates the process for the translation of Title VI information to the public. Title VI notifications and outreach materials are considered vital documents with a city-wide distribution. As such the DDOT program information and Title VI outreach materials identified in this section are translated into Spanish, French, Korean, Vietnamese, Chinese, and Amharic languages.

OCR is partnering with the Mayor’s Outreach Office on Latino Affairs and LEP representatives to effectively target LEP/NEP communities. OCR staff will participate in targeted outreach activities throughout the year in order to build partnerships with LEP/NEP communities and ensure that equitable public involvement opportunities are afforded to all individuals, regardless of their level of English proficiency.

XVI. REVIEW OF STATE TRANSPORTATION AGENCY’S (STA) DIRECTIVES

A. INTEGRATING TITLE VI IN THE PLANNING PROCESS

Overview

DDOT plans, prioritizes, and develops transportation-related projects for the District of Columbia in conjunction with local, regional, and federal authorities. The agency’s planning process produces both long-range inter-modal transportation plans and short-range programs and projects. Plan development is coordinated with the National Capital Region Transportation Planning Board (TPB), which is the designated

metropolitan planning organization (MPO) for the Washington region. FHWA and FTA jointly oversee the transportation planning process and are authorized to approve state and regional transportation plans.

DDOT strives to address Title VI concerns in its strategic transportation planning at both the local and regional levels. To this aim, DDOT and its regional partners utilize a cooperative process centered around public participation, improving the human environment, and avoiding disproportionately high or adverse effects on minority and low-income populations. FHWA and FTA have issued joint guidance on implementing Title VI in local and regional planning. Based on this guidance, DDOT has identified its primary responsibilities in order to fully comply with Title VI in the agency's short-term and long-range transportation planning.

The Office of Civil Rights, in coordination with program area officials, work together to integrate the following actions into the planning process.

Primary Responsibilities

- Ensure that public involvement efforts provide for the full inclusion and meaningful participation of minority and low-income groups in the agency's transportation planning processes and related initiatives;
 1. Develop and formalize strategies for engaging minority and low-income populations in transportation planning;
 2. Develop strategies to reduce participation barriers for minority and low-income populations;
 3. Routinely evaluate effectiveness of public involvement strategies to engage different population groups;
 4. Develop mechanisms to ensure that issues and concerns raised by low-income and minority populations are appropriately considered in the decision-making process; and
 5. Conduct outreach to and partner with local organizations representing low-income and minority populations to enable their participation in the planning processes.
- Continually assess the needs of, and analyze the potential impacts of transportation activities on different population groups; particularly minority and low-income groups, and tie analyses to short-term and long-range transportation planning activities;
 1. Develop data collection activities to support the assessment of the distributional impacts of transportation activities and investments.
- Collect data to reflect the metropolitan area and address:
 1. community boundaries
 2. racial and ethnic makeup
 3. income levels, property taxes, etc.
 4. community services, schools, hospitals, shopping areas, etc.

5. age;
 6. limited English proficiency; and
 7. disability
- Collect data on public participation efforts;
 - Ensure that TIP/STIP development and the overall planning process satisfy the letter and intent of Title VI requirements and environmental justice principles;
 - Demonstrate commitment to improving the natural and human environments for low-income and minority groups, as well as for senior citizens; and
 - Establish policy and procedures centered on EJ principals for developing transportation projects that fit harmoniously into communities without sacrificing safety or mobility.

Federal authorities reflect the nation’s commitment to the principals of Title VI and environmental justice in transportation planning. The implementation regulations for statewide transportation planning as described in 23 CFR 450, now require transportation agencies to explicitly consider, analyze as appropriate, and reflect in planning process products, the overall social, economic, energy, and environmental effects of transportation decisions (including housing and community development effects and effects on the human, natural and manmade environments).

Authorities (specific to transportation planning):

- SAFETEA-LU;
- 23 CFR Parts 450 and 771;
- 49 CFR Parts 619 and 622;
- Joint FHWA/FTA Memo re: Implementing Title VI in Metropolitan and Statewide Planning;
- Executive Order 12898 on Environmental Justice;
- National Environmental Policy Act (NEPA) of 1969; and
- The American with Disabilities Act of 1990

Procedures for Ensuring Statewide Planning is Nondiscriminatory

DDOT has developed strategies for ensuring, demonstrating, and substantiating compliance with Title VI. These strategies include consideration of demographic information in the transportation planning and service process. To achieve that goal, DDOT has developed a demographic profile of the District of Columbia that includes identification of the locations of socio-economic groups, including low-income and minority populations. This data is obtained and tracked using numerous sources, including the most recent United States Census and American Community Survey data.

The planning process seeks to recognize the needs of minority and low-income populations. In addition to using the demographic profile of the District of Columbia,

DDOT's transportation planning process requires regular public involvement. The public participation process involves outreach, notice, and the opportunity for the public to provide comments. DDOT works diligently to ensure that the public has notice of transportation planning and services by partnering with community groups, posting public notices along the effected service routes, and translating notices when the demographic data shows that NEP/LEP populations will be impacted by the transportation planning.

State Transportation Improvement Program (STIP) Development Process

DDOT is responsible for developing its own State Transportation Improvement Program (STIP). The STIP is a list of federally funded transportation projects proposed for funding under Title 23, USC 135, and 49 USC 5304 which covers a period of at least four years. Federal regulations 23 USC 135 and 49 USC 5304 require each State to carry out a continuous, cooperative and comprehensive statewide multimodal process, including development of a Long Range Transportation Plan and a STIP to facilitate the safe and efficient management, operation and development of the surface transportation system. The STIP also includes regional significant projects that may not be federally funded.

The STIP development process includes:

- Development of Long Range Plan/Inputs – The development of DDOT's Long Range Plan encapsulates future projects and priorities of the District; however existing commitments, initiatives and recommendations from systems plans and studies will continue to be used as inputs for determining which projects are to be included in the District STIP.
- Project Identification – Project Identification consists of developing a list of STIP project candidates from the above mentioned inputs including the Long Range Plan, existing commitments and initiatives, and recommendations from systems plans and studies. This phase includes adjusting the schedule for an internal call for projects to improve project selection and vetting; including more comprehensive information on the project call sheet and enhancing projects by project evaluation and vetting.
- DDOT Internal Call for Projects – DDOT's annual call for projects begins in June. A new project development form is used to capture the necessary information for the Constrained Long-Range Plan (CLRP) submission, TIP/STIP and obligation plan.
- Initial Prioritization/Ranking – Representatives from across DDOT, including Executive Staff, Senior Management and Project Managers participate in this initial round of project prioritization/ranking of projects based on

established criteria. Project ranking is based on the following criteria: Safety and Security, Mobility (including maximizing operational efficiency and expanding traveler choice to improve quality of alternative modes), Environmental Quality, Asset Preservation/Conditions; and Livability/Prosperous Places. Each project evaluation criterion has a unique definition, rating scale and weight.

- Draft Project List – The draft project list includes projects programmed for implementation over a six-year period with the expectation of receiving federal funds.
- Public Participation – Before entering into the STIP development process, the public is given an opportunity to provide recommendations for projects to be considered for the STIP. This stage of public involvement recognizes community concerns and solicits feedback that assists with the prioritization of projects. Once the internal call for projects has occurred and after the projects have been vetted, a draft project list is developed which contains all projects that will be a part of the STIP. The draft project list is shared with the public to receive feedback on the variety of different projects. DDOT documents relevant comments, and prepares and posts for public review, responses to comments received to ensure that full public participation throughout the STIP development process is achieved.
- Final Prioritization/Ranking – DDOT staff, including executive staff, senior management and project managers participate in the second of two phases of project prioritization/ranking of projects. Project ranking is based on the following criteria: Safety and Security, Mobility (including maximizes operational efficiency and expands traveler choice/improves quality of alternative modes), Environmental Quality, Asset Preservation/Conditions; and Livability/Prosperous Places. Each project evaluation criteria has a unique definition, rating scale and weight. The purpose of this phase is to ensure that comments received from the public are incorporated into the final list of projects.
- Programming – Programming is identifying funding for projects in the STIP/TIP that cover a six-year period. Programming includes providing project-related information such as a description; an approximate cost, phasing and proposed source of funding of the project. Most projects follow a logical phased sequence (e.g.: study, followed by design, followed by construction).
- Final Project List – The final project list is sent to the MPO in response to its call for projects. Projects are submitted in two stages. The first project submission includes projects that affect air quality conformity; the second

project submission is for those projects that do not affect air quality conformity.

XVII. COMPLIANCE AND ENFORCEMENT PROCEDURES

OCR will use information obtained in the annual Program Area Reviews, Title VI complaints and Title VI-related public inquiries received to identify any trends or patterns of discrimination. Additionally, OCR has begun working with DDOT's Office of Information, Technology, and Innovation's GIS team to explore ways to identify any trends or patterns of discrimination in the programs and services DDOT provides to the public. DDOT will make use of various demographic indicators from the census and DDOT data to help determine if any discrimination exists. To begin, DDOT will pull data from the three major services provided in 2015: Pothole Palooza, Alley Palooza, and tree plantings.

If trends or patterns of discrimination are identified, OCR will provide assistance and guidance to the appropriate program administration to eliminate the discrimination by developing a timeframe to correct the discriminatory trend or pattern, and monitor the progress of the corrective action.

Compliance reviews are the principal vehicle used for determining whether sub-recipients are meeting their obligations to ensure nondiscrimination. OCR will conduct compliance reviews on an annual basis or immediately following receipt of a complaint. The reviews may take the form of either a desk-audit or an on-site review. Information gathered during the review process is used to evaluate the sub-recipient's efforts to comply with program requirements and identify deficiencies or violations that require DDOT to take further action. OCR coordinates with the applicable DDOT program office to develop annual schedules for conducting reviews. Priority is given to reviews specifically requested by Federal Highway Administration.

The Progressive Transportations Service Administration (PTSA) has been primarily responsible for conducting compliance reviews of its grant sub-recipients. Compliance reviews focus on determining whether the sub-recipient has met the criteria of FHWA's Title VI Program and how effective the sub-recipient is at ensuring nondiscrimination. PTSA's staff coordinates with Title VI staff from the Office of Civil Rights to review and evaluate the sub-recipient's Title VI Plan and related documents, interviews the grant sub-recipients staff for Title VI compliance, and conducts a site visit as part of the process.