



# Local Agency Federal Highway Administration (FHWA) Title VI Implementation Plan

# [Name of Agency and Department]

# [Date]

# Prepared by: [Name and Job Title]

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## I. TITLE VI/Non-discrimination policy statement

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

This policy applies to all operations of [Local Agency Name], including its contractors and anyone who acts on behalf of [Agency Name]. This policy also applies to the operations of any department or agency to which [Local Agency Name] extends federal financial assistance. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.

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

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

Title VI compliance is a condition of receipt of federal funds. The Title VI Coordinator is authorized to ensure compliance with this policy, Title VI of the Civil Rights Act of 1964, 42 U.S.C § 2000d and related statutes, and the requirements of 23 Code of Federal Regulation (CFR) pt. 200 and 49 CFR pt. 21.

(Top Agency or Department Official) Date

A statement affirming the recipient's commitment to non-discrimination.

## II. Title vi Assurances

Include a signed **DOT 1050.2A Title VI Assurance** form. (Can be attached as an Appendix)

* + - Affirm compliance with Title VI of the Civil Rights Act of 1964 and related statutes.
    - Provide assurance to FHWA that all federally funded programs and activities comply with non-discrimination requirements.

## iii. Organization, staffing, and structure

[Top local agency official] is ultimately responsible for assuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related statutes and has directed that non-discrimination is required of all agency employees, contractors, and agents pursuant to 23 CFR Part 200 and 49 CFR Part 21.

[Local Agency] has created the position of to perform the duties of the Title VI Coordinator and ensure implementation of agency’s Title VI program. The position of is located within [name of department or division].

The Title VI Coordinator is responsible for:

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

Add any other information about the Title VI Coordinator’s responsibilities and/or the agency’s organizational structure, including the Title VI Coordinator’s name, title, and contact information. An organizational chart should be attached as a supplement to this description.

## iv. Title vi Notice to the Public

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

Include the full text of the public notice that:

* + - Explains the public's rights under Title VI
    - Provides information on how to file a complaint
    - States that alternate formats and translations are available upon request
    - Display locations (e.g., website, brochures, transit vehicles, public offices)

### Sample NOTICE

**Your Rights Against Discrimination under Title VI of the Civil Rights Act of 1964**

[Agency] operates its programs and services without regard to race, color, national origin, sex, age, and disability. Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any [Agency] program or activity because of their race, color, national origin, age, sex, or disability may file a discrimination complaint with [Agency] or the California Department of Transportation (Caltrans).

To file a Title VI discrimination complaint, contact:

(Agency contact)

## Vi. title vi Training

The LOCAL AGENCY will provide training on Title VI and its related statutes, including the Executive Order on Limited English Proficiency, for all LOCAL AGENCY employees.

## V. Title Vi Complaint Procedures

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

A step-by-step outline of how Title VI complaints are handled:

* + 1. **How to File**: Describe methods (mail, online, in-person).
    2. **Timeline**: Acknowledge receipt within 10 business days; resolution within 60 days.
    3. **Investigation**: Process for investigating complaints, including interviews and evidence review.
    4. **Decision**: Issue findings to complainant and corrective actions if needed.
    5. **Appeal**: Information on how to appeal decisions.

### Sample PROCEDURES

**[Local Agency] Title VI Complaint Procedures**

The [Local Agency], under Title VI of the Civil Rights Act of 1964, ensures “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” Related federal statutes and state law further discrimination protections to include sex, disability, religion, sexual orientation, age, and Limited English Proficiency (LEP). This prohibition applies to all branches of [Local Agency], its contractors, consultants, and anyone else who acts on behalf of [Local Agency].

The [Local Agency] will make every effort to ensure nondiscrimination in all of its services, programs, and activities, whether they are federally funded or not, and that services and benefits are fairly distributed to all people, regardless of race, color, or national origin (including LEP).

Any person who believes they have been discriminated against based on race, color, or national origin by the [Local Agency] or a sub-recipient, may file a Title VI complaint by completing and submitting a [Local Agency] Title VI Complaint Form. The [Local Agency] processes complaints received no more than 180 days after the alleged incident. The [Local Agency] will only process complaints that are complete, which include the complainant’s contact information, details of the alleged discrimination, and the complainant’s signature.

Once the Title VI complaint is received, the [Local Agency] will determine which federal administering agency has jurisdiction to investigate/process the complaint. Per the Federal Highway Administration (FHWA) Guidance Memorandum, Processing of Title VI Complaints, dated June 13, 2018, all Title VI complaints received by a sub-recipient are to be forwarded to Caltrans to be submitted to the FHWA Division Office. Complaints should be sent within one business day of receipt via email to [Title.VI@dot.ca.gov](mailto:Title.VI@dot.ca.gov). If the Headquarters Office of Civil Rights (HCR) determines a Title VI complaint against a sub-recipient can be investigated by Caltrans, HCR may delegate the task of investigating the complaint to Caltrans.

A person may also file a complaint directly with:

Federal Highway Administration

U.S. Department of Transportation Office of Civil Rights

1200 New Jersey Avenue, SE 8th Floor E81-105

Washington, DC 20590

Caltrans

Office of Civil Rights

Attention: Title VI Branch

P.O. Box 942874, MS 79

Sacramento, CA 94274

Add any other information about the agency’s Title VI complaint process, including where to send completed Title VI complaints. Add links for complaint forms if available.

## VI. Title VI Complaint Log

Maintain a log including:

* + - Complaint filing date
    - Complainant's demographics (if voluntarily provided)
    - Allegation summary
    - Investigation status and findings
    - Resolution or corrective action

## VII. Public Participation Plan

Outline the approach for engaging the public, especially underserved communities:

* + - **Strategies**: Public meetings, surveys, workshops, focus groups.
    - **LEP Outreach**: Translate vital materials and provide interpretation services.
    - **Notification Methods**: Online postings, newspapers, mailings, social media.
    - **Inclusion Measures**: Target outreach to minority and low-income populations.

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

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

## VIII. Limited English Proficiency (LEP) Assessment / Language Assess Plan (LAP)

***Recommended section based on Executive Order 13166 that was revoked by Executive Order 14224***

Provide an LAP addressing:

* + 1. **Four-Factor Analysis**: Assess LEP needs based on:
       - Number/proportion of LEP persons served.
       - Frequency of contact.
       - Importance of the program/service.
       - Resources available.
    2. **Language Access Services**: Translation, interpretation, and staff training.
    3. **Outreach Strategies**: Targeted engagement for LEP communities.

In accordance with Executive Order 13166, “Improving Access to Services For Persons with Limited English Proficiency”, the LOCAL AGENCY will develop an evaluation and implementation program to ensure that Limited English Proficiency (LEP) persons who are served by Federal-aid programs administered by the LOCAL AGENCY are provided, free of charge, meaningful access to programs, services, and information without unduly burdening the fundamental activities of the LOCAL AGENCY.

As appropriate, and absent any existing federal or State requirements, the LOCAL AGENCY will conduct an LEP Needs Assessment using a Four Factor Analysis to identify the need to provide reasonable steps to ensure meaningful access by Limited English Proficiency (LEP) persons to Federal-aid programs administered by the LOCAL AGENCY.

## IX. Title VI Data Collection

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

**Table 1:** Table Name

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

## 

## X. Primary Program Area Descriptions & Internal Title Vi Review Procedures

The (Department/Division Name) engages in the following program areas:

**Table 1:** Table Name

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

Develop a program to conduct internal Title VI reviews of program areas

## XI. External Title VI Reviews / Subrecipient Monitoring

Describe the process for ensuring subrecipients comply with Title VI:

* + - Review subrecipients’ Title VI plans annually.
    - Conduct desk audits or on-site reviews.
    - Provide technical assistance.
    - Document findings and require corrective actions.

Develop a program to conduct external Title VI reviews of sub-awardees.

## VII. Title VI Annual Work Plan (Title VI Accomplishments and Goals Report

The LOCAL AGENCY will develop an annual report of Title VI accomplishments and upcoming goals, including an update to the Title VI Program that reflects organizational policy changes, and a Work Plan Outlining Title VI monitoring and review activities planned for the upcoming LOCAL AGENCY fiscal year.