

What is Title VI of the Civil Rights Act of 1964 and the Title VI Program?

It is the policy of the Virginia Department of Transportation (VDOT) to ensure per 42 USC 200d, 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 subjected to discrimination under a program or activity receiving federal financial assistance.” The Title VI Program is made up of the Title VI Civil Rights Act of 1964 and other related laws including but not limited to:

- **The Civil Rights Restoration Act of 1987**
restores the original broad organizational wide intent to Title VI.
- **The Uniform Relocation Assistance and Real Property Acquisition Act of 1970**
prohibits unfair treatment of persons displaced or whose property will be acquired as a result of a highway project.
- **Section 504 of the Rehabilitation Act of 1973**
prohibits discrimination against persons with disabilities.
- **The 1973 Federal Aid Highway Act**
prohibits discrimination based on sex.
- **The Age Discrimination Act of 1975**
prohibits discrimination based on age.

Environmental Justice

In 1994, President Clinton signed **Executive Order 12898: Federal Action to Address Environmental Justice in Minority Populations and Low-Income Populations**, which focused attention on Title VI by providing that, “each 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 and low-income populations.”



Adverse impact may include:

- The denial of, reduction in, or significant delay in the receipt or benefits of DOT programs, policies, or activities.
- Bodily impairment, infirmity, illness, or death.
- Air, noise, and water pollution.
- Soil contamination.
- Destruction or disruption of man-made or natural resources.
- Destruction or disruption of public and private facilities and services.
- Vibration.
- Adverse employment effects.
- Displacement of persons, businesses, farms, or nonprofit organizations.
- Increased traffic congestion, isolation, exclusion, or separation of minority or low-income individuals within a given community or from the broader community.



Who is a Limited English Proficient Person?

Limited English Proficiency (Executive Order 13166)

The federal government and those receiving assistance from the federal government must take reasonable steps to ensure that persons of Limited English Proficiency (LEP) have meaningful access to the programs, services and activities of those entities. This will require agencies to think “outside the box” for creative solutions to address the needs of this ever growing population of individuals.

Persons who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English can be limited English proficient, or “LEP.”

These individuals may be entitled to language assistance at no cost to them with respect to a particular type of service, benefit, or encounter. The United States Department of Transportation (USDOT) has provided recipients with an assessment tool entitled the “Four Factor Analysis.” The four factors include:

- Demography: number and/or proportion of LEP persons served and languages spoken in a service area.
- Frequency: rate of contact with service or program.
- Importance: nature and importance of program/service to people’s lives (transportation)
- Resources and costs



Public Involvement Authorities

Public Involvement is an integral part of transportation planning and project development.

The three main authorities that enhance public involvement are DOT Order (5610.2), SAFETEA-LU (PL-109-59 Section 6001(135), and NEPA (described in 23 CFR Part 771).

These authorities direct the department to provide minority populations and low-income populations greater access to information and opportunities for public participation that may impact human health and the environment. Pursuant to these authorities, public meetings must be conducted at convenient and accessible locations at convenient times.

How to File A Complaint

You may file a written complaint within 180 days from the date of the alleged discrimination.

The complaint should include:

- Your name, address and telephone number.
- The name and address of the agency, institution, or department you believe discriminated against you.
- How, why, and when you believe you were discriminated against. Include as much specific, detailed information as possible about the alleged acts of discrimination, and any other relevant information.
- The names of any persons, if known, that VDOT can contact for clarity of your allegations.

Your complaint must be signed, dated and submitted to:

Virginia Department of Transportation
Civil Rights Division
1221 East Broad Street
Richmond, VA 23219
Telephone: (804) 786-2085
Toll Free: (888) 508-3737
Fax: (804) 371-8040
(TTY/TDD 711)
VDOT’s Web site: VirginiaDOT.org

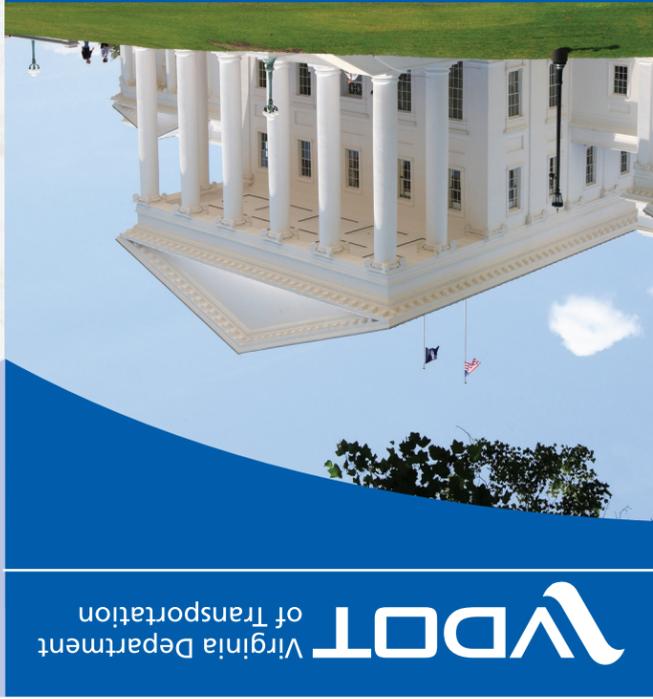
VDOT ensures nondiscrimination and equal employment in all programs and activities in accordance with Title VI and Title VII of the Civil Rights Act of 1964. If you need more information or special assistance for persons with disabilities or limited English proficiency, contact VDOT's Civil Rights Division.

The primary goal of the VDOT Title VI Program is to ensure that all and service beneficiaries are aware of provisions and responsibilities of Title VI and the Civil Rights Act of 1964. VDOT is readily available to provide you with technical assistance, resources, guidance and other information related to Title VI.

Title VI Program Commitment



Title VI
Ensuring non-discrimination under any program or activity receiving federal financial assistance.



VDOT Virginia Department of Transportation

VDOT CENTRAL OFFICE 1221 East Broad Street Richmond, VA 23219 (804) 786-2085	LYNCHBURG DISTRICT 4219 Campbell Avenue Lynchburg, VA 24506 (434) 856-8168
BRISTOL DISTRICT 870 Bonham Drive Bristol, VA 24203 (276) 669-9907	NORTHERN VA DISTRICT 14685 Avion Parkway Chantilly, VA 20151 (703) 383-2341
CULPEPER DISTRICT 1601 Orange Road Culpeper, VA 22701 (540) 829-7523	RICHMOND DISTRICT 2430 Pinelands Drive Colonial Heights, VA 23834 (804) 524-6091
FREDERICKSBURG DISTRICT 87 Deacon Road Fredericksburg, VA 22405 (540) 899-4562	SALEM DISTRICT 731 Harrison Avenue Salem, VA 24153 (540) 387-5453
HAMPTON ROADS DISTRICT 1700 N. Main Street Suffolk, VA 23434 (757) 925-2519	STAUNTON DISTRICT 811 Commerce Road Staunton, VA 24401 (540) 332-7888

For additional copies and information contact:
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(TTY/TDD 711)
VDOT's Web site: VirginiaDOT.org
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Discrimination Prohibited by Title VI and other Laws

There are many forms of illegal discrimination based on race, color, national origin, sex, age and disability that limit the opportunity for low income and minority persons to participate in programs and activities. A federally assisted program recipient cannot directly or indirectly:

- Deny program services, aids, or benefits. Programs and activities include, but are not limited to:
 - Transportation
 - Construction
 - Environmental Services
 - Transportation Planning
 - Location and Design
 - Right of Way and Utilities
 - Asset Management
 - Materials
 - Programming
 - Administrative Services
 - Local Assistance
 - Human Resources
 - Metropolitan Planning Organizations
 - Planning District Commissions
- Provide different services, aids, benefits or provide them in a manner different than they are provided to others; or
- Segregate or separately treat individuals in any matter related to the receipt of services, aids or benefits.

Sub-recipients' Compliance Responsibilities (23 CFR 200)

Sub-recipients are those persons or entities that indirectly receive federal financial assistance to carry out a program or activity. This, in turn, subjects them to Title VI compliance responsibilities. Sub-recipients include localities, consultants, contractors, colleges, universities, metropolitan planning organizations (MPOs), suppliers, and others. Subcontractors and subconsultants are also covered by Title VI irrespective of their tier.

As a recipient of federal financial assistance, sub-recipients must implement a system of procedures, actions and sanctions prohibiting discrimination.

Subject	Action Required
(A) Assurances	<ol style="list-style-type: none"> Submit signed nondiscrimination assurances. Certify that discrimination based on sex will be proscribed in assurances.
(B) Civil Rights Unit	<ol style="list-style-type: none"> Establish an adequately staffed Civil Rights unit with a Title VI Coordinator.
(C) Title VI Coordinator's Responsibilities	<p>General</p> <ol style="list-style-type: none"> Have access to head of agency/firm. Monitor Title VI activities and prepare required reports. Provide training. Submit implementation plan to VDOT. Develop Title VI information for dissemination (where appropriate, in other languages). Prepare an annual accomplishment report. <p>Establish Procedures</p> <ol style="list-style-type: none"> To promptly investigate complaints. To identify and eliminate discrimination. To review programs and sub-recipients. To resolve deficiencies within 90 days. To collect and analyze statistical data. <p>Conduct Reviews</p> <ol style="list-style-type: none"> Of program – with program personnel. Of sub-recipients. Of special emphasis areas. Of grant/award applications