



District Department of Transportation

Title VI Implementation Plan

Federal Highway Administration

FFY 2020



GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF TRANSPORTATION



TITLE VI PROGRAM IMPLEMENTATION PLAN

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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, as amended.

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 Program Implementation Plan and submit to FHWA every year, 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 program implementation plan for FFY 2019.

DDOT’s Mission, Vision and Core Values

The mission of the District of Columbia government's Department of Transportation (DDOT) is to enhance the quality of life for District residents and visitors by ensuring that people, goods, and information move efficiently and safely with minimal adverse impact on residents and the environment.

DDOT manages and maintains transportation infrastructure. The Department:

- Plans, designs, constructs, and maintains the District's streets, alleys, sidewalks, bridges, traffic signals, and street lights;
- Manages and makes improvements to the street system to facilitate traffic flow through the District of Columbia;
- Partners with the Department of Public works to manage the removal of snow and ice from the streets; and
- Coordinates the District's mass transit services, including the 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

The District Department of Transportation (DDOT) is committed to achieving an exceptional quality of life in the nation's capital through more sustainable travel practices, safer streets and outstanding access to goods and services.

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, among 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. ORGANIZATION, STAFFING, AND COORDINATION

A. Organization

DDOT’s Office of Civil Rights (OCR) administers the agency’s civil rights compliance and monitoring programs. 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 within the Transportation Equity and Inclusion Division (see Appendix C). 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.

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

Transportation Equity and Inclusion

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

Chief of Staff

- Safety and Security

Chief Administrative Officer

- Administrative Services
- Resource Allocation
- Davis-Bacon
- Contracts and Procurement
- Office of Chief Financial Officer

Chief Performance Officer

- IT
- Customer Services Clearinghouse
- Performance Management
- Support Services

Chief Operations Officer

- Parking and Ground Transportation
- Urban Forestry
- Public Space Regulation
- Maintenance
- Traffic Operations and Safety

Chief Project Delivery Officer

- Infrastructure Project Management
- Planning and Sustainability
- Transit Delivery

- Traffic Engineering and Safety

Chief External Affairs

- Public information
- Community Engagement
- Policy & Legislation
- Vision Zero

One of OCR's staff members serve as the agency's Title VI Coordinator (Coordinator) and is responsible for the development and implementation of the Title VI program, coordination of compliance activities across program areas, complaint processing and compliance monitoring. The Coordinator is authorized to ensure compliance with the provisions of DDOT's non-discrimination policy and with the law. When needed, through DDOT's Transportation Equity and Inclusion Officer, the Coordinator will have easy access to the Agency's Director to discuss Title VI matters (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 four 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
Tyra Redus	Transportation Equity and Inclusion Officer	Oversees and manages OCR programs and staff
Andrea Jackson	Manager	Small Business Inclusion Office Manager
Vacant	Equal Employment Opportunity Specialist	DBE Program/DBE Certification Specialist
Janae Letterman	OJT Program Manager and DBE Support Services	DBE Supportive Services/OJT Program Manager
Vacant	EO Local & Federal Compliance Officer	DBE Program Compliance Officer
Karen Randolph	Title VI/Language Access Coordinator	Title VI Program/Language Access Program
Luisa Nguyen	Equal Opportunity Specialist	Title VII Program Specialist

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

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

- IV. On-the-Job Training Program
- V. 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 regarding Title VI program requirements, OCR formed the Title VI Implementation Committee. 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, the Title VI Coordinator 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 support from the Title VI liaisons, helps 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/Language Access Coordinator	Office of the Director, Office of Civil Rights (OCR)
Deborah Williams	Customer Relations Division	Public Space Regulations Division (PSRD)
Gilberto Solano	Transportation Compliance Manager	Planning and Sustainability Division (PSD)
Alberta Paul	Communication Specialist	Infrastructure Project Management Division (IPMD)
Jama Abdi	Program Manager	Traffic Operations & Safety Division (TOSD)
Howard Chang	Transportation Planner	Transit Delivery Division (TDD)
Earl Eutsler	Supervisory Forester	Urban Forestry Division (UFD)
Ravindra D. Ganvir	Right-of-Way Officer	Infrastructure Project Management Division (IPMD)

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, and through feedback from the public at meetings, hearings and events. Documents that support project development decisions are made available to the public; public comments received are reviewed and considered.

As part of the Title VI monitoring program, the Title VI Coordinator performs annual Program Area Reviews (PAR) each year focusing on a specific program or programs within

the department. This section defines the review process.

Program Area Review Procedures

- **Notifications**

Each year, the Title VI Coordinator disseminates a Title VI Questionnaire to be completed by each Program Area (see Appendix D). 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. Any findings of deficiencies with recommendations for improvement are sent via electronic mail to the Associate Directors and Title VI Implementation Committee liaisons.

- **Findings**

The Title VI Coordinator reviews the questionnaires for completeness, and identifies and addresses areas of accomplishments, concerns, trends and/or shortfalls concerning Title VI compliance. If deficiencies or potential violations are identified, the Title VI Coordinator works with the appropriate Program Area Manager, to obtain an understanding of why certain actions were taken, evaluate the information and data, and provide technical assistance to collaboratively address the deficiencies or potential issues in a manner that achieves voluntary compliance.

If a trend or pattern of discrimination is identified in a particular area, the Title VI Coordinator will fully evaluate and assess the observed issue and notify the Transportation Equity and Inclusion Officer. OCR will then work with the appropriate Program Area Manager and Title VI liaison to develop a corrective action plan 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.

- **Follow Up and Monitoring**

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

Reviews are conducted on the following key program areas as it relates to Title VI:

A. Project Delivery

The Program Area Review key focus Divisions in the Project Delivery Administration

include: Infrastructure Project Management, Planning & Sustainability, and Transit Delivery.

1. Infrastructure Project Management Division

The Infrastructure Project Management Division (IPMD) 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. IPMD also manages special construction projects and all roadway assets. Also housed within IPMD 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 comply 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.

2. *Planning & Sustainability Division*

Planning and Sustainability Administration (PSA) 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.

3. *Transit Delivery Division*

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

TDD 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.

B. Operations

The Operations Administration is responsible for maintaining the District's infrastructure assets including roads, bridges, alleys, sidewalks, streetlights, tunnels, traffic signals, signs, and parking meters, providing traffic safety control, reinsuring traffic, managing public space and on-street parking regulations, managing the urban forestry program, and conducting snow removal operations. The Program Area Review key focus Divisions include: Urban Forestry, and Public Space Regulation.

1. *Urban Forestry Division*

The Urban Forestry Division (UFD) 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. UFD focuses on two areas: Program Operations and Field Operations. The Program Operations

area provides educational information to District residents about the benefits of growing trees and encourages planting of appropriate tree species. The Field Operations area 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.)

2. *Public Space Regulation Division*

The Public Space Regulation Division (PSRD) 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. PSRD conducts technical reviews, provides comments on public space permit applications, and processes 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 PSRD. 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.

C. Performance

This administration is responsible for the agency's performance management and ensures performance metrics are adequately measured, tracked, and reported and reflect the Agency's programs, activities, and services. It supports the provision of information technology to improve operations and services; provides direct customer service through the call center and community engagement; and supports the maintenance of facilities, warehouse, and fleet for the Department. The Performance Area Review key focus Divisions include: Information Technology, and the Customer Service Clearinghouse.

1. *Information Technology*

The Information Technology group (IT) plans, develops, manages, and provides information technology-related services to DDOT and ensures those services are aligned with the agency's strategic goals and objectives and supports operations and service delivery. Other responsibilities include: designing, building, deploying custom web applications, providing GIS advanced data analytics and data management support for all DDOT administrations, and providing hardware and software support for all DDOT users. IT is also responsible for supporting and maintaining all telecom devices and supporting all hardware and software resources of the DDOT network.

Title VI Responsibilities:

- Ensure transparent and equal access of all DDOT information, services and programs.

2. Customer Service Clearinghouse Division

The Customer Service Clearinghouse Division includes the Call Center which answers calls directly from the public or receives calls transferred from the District's 311 system, and the Clearinghouse which manages all written correspondence from the public. The purpose of the division is to implement the Mayor's customer service standards so that customers can access and receive DDOT services in a satisfactory, professional, responsible, and timely manner.

Title VI Responsibilities:

- Collect and provide OCR with LEP/NEP encounters data for live encounters with DDOT Customer Service staff.
- Collect and provide OCR with LEP/NEP encounters data via use of the Language Line service.
- Collect and make available to DDOT race and age data for services received via the District's 311 Call Center.

D. External Affairs

The purpose of the External Affairs Office is to maintain visibility regarding public and internal communications; government affairs; coordinate routine and special communications; ensure accurate, useful, timely, synchronized, targeted communication; and provide continuous messaging to the public, the media, and other stakeholders. The Performance Area Review key focus Divisions for External Affairs include: Public Information and Community Engagement.

1. Public Information Division

Directly housed within the OD is the Public Information Division (PID). PID 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 Division 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.

2. *Community Engagement Division*

The Community Engagement Division is responsible for coordinating, assessing, and helping to address community and ANC requests, educating ANCs and communities on the status of DDOT projects and service requests, and identifying strategic and routine actions for DDOT to take in order to build community support for the District's transportation infrastructure projects and program initiatives.

Title VI Responsibilities:

- Collecting and reporting to OCR demographic data at DDOT-sponsored public meetings via the Public Involvement Questionnaire. Collecting language access data via live and phone encounters with LEP/NEP individuals.

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. If a trend or pattern of discrimination is identified in a particular area, the Title VI Coordinator will 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 complying 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 (see Appendix E). 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 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. In such situations, 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 that will be based on current Title VI regulations. If an investigation is conducted, the Title VI Coordinator will submit a written report regarding each complaint and its investigation and submit it 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 Equity and Inclusion Division, 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. The documents can be submitted to the applicable DDOT Program Manager 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 conducts compliance reviews as resources allow 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. In FY 2020, OCR will partner with FHWA to conduct a compliance review on the Metropolitan Washington Council of Governments.

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 Liaisons to manage the data collection process and identify strategies for integrating these requirements into existing activities and procedures.

OCR has been working with OITI's GIS and Applications Manager, and DDOT's Customer Services Division to collect and analyze the data needed to ensure that DDOT is providing opportunities and services to address the transportation needs of 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 is also 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 plans to 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 way 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 based on 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 LEP Encounters Data 	<ul style="list-style-type: none"> As requested Quarterly

Infrastructure Project Management Division (IPMD)

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"> Three weeks after meeting/event Three weeks after meeting/event
	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"> Three weeks after meeting/event Three weeks after meeting/event Three weeks after meeting/event
	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 LEP/NEP Live Encounters Data 	<ul style="list-style-type: none"> Three weeks after meeting/event Three weeks after meeting/event Quarterly Quarterly

Planning and Sustainability Division (PSD)

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 Census 	<ul style="list-style-type: none"> As requested by OCR
	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"> Number of Live Encounters by DDOT staff Language Line Data 	<ul style="list-style-type: none"> Quarterly Quarterly
	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"> Three weeks after meeting/event Three weeks after meeting/event Three weeks after meeting/event
	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

Transit Delivery Division (TDD)

Title VI Compliance Areas	Data Collected by Program Area	Method of Reporting	Reporting Period
<ul style="list-style-type: none"> Project Development Service Operations 	Demographic data on program beneficiaries	<ul style="list-style-type: none"> Title VI Public Event Form Title VI Public Involvement Form for Meeting Attendees Census 	<ul style="list-style-type: none"> Three weeks after meeting/event Three weeks after meeting/event As Requested
	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"> Three weeks after meeting/event Three weeks after Meeting/event Three weeks after meeting
	Language access data on program beneficiaries	<ul style="list-style-type: none"> Language Line Data Live Encounters Data 	<ul style="list-style-type: none"> Quarterly Quarterly

Public Space Regulations Division (PSRD)

Title VI Compliance Areas	Data Collected by Program Area	Method of Reporting	Reporting Period
<ul style="list-style-type: none"> Public Space Inspections 	<ul style="list-style-type: none"> Public Space Inspection Activities 	<ul style="list-style-type: none"> Monthly Inspection Activities Reports (Notice of Violation/Stop Work Order) 	<ul style="list-style-type: none"> As Requested
<ul style="list-style-type: none"> District Transportation Online Permitting System (DTOPS) 	<ul style="list-style-type: none"> Public Space Permit Activities 	<ul style="list-style-type: none"> Public Space Permit Reports 	<ul style="list-style-type: none"> As Requested
<ul style="list-style-type: none"> Customer Service 	<ul style="list-style-type: none"> LEP/NEP Customers 	<ul style="list-style-type: none"> Encounters Data 	<ul style="list-style-type: none"> Quarterly

Urban Forestry Division (UFD)

Title VI Compliance Areas	Data Collected by Program Area	Method of Reporting	Reporting Period
• Project Development	• Tree Planting Data	• DDOT website http://ddot.dc.gov/page/tree-planting-ddot-trees	• Continuously assessable on website
• Service/Maintenance	• Tree Service Data	• DDOT website http://ddot.dc.gov/page/tree-planting-ddot-trees	• Continuously assessable on website
	• Customer Service Requests	• Service Request Performance Report	• As requested

Sub-recipients

As resources allow, OCR will work with the Office of Contracting and Procurement, and applicable program areas to 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. As time allows, OCR will determine a schedule for reviewing sub-recipient's compliance with Title VI. OCR will work with those program areas with existing procedures for reviewing sub-recipient/sub-grantees that are independent of OCR activities, to report such data to OCR.

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 accessible and inclusive public involvement in all agency projects. As a recipient of federal financial assistance, DDOT is required to “develop and use a documented public involvement process that provides opportunities for public review and comment at key planning decision points” (23 CFR §450.210). DDOT strives to exceed these regulations through early, continuous, and transparent public outreach, engagement, and involvement. Successful public involvement engages communities, produces projects that address neighborhood needs and desires, and builds trust between DDOT and neighborhoods impacted by DDOT plans and projects. In May 2019, DDOT finalized and received approval from FHWA on its public involvement plan. The plan is now posted on DDOT’s website at: <https://ddot.dc.gov/page/public-involvement-plan> (see Appendix F).

DDOT’s Public Participation Process

DDOT has a proactive public involvement process providing opportunities for the public to submit comments before key transportation plans and programs are finalized. DDOT has procedures in place to inform the public about how, when, and where they may participate. DDOT’s public involvement process strives to do the following:

- Provide complete information about DDOT’s activities;
- Provide timely public notification;
- Allow full access to key decision-makers;
- Provide early and continuing involvement in the development of transportation plans and programs;
- Provide outreach programs for all stakeholders;
- Address Title VI and Environmental Justice provisions; and
- Provide 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 to engage the public in the decision-making process and solicit 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.

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 provides notice of public hearings and public informational meetings 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/NEP and disabled individuals when requested. The Office of Civil Rights provides language and American Sign Language (ASL) interpreters when requested. DDOT also accommodates for individuals without transportation by scheduling meetings during times when public transit and para-transit services are operating or tries to make special arrangements when requested to ensure that individuals have an opportunity to access transportation to meetings.

Outreach Events

DDOT public outreach events are held at a variety of accessible location types, including schools, community centers, transit stops, and festivals. 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 to allow for one-on-one interaction.

On occasion DDOT may partner with community-based organizations to help promote outreach events, distribute materials, and develop deeper relationships with the communities it serves. DDOT also promotes events in ethnic and non-English language media.

Language Line interpretation service is offered for LEP/NEP constituents requesting assistance by phone or in-person at DDOT offices. “I Speak” cards are also available 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.

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 advocating for minority and/or low-income communities that may be 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, and African Affairs to distribute information to LEP/NEP 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.

Public Education

DDOT makes an effort to inform the public on available resources, programs and activities by ensuring that outreach information is 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 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

Statistical Information: DDOT Public Involvement Overview 2018-2019

From September 23, 2018 to September 21, 2019, DDOT hosted and attended 444 public involvement 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 (Table 2).

**Table 1 - Public Meetings Hosted and Attended
September 23, 2018 - September 21, 2019**

Hosted or Attended	Public Outreach Events
Total Hosted	78
Total Attended	366
Total Reported	444

**Table 2 - Public Meetings/Events by Ward and Demographics
September 23, 2018 –September 21, 2019**

Ward	Public Outreach Events	Minority (%) 2012-2016 ¹	Poverty Rate (%) 2012-2016 ¹
One	19	46.6%	13%
Two	78	27%	13.9%
Three	65	20%	8.4%
Four	76	71.4%	11.2%
Five	43	76.1%	17.2%
Six	60	41.8%	13.1%
Seven	61	97.3%	26.6%
Eight	42	94.4%	35.7%
DC Average	55.5	59.3%	17.4%

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 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

¹ American Community Survey 2017 Five Year Estimates (most recent)

plan. As required by DC Law 15-167, the *DC Language Access Act of 2004*, DDOT develops a Biennial Language Access Plan (BLAP). The BLAP is submitted to the District Office of Human Rights (OHR) on a biennial basis for review and approval. Requirements of the BLAP are 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, Federal Highway Administration, Office of Civil Rights - April 13, 2007*.

DDOT submits its BLAPs electronically into OHR's Language Access Database through the District's QuickBase software application system. DDOT has received approval from OHR on its action plan for FY 2019-2020. A copy of the electronic version of DDOT's 2019-2020 BLAP is included in the attached to this document (see Appendix G). DDOT actively partners with OHR to ensure continual BLAP compliance with the *DC Language Access Act of 2004*. The BLAP meets the standards set by FTA for a state DOT Language Access and Assistance Plan.

B. Limited English Proficiency Plan

The District of Columbia's LEP plan 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 its programs and services to meet the needs of the LEP communities in the District. A copy of DDOT's September 2019 Limited English Proficiency Plan is included in Appendix H.

C. Language Access Policy

The purpose of DDOT's Language Access Policy is to ensure that DDOT's programs and services meet the requirements of DC Law 15-167, the *Language Access Act of 2004*. DC Law 15-167, enacted on April 21, 2004, seeks to promote greater public access and participation in government services, programs, benefits and activities for customers with limited or non-English proficiency. D.C. Official Code § 2-1931 designates DDOT as a covered entity under this law. As such, DDOT must provide equal access to programs and services to all persons living in, working in, or visiting the District of Columbia, regardless of their ability to speak English.

In August 2017, DDOT revised its Language Access Policy in accordance with the *DC Language Access Act of 2004*. The policy is currently being revised based on comments received from the District Office of Human Rights. The policy supports standards set by FHWA and FTA for a state DOT language access program. The August 2017 draft policy is included in Appendix I.

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 drive 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 protected categories.

DDOT has established standards to address and identify Environmental Justice (EJ) impacts under the National Environmental Policy Act (NEPA) umbrella law for all DDOT related projects. These standards are briefly discussed below and are 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 in conjunction with FHWA to conduct an Environmental Assessment (EA) for the proposed Benning Road and Bridge Multi-Modal Transportation Improvements,

per the requirements of the NEPA. The project in addition to other applicable laws will also meet the requirements of Title VI of Civil Rights Act and Executive Order (EO) 12898 on Environmental Justice. 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 (USGT) Improvements Project

Preparation of the USGT NEPA document has been indefinitely suspended.

- 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. In addition to other applicable laws the project will also meet the requirements of Title VI of Civil Rights Act and Executive Order (EO) 12898 on Environmental Justice. The purpose of the proposed action is to rehabilitate Broad Branch Road to satisfy operational and safety needs in a manner keeping with the setting of the project area. Context sensitive solutions will consider 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

DDOT partnered with the FHWA to prepare an EA according to the requirements of NEPA. It was determined that the preferred alternative for the Pennsylvania and Potomac Avenues SE Intersection Improvement Project would not have a significant impact on the natural, human, or built environment as defined by the CEQ. The Finding of No Significant Impact (FONSI) was based on the findings of the proposed project's Final EA and comments submitted during preparation of the EA. The final EA was evaluated by the FHWA and it was determined to adequately discuss the need, environmental issues and impacts of the project with the appropriate mitigation measures. The EA was approved by the FHWA on November 8, 2017.

- Southeast Boulevard Environmental Assessment

The District Department of Transportation (DDOT) and the Federal Highway Administration (FHWA) have resumed efforts to complete an Environmental Assessment (EA) for the proposed rehabilitation of an approximately half-mile portion of Southeast Boulevard, the site of the former Southeast Freeway, from the 11th Street Bridge to the west to and including Barney Circle to the east in Southeast Washington, DC. The Southeast Boulevard and Barney Circle NEPA, Section 106, and Section 4(f) Evaluations also include the evaluation of potential effects to cultural resources in accordance with Section 106 of the National Historic Preservation Act of 1966. In addition to other

applicable laws, the project will also meet the requirements of Title VI of Civil Rights Act and Executive Order (EO) 12898 on Environmental Justice.

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 (e.g., removal of many affordable housing units so that there is no longer a enough 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 enough data and information are generated to evaluate the potential effects. Prior to the full-scale scoping process, public outreach strategies should be developed.

If 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

Office of Civil Rights Staff

Title VI DDOT Training

Per CFR 200.9(b)(9), FHWA requires its recipients to provide Title VI training to their employees to ensure that all DOT programs are implemented in compliance with Title VI of the Civil Rights Act of 1964. To ensure DDOT compliance with CFR 2009.(b)(9), OCR administers its Title VI training to DDOT staff online through *PeopleSoft* (an integrated software system that assists in the daily operation, execution and tracking of processes such as training, leave, pay, etc.). All DDOT managers and designated staff are required to complete the training. Training is self-paced and evaluated on a Pass/Fail basis. *PeopleSoft* tracks and records names of all employees who complete the training. From January 2018 through September 2019 a total of 359 DDOT managers and staff completed the online Title VI training.

OCR Title VI Staff Training

Title VI staff participate in training activities related to civil rights statutes and Title VI compliance requirements, enforcement policies and procedures.

During FY19 - FY20, Title VI staff participated in the following Title VI-related training courses:

1. On November 13, 2018, the Title VI Coordinator participated in *Ethics* training given specifically to DDOT's Equity and Inclusion team, facilitated by DDOT's Office of General Counsel. The training provided a basic framework to address general information regarding ethics in the District of Columbia government.
2. On February 5, 2019, the Title VI Coordinator participated in the FHWA-facilitated Title VI Complaints webinar. The webinar focused on the requirements associated with routing, processing, and investigating Title VI-based complaints of discrimination. The presentation included an overview of how complaints are filed, how to appropriately process and route complaints filed against State DOTs and subrecipients, and the investigative procedures and standards processes.
3. On March 6, 2019, the Title VI Coordinator attended the Language Access training for DDOT employees. This training covered LEP/NEP sensitivity, discussed the use of DC's Language Line and other tools to better communicate with LEP/NEP customers effectively. The training was conducted by staff from the DC Department of Human Rights.
4. On March 12, 2019, the Title VI Coordinator participated in the FHWA-facilitated webinar, *Title VI Implementation Plans*. This webinar focused on the requirement that State DOTs shall annually submit an updated Title VI implementation plan to FHWA for approval. An overview was given on the various elements associated with the plan, including: Standard USDOT Title VI Assurances, Organization and Staffing, Program Area Review Procedures, Sub-recipient Review Procedures, Data Collection, Training, Complaint Procedures, Dissemination of Title VI Information, Limited English Proficiency, Review of STA Directives, and Compliance and Enforcement Procedures.
5. On April 10, 2019, the Title VI Coordinator participated in the FHWA-facilitated webinar, *Title VI Data Collection and Analysis* webinar. This webinar focused on how State DOTs develop effective procedures for the collection and analysis of data for both for programs and projects. The presentation included an overview of appropriate data sources for collecting various types of data and how to conduct basic analyses with the collected data.
6. On April 23, 2019, DDOT's Title VI Coordinator and FHWA's Civil Rights Program Manager partnered with the Census Bureau to present to DDOT employees a seminar on how to use various census data for DDOT transportation planning and outreach efforts. Joe Quartullo, Data Dissemination Specialist with the Census Bureau, conducted the presentation and provided a hands-on training using the American Community Survey and Census tools to get data for the

DC/metropolitan DC/MD/VA area. Among other things, he demonstrated how to obtain track level LEP language data.

7. On July 16-18, 2019, the Title VI Coordinator attended the 10th Annual National Civil Rights Training Conference for Airports, sponsored by the Federal Aviation Administration. Speakers at this conference provides updates and hands-on training on general and airport-specific civil rights requirements related to the American Disabilities Act and Accessibility Program, the Disadvantaged Business Enterprise Programs, as well as the Title VI Program (including EJ and LEP).

Language Access Training

During the FY19-FY20, DDOT partnered with the DC Office of Human Rights (OHR) to sponsor four(4) Language Access training sessions for 156 employees. The training sessions were held at 55 M Street, SE, Washington, DC.

XIV. TITLE VI COMPLAINT PROCEDURES

Overview

DDOT's Title VI 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. Non-transit related Title VI complaints that identify DDOT or a DDOT sub-recipient as the respondent will be forwarded to the Federal Highway Administration (FHWA) per FHWA memorandum dated June 13, 2018, *Processing of Title VI Complaints* (see Appendix J). Transit related complaints filed against DDOT or a DDOT sub-recipient will be forwarded to the Federal Transit Administration.

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 K 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 L, 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 based on 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 M). 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, 7th Floor, Washington, DC 20003.

D. Status of Complaints/Investigations/Reviews

DDOT has not received any transit-related Title VI complaints in the last seven 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 apprises 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 include 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 complaint form, and contact information for filing complaints and requesting additional information

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 K and M respectively). DDOT’s Title VI brochure also contains information on complaint procedures and is disseminated as identified above.

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 N). 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, 7TH Floor, Washington, DC, 20003.

Posters

Title VI posters with notices of rights under Title VI are displayed in prominent locations throughout DDOT facilities (see Appendix O for a copy of the poster).

- 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.
- PSRA/DCRA, Permit Office, 1100 4th Street S.W.
- TOA, Warehouse, 1735 15th Street N.E.
- Annex 8– 280 McMillan Drive, NW
- Annex 9– 350 McMillan Drive, NW
- DC Streetcar – 2550 Benning Road, NE
- DC Streetcar Testing & Commissioning – 2860 S Capitol Street, SE

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 events;
 - 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 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 uses information obtained in the annual Program Area Reviews, Title VI complaints and Title VI-related public inquiries to help identify any trends or patterns of discrimination. Additionally, DDOT's Office of Information, Technology, and Innovation's GIS team assists OCR by making data available to help identify any trends or patterns of discrimination in the programs and services DDOT provides to the public. DDOT also uses various demographic indicators from the census and DDOT data to help determine if any discrimination exists.

If trends or patterns of discrimination are identified, OCR will provide assistance and guidance to the appropriate program administration on how 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 conducts compliance reviews as resources allow or immediately following receipt of a complaint. The reviews may take the form of either a desk-audit and/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.