

Survey Results

2. Which division do you work in?

[More Details](#)

● Metro Transit	10
● Environmental Services	2
● MTS	2
● Community Development	1
● Regional Administration	2



7. What aspects of Title VI are you most involved in?

[More Details](#)

● Transportation	5
● Right of Way	0
● Communication	5
● Contracting	1
● Other	5

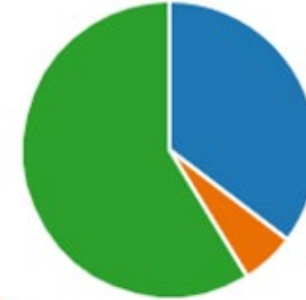


More Results

8. Do you feel confident in your department's Title VI requirements?

[More Details](#)

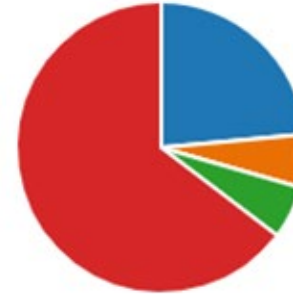
● Yes	6
● No	1
● Unsure	10



11. If your department manages communications and marketing, do you have procedures for providing translated materials?

[More Details](#)

● Yes	4
● No	1
● Unsure	1
● N/A	11



12. If your department manages communications, marketing, or conducts community engagement, do you ensure meeting notices are available in alternative formats and languages?

[More Details](#)

● Yes	5
● No	1
● Unsure	3
● N/A	8



Title VI Overview

Fadumo Mohamed, ADA & Title VI Intern,
OEEEO

What is Title VI?

- Under the Title VI section of the Civil Rights Act of 1964, any agency receiving federal money cannot discriminate on the basis of **race, color** or **national origin**.
- Provides clarification between Environmental Justice (EJ) and Title VI.
- Sets forth the requirements for all FTA recipients and provides specific requirements for MPOs, states, and transit providers.

Why is this Important?

- Title VI is a powerful legal tool to hold agencies accountable for the downstream impacts of their decisions on BIPOC (Black Indigenous People of Color) communities
- It is also one of the few enforceable civil rights laws that covers environmental actions.

FTA Title VI Department Responsibilities

- Maintaining all contract requirements, and sub-recipients
- Environmental Justice policy guidance for federal transit administration recipients
- Collect records on recipient to subrecipient monitoring/compliance
- Maintain a required Language Assistance Plan

Contractors vs. Subrecipients

Contractors

- Contractors are not required to prepare or submit Title VI Programs but must follow the TVI Program of the agency they are contracting with.
- Recipients are responsible for ensuring that contractors are following the Title VI Program and complying with Title VI.

Subrecipients

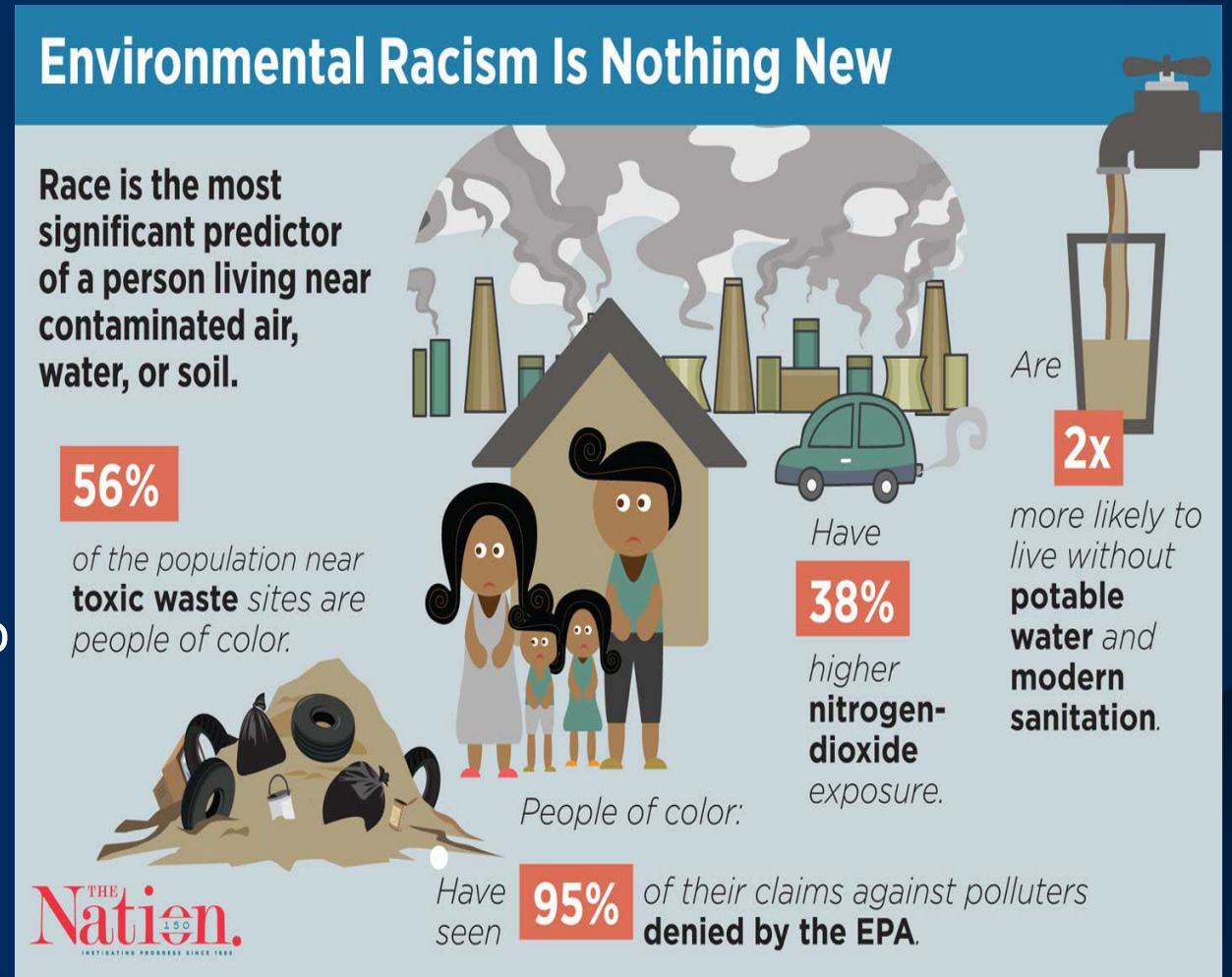
- All subrecipients must have Title VI Programs
- The size of the bus fleet at peak times and the Urbanized Area determines the scope of the Title VI program
- Smaller subrecipients can utilize materials and various aspects of the primary recipient's plan based on staffing and funding levels

Recipient to Subrecipient Monitoring & Compliance

- Primary recipients must monitor subrecipients
- Non-compliant subrecipient means primary recipient is also non-compliant
- Primary recipients shall:
 - Document process for ensuring all subrecipients are complying with the general and specific requirements
 - Collect and review subrecipient's Title VI Program
 - At FTA's request, the primary recipient shall request that subrecipients who provide transportation services verify that their level and quality of service is equitably provided

What does Title VI have to do with environmental and health protections?

- States, cities and businesses receive money from the U.S. Environmental Protection Agency for a variety of services.
- They cannot receive that money and pollute in ways that would have an unjustified, unequal impact on the basis of color, national origin, and Race.
- This is **important** because BIPOC communities have been, and continue to be, disproportionately exposed to environmental hazards due to regulatory decisions made by states, cities and corporations.



Executive Order of 1994 EO 12898

- A presidential executive order ensuring the environmental equity of BIPOC and low-income populations.
- **Purpose:** To identify and address the disproportionately high adverse human health & environmental effects of their actions on BIPOC and low-income populations
- **Is this optional:** No! This is a requirement that all FTA participating programs must implement



Examples of Executive Order (EO) 12898

- In 2011, the EPA's Office of Civil Rights issued its first and only preliminary finding of discrimination in a case filed by parents of Latino students in California.
- The complaint alleged that agricultural pesticides were being used more heavily around schools with high minority student populations, subjecting the students to greater health risks.
- David Garcia of Oxnard was 14 when his mother, Maria, joined the civil-rights complaint against the California Department of Pesticide Regulation in 1999.

Executive Order 13166 addressing Limited English Proficiency

- **What is Executive Order (EO) 13166?** Those who are LEP should have meaningful access to federally conducted and federally funded programs.
- **Who is LEP?** Individuals who don't speak English as a primary language may be entitled to language assistance with respect to a particular type or service, benefit, or encounter.
- **Why is this important:** It provides meaningful access to spaces, information, knowledge, and society.

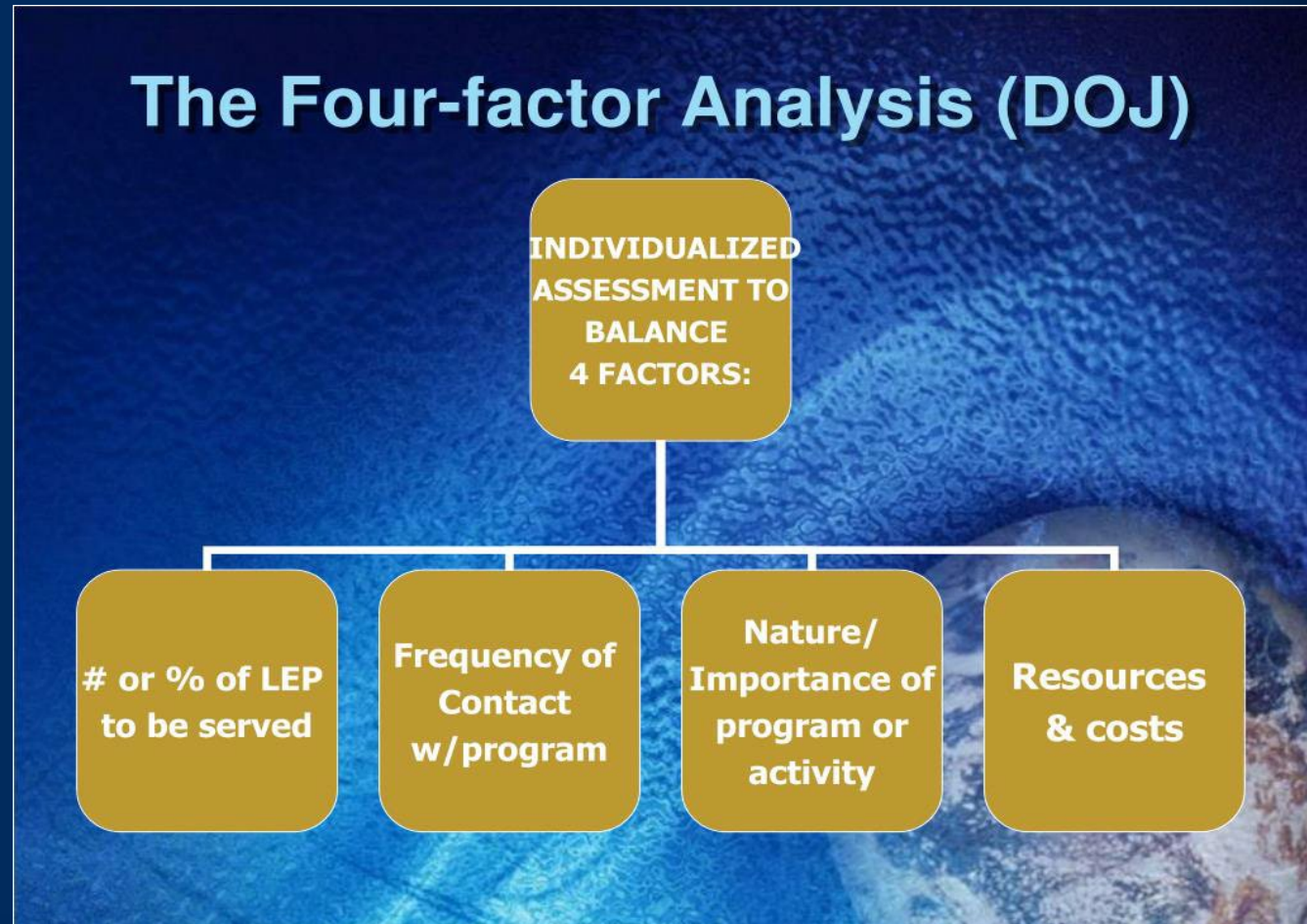


Examples of Executive Order (EO) 13166

- The U.S. Environmental Protection Agency has preliminarily ruled that the Missouri Department of Natural Resources is in violation of Title VI under the 1964 Civil Rights Act
- Federal investigators found that the state agency failed to comply with several nondiscrimination requirements. As well as provide LEP with alternative documentation
- Missouri Department of Natural Resources, or DNR issued an extension of an operating permit for a fuel transport site run by the energy infrastructure company Kinder Morgan.

LEP 4-Factor analysis

- 1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.
- 2. The frequency in which LEP persons comes into contact with the program.
- 3. The nature and importance of the program, activity, or service provided by the program to people's lives
- 4. The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach



Language Assistance Plan Requirements

- Flexible but at a minimum the LEP plan shall include:
 - Results of Four Factor Analysis, including a description of the LEP population(s) served
 - Describe how the recipient provides language assistance services by language
 - Describe how the recipient provides notice to LEP persons about the availability of language assistance

Questions?