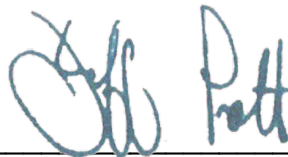


PUBLIC **VENTURA COUNTY** **WORKS**

VENTURA COUNTY
2021



Jeff Pratt
Director, Public Works Agency



David Fleisch
Title VI Coordinator

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Title VI

The Ventura County Public Works Agency (VCPWA) has adopted a Plan to ensure compliance with the provisions of Title VI of the Civil Rights Act of 1964. Title VI prohibits discrimination on the basis of race, color, or national origin in programs or activities receiving federal financial assistance.

Federal-aid recipients, subrecipients and contractors are required to prevent discrimination and ensure nondiscrimination in all their programs, activities, and services whether these programs, activities and services are federally funded or not. The VCPWA's Title VI Coordinator is responsible for providing leadership, direction, and policy to ensure compliance with Title VI.

I. Non-Discrimination Policy

It is the policy of VCPWA that no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under, any program or activity receiving federal funds on the grounds of race, color, national origin, sex, age, disability, or income, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Federal-aid Highway Act of 1973, Age Discrimination Act of 1975, the Americans with Disability Act of 1990, Section 504 of the Rehabilitation Act of 1973, Executive Order 12898 and Executive Order 13166.

II. Authorities

Title VI of the 1964 Civil Rights Act provides: "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." 42 U.S.C. 2000d. 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, subrecipients, and contractors, whether such programs and activities are federally assisted or not.

III. Title VI Plan Organization and Staffing

Agency Administrator

Jeff Pratt, Director
Ventura County - Public Works Agency
Phone: (805) 654-2073
Email: Jeff.Pratt@Ventura.org

The Director of the VCPWA, Jeff Pratt (Agency Administrator) is responsible to ensure compliance with provisions of VCPWA's policy of non-discrimination and applicable laws. The Agency Administrator shall appoint a Title VI Coordinator to perform Title VI functions.

Title VI Coordinator

David Fleisch – Assistant Director
Ventura County - Public Works Agency
Phone: (805) 654-2373
Email: David.Fleisch@Ventura.org

The Agency Administrator has appointed David Fleisch, Assistant Director, to perform the duties of the Title VI Coordinator and ensure implementation of VCPWA's Title VI Federally Funded Transportation Program. The Title VI Coordinator shall have direct access to the Agency Administrator. As authorized by the Agency Administrator, the Title VI Coordinator is responsible to monitor procedures and practices related to VCPWA's programs and services and to ensure that they are operated and provided fairly, equitably, and in a nondiscriminatory manner. The Title VI Coordinator's roles and responsibilities include:

- Administer, coordinate and implement the Title VI Plan and Policy.
- Review and update the Title VI Plan & procedures as needed or required.
- Examine and record all Title VI complaints, and ensure every effort is made to resolve all verified complaints.
- Review programs or projects receiving federal funds to ensure compliance with Title VI requirements.
- Work with staff to develop and disseminate Title VI program information to employees and subrecipients, including contractors, subcontractors, consultants, and subconsultants.
- Coordinate the development and implementation of a Title VI training program for Agency employees.

- Make recommendations to Agency Administrator on ways to achieve compliance with Title VI requirements.
- Develop Title VI information for public dissemination, where appropriate, in languages other than English.
- Provide translation services to individuals with “Limited English Proficiency” and provide reasonable accommodations.
- Prepare the Annual Goals & Accomplishments report summarizing VCPWA’s Program implementation and compliance activities for the reporting period and planned goals for the following year.

Title VI Administrator

Yvette Perez – Staff Services Specialist II
 Roads & Transportation Dept
 Phone: (805) 477-1996
 Email: Yvette.Perez@Ventura.org

The Agency Administrator has appointed a Title VI Administrator to assist the Title VI Coordinator in program areas that are subject to receiving Federal assistance through grants or other types of transportation related funding. The Administrator will work with the Coordinator to ensure their respective Departments and programs comply with Title VI Regulations and Assurances, meet the objectives of the Title VI Plan, meet Federal and State reporting requirements, and provide adequate training for applicable staff.

Title VI Complaint Procedures

How to file a complaint

Any person who believes that he or she has, individually, or as a member of any specific class of persons, been subjected to discrimination on the basis of race, color, or national origin may file a Title VI complaint with VCPWA. The complaint must be filed within 180 days of the date of the alleged discrimination. The “Title VI Complaint Form” is available online in English and Spanish at www.vcpwpublicworks.org (see appendix C) and should be used to detail the complaint, but is not mandatory. A complaint form may also be obtained by downloading the form, or by calling (805) 654-2074. Written complaints may be sent to:

County of Ventura, Public Works Agency
 Hall of Administration Bldg., 3rd Floor
 Attention: David Fleisch – Title VI Coordinator
 800 S. Victoria Avenue #1600
 Ventura, CA 93009

How complaints are processed by VCPWA

All complaints alleging discrimination based on race, color or national origin will be recorded on VCPWA's Complaints Database. This database shall include the date of the investigation, lawsuit, or the date the complaint was filed; a summary of the allegation; the status of the investigation, lawsuit, or complaint; and actions taken by the recipient or subrecipient in response to the investigation, lawsuit, or complaint. Upon receipt of the complaint, VCPWA will determine whether the required information has been provided, whether the complaint merits an investigation and whether it has jurisdiction over the complaint. Complaints that relate to an activity or program that receives Federal financial assistance will be investigated by the California Department of Transportation (Caltrans). The complainant will receive an acknowledgement letter within fifteen (15) informing her/him whether the complaint will be investigated by our office.

All complaints will be investigated promptly. Upon completion of the investigation, the Title VI Coordinator will complete a final report. The investigation process and final report should take no longer than ninety (90) days after receipt of the complaint. If a Title VI violation is found to exist, a Determination letter will be issued which summarizes the allegations and the interviews regarding the alleged incident, and explains the remedial steps as appropriate and necessary to be taken. If no Title VI violation is found, Complainant will receive a closure letter which summarizes the allegations and states that there was not a Title VI violation and that the case will be closed.

If the Complainant wishes to appeal the decision, she or he has 30 days after the date of the letter to do so. Complainant may contact the U.S. Department of Justice, Office of Civil rights, Attention: Federal Coordination and Compliance Section – NWB, 950 Pennsylvania Avenue, N.W., Washington, D.C. 20530; Phone No. (888) 848-5306.

All records regarding discrimination complaints and remedial actions taken shall be maintained in VCPWA's Complaint Database for a period of not less than three years from the final date of resolution of the complaint.

IV. List of Investigations, Complaints, and Lawsuits

VCPWA does not have any investigations, complaints or lawsuits with regards to Civil rights Violations.

V. Self-assessment and remedial action procedures for Agency and Sub-Recipient.

1. **Title VI Self-Assessment Federal-aid Highway Funds.** VCPWA's mission is to deliver efficient, responsive, and cost-effective Public Works Services that protect and enhance the safety, health, and quality of life in Ventura County. VCPWA has a comprehensive transportation program, each area of which is essential to achieving the mission of VCPWA's core values: Character, People and Service. To measure the effectiveness of VCPWA's program and ensure mission advancement, VCPWA shall monitor and collect program data related to transportation issues by conducting Title VI self-assessments of its programs, activities, and services. Where applicable, revise policies, procedures, and directives to include Title VI requirements.
2. **VCPWA Remedial Action.** When irregularities occur in the administration of Federal-aid highway programs or sub-recipient levels, corrective action shall be taken to resolve identified Title VI issues. VCPWA shall take affirmative actions to correct any deficiencies found during periodic reviews conducted by the Agency, Caltrans, or the Federal Highway Administration (FHWA) within a reasonable time period, not to exceed 90 days, in order to implement Title VI compliance in accordance with this plan.
3. **Consultants, Contractors, Subcontractor Reviews and Remedial actions.** VCPWA shall periodically conduct Title VI compliance reviews of selected sub-recipients of federal highway funds or other federal funds to ensure adherence to Title VI requirements. VCPWA shall confirm that operational guidelines provided to consultants, contractors, and sub-recipients include Title VI language, provisions, and related requirements, where applicable.

VI. Public Outreach

The purpose of public participation is to help ensure that the citizens of Ventura County are kept informed and involved in VCPWA's various programs, projects, and activities. VCPWA is committed to ensuring it serves the citizens in Ventura County by delivering efficient, responsive, and cost-effective public works services that protect and enhance the safety, health, and quality of life in Ventura County. VCPWA values public participation and encourages involvement by the community.

Listed below are outreach strategies that will be implemented by VCPWA in an effort to reach the citizens of Ventura County and provide equal access to up-to-date information, promote an active channel of communication and provide equitable opportunities for participation.

1. **Title VI Program Information:** The Title VI Plan, Notice to the Public, Title VI Policy Statement, Complaint Process and Forms and Title VI Brochure is posted on VCPWA's website. VCPWA's Title VI Policy Statement shall be included in bid specification packages, construction and consultant contracts and shall be posted at the front counters of the VCPWA main office, Operation & Management Division Office, and the Moorpark Operations Office.
2. **VCPWA Website:** VCPWA maintains a well-organized website that is accessible to the public. The website provides information regarding the different departments within Public Works, news & events, online services, down-loadable materials, Board meeting calendar and agenda, reports, citizen brochures, County road closures, updates on projects and programs, information regarding public transportation, Ventura County's Capital Improvement Plan, Policies & Program information, etc. VCPWA provides Spanish translation of its website content.
3. **Social Media Network:** VCPWA has partnered with Consortium Media Services and together have successfully launched media forums such as Facebook, Twitter, and Instagram to disseminate information to the public on events, programs, news releases, media advisories, construction project information, informational videos, new services, etc. These various platforms have allowed VCPWA to widen our reach and provide up-to-date information to the public, engage and receive feedback from our citizens, and deliver services quickly and effectively. Facebook has the capabilities for first time users to choose the option of their desired language which allows individuals with Limited English Proficiency (LEP) equal access to information allowing VCPWA to continue promoting a culture of dialogue between the public and VCPWA.
4. **Public Notices:** VCPWA will include notations in all their public notices in appropriate non-English languages that will provide contact information for translation services if language assistance is required.

5. **Public Meetings:** Any meetings that are open to the public will be published on VCPWA's website and Facebook, and fliers. All meetings will be held in locations accessible to individuals with disabilities. Upon request, translators can be provided free of charge to those individuals with limited English Proficiency.

VII. Title VI Implementing Program Activities

Consultant Contract Activities

1. **Consultant Contracts Administration:** The Roads & Transportation (RT) Department is responsible for ensuring the quality of consultant products and/or services. The Contract Administrator is involved throughout the development of the selection process, the contract provisions and in the administration of the Consultant's work. The Contract Administrator shall abide by the laws, regulations and policies required as part of accepting federal or state funding for their project.
2. **Consultant Selection Process:** VCPWA shall ensure free and open competition without regard to race, color, national origin, sex, age, or disability, through uniformity in solicitations for request for Proposals (RFP) and/or Qualifications (RFQ), advertisement, and selection process. All A & E consultant contracts are awarded based on open and competitive negotiations, demonstrated competence, and professional qualifications.
3. **Title VI Assurances and Provisions:** Title VI Assurances and provision language is included in all federally funded consultant services contracts. Monitoring is performed by utilizing checklists when preparing bid documents and contracts to ensure compliance with current laws and regulations.

Design/Environmental Review Process and Title VI

VCPWA has primary responsibility for assuring that the determination of environmental effects and any resulting impacts and mitigative measures are executed in accordance with Title VI. This process requires consideration of all possible social, economic, and environmental effects of a proposed project on identified groups in order to identify potential Title VI issues. This process also provides for the protection and enhancement of the environment.

1. The scope, complexity, and impacts of a project will determine which National Environmental Policy Act (NEPA) Environmental Document will be prepared: (1) A Categorical Exclusion (CE) for those actions that have been deemed legislatively or administratively exempt from NEPA; (2) an Environmental Assessment (EA) and finding of No Significant Impact (FONSI) for actions that will not result in adverse environmental effects; and (3) an Environmental Impact Statement (EIS) for actions that will potentially involve adverse environmental effects.
2. VCPWA will ensure compliance with Title VI requirements in all aspects of conducting an EIS or EA. During the review process, adequate time will be given for appropriate review and comments, as applicable, on draft EIS/EA, to ensure there are no violations of the Federal Civil Rights Act, as amended.
3. In order to ensure dissemination of information and foster participation from affected populations when preparing an EA or EIS, VCPWA's staff and/or Consultants will place public notices in the applicable general and minority media; select accessible locations and times for public hearings or meetings and arrange for translation services as needed; particularly in projects impacting predominating minority communities. VCPWA will ensure that the public will be provided with information pertaining to their rights and given contact information to address environmental concerns.

Environmental Justice

Environmental Justice shall be evaluated for all projects. VCPWA strives to identify and address the transportation needs of the citizens of Ventura County and ensures that the benefits and burdens of transportation investments are being fairly distributed. Safety is VCPWA's primary concern. Pedestrian safety improvement projects such as new sidewalks, traffic signals, crosswalks, and bicycle lanes improve neighborhood accessibility and livability in Ventura County for all residents. Installation of bus stops and bus shelters provide residents with greater access to jobs, schools, and facilities.

Residents in Ventura County who reside in neighborhoods with high concentrations of low-income or minority populations are dependent on transportation modes such as walking, bicycling and transit services. VCPWA, in conjunction with the transit providers in Ventura County, strives

to improve transit connectivity by assisting the transit providers with constructing bus pads & shelters to accommodate new bus routes. VCPWA aggressively pursues funding for bicycle and pedestrian programs to improve access to transit systems as well as offers viable options of non-motorized transportation so that residents in Ventura County can have greater access to jobs, schools, and facilities.

Environmental Justice as it pertains to projects subject CEQA/NEPA

1. Executive Order 12898 directs federal agencies to identify and address the disproportionately high and adverse human health and environmental effects of their actions on minority and low-income populations. Subrecipients are required to comply with the federal government's Environmental Justice (EJ) policy by integrating EJ principals into their programs. Environmental justice means ensuring that plans, policies, and action do not disproportionately affect low income and minority communities.
2. Whether projects are federally or locally funded, they are all subject to the California Environmental Quality Act (CEQA) or the National Environmental Policy Act (NEPA) process. The relationship between the CEQA/NEPA process and environmental justice involves both fundamental and procedural considerations. Both CEQA and NEPA include environmental justice components that address the effects of a proposed action on environmental elements of, specifically on minority and low-income populations. Any proposed project that will have a disproportionately high and adverse effect on minority or low-income populations will be required to include analysis and provide mitigation measures or alternatives that would avoid or reduce the high and adverse effect when practical.
3. To comply with CEQA/NEPA, public involvement and community outreach is necessary throughout the entire environmental documentation process, from project scoping to circulation of the draft and final documents for public review and comment. Through this process, Environmental Justice is reinforced and offers protection to the low-income and minority communities from discrimination and ensures their full participation.

Right of Way Activities

1. **Real Property Services.** VCPWA's Real Estate Division is responsible for managing and coordinating the appraisals and acquisition of real property for the construction of transportation facilities. In carrying out this mission, it also provides relocation assistance to people and business displaced by various projects. The right of way acquisition process entails appraisal of property, negotiation of terms and conditions for acquisitions, and assistance in the relocation of displaced individual, business, farm operations, nonprofit organization, and property management. The Right of Way Division is sensitive to customer service and carefully monitors activities to ensure equitable treatment of all beneficiaries of the program.
2. **Right of Way Activities and Title VI**
 - a. Ensure equal opportunity in all aspects of procuring real estate service contracting and appraisal agreements.
 - b. Follow adopted procurement policies in the acquisition of contracted services.
 - c. Incorporate Title VI language and assurance statements in all surveys of property owners and tenants after the conclusion of all business. Coordinate the preparation of deeds, permits, and leases to ensure the inclusion of the appropriate clauses, including Title VI assurances.
 - d. Ensure that appraised values and communications associated with the appraisal and negotiation operations result in equitable treatment.
 - e. If applicable, ensure comparable replacement dwellings are available and assistance is given to all displaced persons and entities by the property acquisition process.
 - f. Assist with communications with property owners, lessees, renters, and others, as appropriate, to help ensure we evaluate applicability of, and compliance with, Limited English Proficiency and Environmental Justice requirements for projects. Provide access to information in alternative languages when needed.
 - g. Maintain statistical data, including race, color, national origin, age, gender, disability, LEP and income levels on all relocates affected by federally funded projects, and provide quarterly to the Title VI Coordinator.

Construction Activities

1. **Construction Management Section.** The RT Department is responsible for planning, design, funding, operating and maintaining the County Road System, approximately 542 centerline miles of roadway, bridges, drainage and related transportation facilities. The RT Department administers several construction-phase aspects of projects that includes Design Engineering, Construction Management and Construction Administration.
2. **Operation and Maintenance.** The RT Department is responsible for maintaining County roads, bridges, drainages, and related facilities by utilizing in-house personnel, the resources of contractors, vendors, equipment, and materials.

Construction Activities and Title VI.

- a. Include DBE provisions in projects with assigned goals. Every Federally assisted contract is evaluated for a Disadvantaged Business Enterprise (DBE) contract goal. In order to be eligible for award, the bidder must sign an affidavit committing to make good faith efforts to meet contract goals.
- b. Review and ensure that all bid announcements, specifications, and construction contracts include the required standard contract provisions (Form FHWA 1273) and assurances which notifies contractors of their Title VI obligations on Federal-aid projects.
- c. Award construction contracts on the basis of the lowest responsive bidder, including DBE requirements. Include Title VI and DBE language in prime contract award letters to encourage utilization of DBE subcontracts and vendors.
- d. Ensure that prime contractors with DBE requirements award contracted work to qualified DBE's that perform commercially useful functions.
- e. Conduct employee Interviews to ensure compliance with prevailing wage requirements.
- f. Monitor all maintenance and construction operations to ensure compliance with contract plans, specifications, and Title VI provisions.
- g. Establish effective lines of communication with environmental consultants and other staff Work to avoid or minimize the environmental impacts of a project during construction and, as

needed, address any Limited English Proficiency or Environmental Justice issues.

- h. Coordinate the gathering of construction information regarding DBE participation for the Annual Title VI Report; and provide to the Title VI Coordinator.

VIII. Limited English Proficiency (LEP) Plan

Background

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English are limited English proficient or LEP. These individuals may be entitled to language assistance with respect to a type of program, service, or activity.

To avoid discrimination against LEP persons on the grounds of national origin, VCPWA shall take reasonable steps to ensure that such persons have meaningful access to the programs, services and information.

Language barriers prohibit LEP persons from obtaining services and information relating to a variety of services and programs because they may not be able to read instructions or correspondence written in English and may not understand verbal information. When LEP persons receive legal documents, they often do not understand the contents of the correspondence and its implication to their daily lives.

The two foreign languages that are most frequently used in the County's geographic area is Spanish and Mixteco Bajo. Mixteco is an indigenous language from Mexico that does not have written form.

Goals

The key to providing meaningful access to LEP persons is to ensure that LEP persons can communicate effectively and act appropriately based on that communication. Minimum reasonable measures would be to ensure that LEP persons are given adequate information, are able to understand that information, and are able to participate effectively in programs or activities.

VCPWA's Bi-lingual Certification Program

VCPWA is fortunate to have staff who can competently speak and translate documents into Spanish. As such VCPWA is often able to provide interpretation and translation services in-house. In addition, VCPWA has the resources and flexibility to contract outside services as needed to comply with the LEP Plan.

VCPWA provides three-levels of certification for employees that successfully pass an oral examination. The bi-lingual certification process is voluntary and results in an additional monetary compensation to approved employees. Spanish is the language that most Department employees attain. The County does provide bi-lingual certification testing for a small number of other languages.

The bi-lingual certification is very specific in terms of what an employee attaining this certification can do and is expected to be able to fulfill in the scope of his or her job duties. An explanation from the County Human Resources Department outlining the requisite for Level 1, 2, and 3 is included as Appendix D.

LEP Strategies

At a minimum, VCPWA will implement the following strategies to serve as guidelines for engaging LEP persons.

- Provide language identification forms (I speak cards) which invite LEP persons to identify their language needs to VCPWA Staff. The top five languages used within the County's geographic area are Spanish, Mixteco, Mandarin, Korean, and Farsi.
- Assure LEP persons have access to staff that are trained and competent in the skill of interpreting/translation.
- Contract with an outside interpreter service for trained and competent interpreters, as needed.
- Arrange for the use of a telephone language interpreter service as needed.
- Translate forms, informational and other written materials into appropriate non-English languages by competent translators if requested.
- Statements are to be included in letters sent out to the public offering translation services free of charge.

- Establish uniform procedures for timely and effective communication between staff and LEP persons. This includes instructions for English-only-speaking employees to obtain assistance from interpreters or bilingual staff when receiving calls from or initiating calls to LEP persons.
- When VCPWA schedules a meeting for which the target audience is expected to include LEP individuals, documents and agendas shall be printed in Spanish based on the known LEP populations. Interpreters may be available as needed.

IX. Staff Training

Training for front-line staff members, who are often the first point of contact with LEP individuals shall be provided to include:

- Information on Title VI procedures and LEP responsibilities.
- Identifying and documenting language needs of LEP persons.
- How to deliver services effectively to LEP persons.
- Procuring interpreter services needed.
- Description of language assistance services offered to the public
- Documentation of language assistance requests.
- How to handle a potential Title VI/LEP Complaint.

In addition, VCPWA utilizes its online Power Point Training module to provide Title VI training to all VCPWA employees. Training will occur every two years and will include an overview of Title VI and applicable nondiscrimination rules, regulations, and laws.

X. Annual Goals & Accomplishment Report

VCPWA tracks its activities in the Title VI Program and provides it to the Director of Public Works annually. The annual report is meant to be an accurate reflection of the program, including its performance, any identified challenges, and reasonable goals for the upcoming year. The report shall include:

- Any changes to policy statements or procedures.
- Any changes to organizational structure or staffing.
- A summary of monitoring or reviews conducted and the outcomes or conclusions.

- A summary of Title VI complaints, including the bases, investigation status and disposition.
- A summary of accomplishments in each program area, as applicable.
- A summary of Title VI Training; dates and the number in attendance.

ATTACHMENT A – TITLE VI POLICY STATEMENT

Central Services
Joan Araujo, DirectorEngineering Services
Christopher Cooper, DirectorRoads & Transportation
David Fleisch, DirectorWater & Sanitation
Joseph Pope, DirectorWatershed Protection
Glenn Shephard, Director

March 16, 2021

**NON-DISCRIMINATION
TITLE VI POLICY STATEMENT**

Ventura County Public Works Agency (VCPWA), under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person shall on the grounds of race, color, national origin, sex, disability, religion, sexual orientation, or age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity it administers.

VCPWA further assures that every effort will be made to ensure nondiscrimination in all of its program and activities, whether those program and activities are federally funded or not.

The Director of VCPWA and Title VI Coordinator are authorized to ensure compliance with provisions of this policy and with the law, including the requirements of Title 23 Code of Federal Regulations (CFR) 200 and Title 49 CFR 21.



Jeff Pratt, Director Public Works Agency



ATTACHMENT B – NOTICE TO THE PUBLIC

February 15, 2021

Notifying the Public of Rights under Title VI Ventura County Public Works Agency

The Ventura County Public Works Agency (VCPWA) operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the VCPWA.

For additional information on VCPWA's civil rights program, and procedures to file a complaint, visit our website at www.vcpublishworks.org, call (805) 654-2074, or write to: County of Ventura Public Works Agency, Attention: David Fleisch – Title VI Coordinator, 800 S. Victoria Avenue #1620, Ventura, CA 93009.

In addition to the Title VI complaint process with VCPWA, a complaint may be filed directly with the U.S. Department of Justice by filing a complaint with the Office of Civil Rights, Attention: Federal Coordination and Compliance Section – NWB, 950 Pennsylvania Avenue, N.W., Washington D.C. 20530.

If information is needed in another language, please contact (805) 654-2074.



ATTACHMENT C – TITLE VI COMPLAINT FORM



Title VI Complaint Form

Title VI of the 1964 Civil Rights Act requires that "No person in the United States shall, on the ground race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

The requested information will assist us in processing your complaint. Please let us know if you require any assistance in completing this form.

Complete and return this form to:
County of Ventura - Public Works Agency
Hall of Administration Bldg., 3rd Floor
Attention: David Fleisch - Title VI Coordinator
800 South Victoria Avenue #1620
Ventura, CA 93009

1. Complainant's Name:

Address:

City:

State:

Zip Code:

Contact Number:

2. Person discriminated against (if someone other than the complainant)

Name:

Address:

City:

State:

Zip Code:

Contact Number:

3. Which of the following best describes the reason you believe the discrimination took place? Was it because of your:

a. Race/Color:

b. National Origin:

4. What date did the alleged discrimination take place?

5. In your own words, describe the alleged discrimination. Explain what happened and who you believe was responsible.

6. Have you filed this complaint with any other federal, state, or local agency; or with any federal or state court? Yes: ☐ No: ☐

If yes please check each box that applies:

Federal agency ☐

Federal court ☐

State agency ☐

State court ☐

Local agency ☐

7. Please provide information about a contact person at the agency/court where the complaint was filed.

Name:

Address:

City:

State:

Zip Code:

Contact Number:

8. Please sign below. You may attach any written materials or other information that you think is relevant to your complaint.

Complainant's Signature

Date



Titulo VI Forma de Queja

El Titulo VI de los derechos civiles de 1964 exige que "Ninguna persona en los Estados Unidos, por motivos de raza, color nacional, ser excluírá de la participación en, ser negado los beneficios de, o ser objeto de discriminación bajo cualquier programa o actividad que reciba asistencia financier federal."

La información solicitada nos ayudará en la tramitación de su queja. Por favor, háganos saber si necesita ayuda para completar este formulario.

Llenar y devolver este formulario al:

County of Ventura - Public Works Agency
Hall of Administration Bldg., 3rd Floor
Attention: David Fleisch - Title VI Coordinator
800 South Victoria Avenue #1620
Ventura, CA 93009

1. Nombre del reclamante:

Dirección:

Cuidad:

Estado:

Código Postal:

Numero de contacto:

2. Persona de discriminacion (si alguien que no sea el reclamante)

Nombr

Dirección

Cuic

Estado:

Código Postal:

Numero de contacto:

3. ¿Cuál de las siguientes opciones describe mejor la razón usted cree que la discriminación ocurrió? ¿Fue debido a su:

a. Raza/Color:

b. Origen Nacional:

4. ¿En qué fecha la discriminación alegada ocurrió?

5. En sus propias palabras, describir la discriminación alegada. Explicar lo que ocurrió y a quién usted cree que fue el responsable.

6. ¿Ha presentado esta queja con cualquier otra agencia gubernamental, o algún tribunal federal o estatal? Sí: No:

Si la respuesta es si, marque cada que se aplica:

Agencia federal

Tribunal Federal

Organismo estatal

Tribunal estatal

Agencia Local

7. Por favor proporcione la información sobre una persona de contacto en la agencia o tribunal donde la queja fue presentada.

Nombre:

Dirección:

Cuidad:

Estado:

Código Postal:

Numero de contacto:

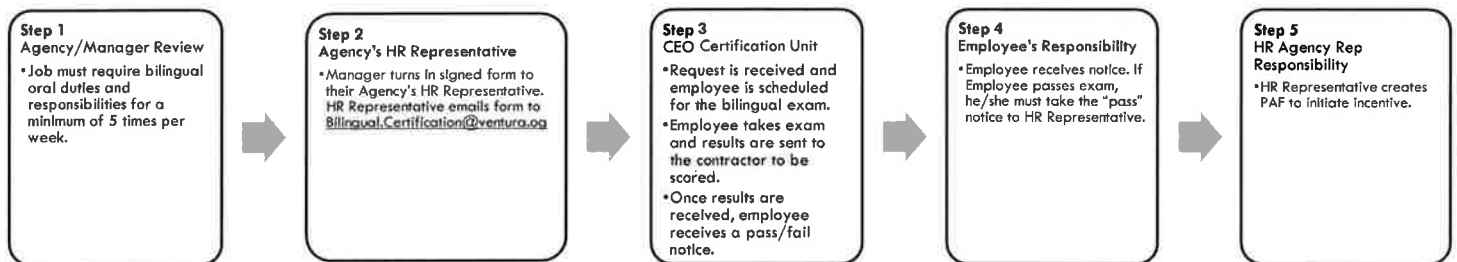
8. Por favor firme abajo. Usted puede incluir cualquier material escrito u otra información que usted cree es pertinente a su queja.

Firma del Reclamante

Fecha

ATTACHMENT D – BI-LINGUAL CERTIFICATION

COUNTY OF VENTURA BILINGUAL TESTING PROCESS



BILINGUAL LEVEL I CERTIFICATION

The County's designation of a bilingual position as a level I is dependent upon the services offered by the department/agency, and the duties and responsibilities required of each bilingual position. The bilingual designation level is not determined by the proficiency level of the employee in the position.

A position will be given a level I bilingual designation if the job requires the use of bilingual oral duties and responsibilities for a minimum of five (5) times per week.

Level I

A level I requires employees to have the ability to communicate very simple information/directions/instructions to clients, and should be able to understand and use very basic colloquialisms in both languages.

I, _____, certify that the position
(Print Name of Supervisor)

held by _____, Employee ID _____
(Print Name of Employee)
meets the minimum requirements of a bilingual level I designation.

Signature - Supervisor

Agency

Language (Farsi, Tagalog, Sign Language, Vietnamese)

Date

Instructions: Please turn in your form to your Agency's HR Representative. Your HR Representative will email this signed form to Bilingual.Certification@ventura.org. Candidates without authorization will not be allowed to participate in the examination process.

BILINGUAL LEVEL III CERTIFICATION

210The County's designation of a bilingual position as a level III is dependent upon the services offered by the department/agency, and the duties and responsibilities required of each bilingual position. The bilingual designation level is not determined by the proficiency level of the employee in the position.

A position will be given a level III bilingual designation if the job requires the use of a higher level of oral fluency than level I/II bilingual oral duties and responsibilities a minimum of five (5) times per week.

Level III

A level III requires employees to have an extensive vocabulary and be able to read and write in Spanish and English; be able to interpret from one language to another; and be able to translate written documents from one language to another.

I, _____, certify that the position
(Print Name of Supervisor)
held by _____, Employee ID _____
(Print Name of Employee)
meets the minimum requirements of a bilingual level I/II designation.

Signature - Supervisor

Agency

Date

Instructions: Please turn in your form to your Agency's HR Representative. Your HR Representative will email this signed form to Bilingual.Certification@ventura.org. Candidates without authorization will not be allowed to participate in the examination process.

BILINGUAL LEVEL I/II CERTIFICATION

The County's designation of a bilingual position as a level I/II is dependent upon the services offered by the department/agency, and the duties and responsibilities required of each bilingual position. The bilingual designation level is not determined by the proficiency level of the employee in the position.

A position will be given a level I/II bilingual designation if the job requires the use of bilingual oral duties and responsibilities for a minimum of five (5) times per week.

Level I

A level I requires employees to have the ability to communicate very simple information/directions/instructions to clients, and should be able to understand and use very basic colloquialisms in both languages.

Level II

A level II position requires strong bilingual oral fluency in both Spanish and English languages with the ability to communicate effectively in both languages.

I, _____, certify that the position
(*Print Name of Supervisor*)
held by _____, Employee ID _____
(*Print Name of Employee*)
meets the minimum requirements of a bilingual level I/II designation.

Signature - Supervisor

Agency

Date

Instructions: Please turn in your form to your Agency's HR Representative. Your HR Representative will email this signed form to Bilingual.Certification@ventura.org. Candidates without authorization will not be allowed to participate in the examination process.

ATTACHMENT E – TITLE VI ASSURANCES

Ventura County Public Works Agency Title VI Non-Discrimination Assurances

Ventura County Public Works Agency (herein referred to as the “Recipient”), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the Federal Highway Administration (FHWA), is subject to and will comply with the following:

Statutory Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R Part 21 (entitled Nondiscrimination in Federally-Assisted Programs Of The Department Of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. § 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964)

The preceding statutory and regulatory cites hereinafter are referred to as the “Acts” and “Regulations,” respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure 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,” for which the Recipient receives Federal financial assistance from DOT, including the FHWA.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to all programs or activities for which the Recipient receives Federal financial assistance:

1. The Recipient agrees that each “activity,” “facility,” or “program,” as defined in §§ 21.23 (b) and 21.23 € of 49 C.F.R. § 21 will be (with regard to an “activity”) facilitated, or will be (with regard to a “facility”) operated, or will be (with regard to a program”) conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulation made in connection with all programs or activities for which the Recipient receives Federal financial assistance, and in adapted form, in all proposals for negotiated agreements regardless of funding source: Ventura County Public Works Agency (VCPWA), in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively insure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin for an award.”
3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the Clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer or real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, another participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and the Assurance.

By signing this ASSURANCE, the Recipient also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing VCPWA's access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by VCPWA. You must keep records, reports, and submit the material for review upon request to VCPWA, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The Recipient gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under all programs or activities receiving Federal financial assistance. This ASSURANCE is binding on California, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in all programs or activities receiving Federal financial assistance. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Ventura County Public Works Agency

(Name of Recipient)

By: _____

(Signature of Authorized Official)

Dated: 6/24/2021

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor”) agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally assisted programs of the U.S. Department of Transportation, Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, national origin, age, sex, or disability in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitation for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor’s obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, national origin, age, sex, or disability.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the FHWA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.

5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
1. Withholding payments to the contractor under the contract until the contractor complies; and/or
 2. Cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B
CLAUSES FOR DEEDS TRANSFERRING UNITED STATES
PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the California Department of Transportation will accept title to the lands and maintain the project constructed thereon in accordance with Title 23 U.S.C., the regulations for the administration of the preceding statute, and the policies and procedures prescribed by the FHWA of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the California Department of Transportation all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the California Department of Transportation and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the California Department of Transportation, its successors and assigns.

The California Department of Transportation, in consideration of the conveyance of said lands and interest in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will 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 with regard to any facility located

wholly or in part on, over, or under such lands hereby conveyed [,] [and]*
(2) that the California Department of Transportation will use the lands and interests in lands and interest in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said lands, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

APPENDIX C

CLAUSES FOR TRANSFERS OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITIES, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by County of Ventura Public Works Agency pursuant to the provisions of Assurance 7 (a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add “as a covenant running with the land”] that:
 - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a VCPWA activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, VCPWA will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, VCPWA will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of VCPWA and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX D
CLAUSES FOR CONSTRUCTION/USE, ACCESS TO REAL
PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR
PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by the California Department of Transportation pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishings of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits or, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.) in the event of breach of any of the above of the above Non-discrimination covenants, VCPWA will have the right to terminate the (license, permits, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, VCPWA will there upon revert to and vest in and become the absolute property of the VCPWA and its assigns.

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor”) agrees to comply with the following non-discrimination statutes and authorities, including, but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), prohibits discrimination on the basis of sex;
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 U.S.C. § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination of the basis of disability in the operation of public

entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 – 12189) as implemented by Department of Transportation regulations 49 C.F.R. parts 37 and 38;

- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. §47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).