



TITLE VI, AMERICANS WITH DISABILITIES ACT, ENVIRONMENTAL JUSTICE AND LIMITED ENGLISH PROFICIENCY



Certification Review 2024

**Presented For
FHWA/FTA**

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964



BACKGROUND

The Civil Rights Act of 1964 was a landmark piece of legislation that outlawed racial segregation in public places and prohibited discrimination on the basis of race, color, religion, sex, or national origin. Title VI of the Act specifically prohibits discrimination on the basis of race, color, or national origin in programs or activities that receive federal financial assistance. This was a significant step towards racial equality in the United States and helped to dismantle the system of Jim Crow laws that had been in place for decades.

TITLE VI



No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

PLANNING & TITLE VI



Title VI of the Civil Rights Act of 1964 is a crucial piece of legislation that ensures equal access to federally funded programs and activities for all individuals, regardless of their race, color, or national origin. This includes metropolitan planning organizations (MPOs), which are responsible for developing transportation plans for urban areas.

Correcting Historical Inequities

Title VI has been instrumental in stemming and course-correcting the negative impacts of Jim Crow Laws, and the various inequities leveled against socially vulnerable and historically disadvantaged populations, such as Black Americans.

Related Statutes & Authorities

Uniform Relocation Assistance Act of 1970

Prohibits unfair and inequitable treatment of persons displaced or whose property will be acquired as a result of federal-aid programs and projects.

Section 504 of Rehabilitation Act of 1973

This Act protects qualified individuals from discrimination based on their disability.

Civil Rights Restoration Act of 1987

Amends Title VI of Civil Rights Act of 1964 to clarify that discrimination is prohibited throughout an entire agency if any part of the agency receives federal assistance.

23 CFR Part 200 – FHWA Regulations

Title VI Program and related statutes – Implementation and review procedures.

Federal Aid Highway Act of 1973

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 federal-aid programs.

Age Discrimination Act of 1975

This act prohibits age discrimination under any federal-aid programs.

American Disabilities Act (ADA) of 1990

Prohibits discrimination against people with disabilities in employment, transportation, public accommodation, communications, and governmental activities.

49 CFR Part 21

Nondiscrimination in federally-assisted programs.

Related Statutes & Authorities

23 CFR Part 450

FHWA Planning Regulations.

EO 12898 – Environmental Justice, 1994

Each agency was directed to review its procedures and make environmental justice (EJ) part of its mission.

FHWA Order 6640.23, 1998

FHWA actions to address EJ in minority and low-income populations

EO 13166 – Limited English Proficiency, 2000

Directed federal agencies to ensure people with limited English proficiency (LEP) have meaningful access to services.

23 CFR Part 771

FHWA regulations and environmental impact procedures.

U.S. DOT Order 5610.2, April 1997

Expanded on EO 12898 and described incorporating EJ principles into DOT programs, policies, and activities.

U.S. DOT Order 5610.2(a) on EJ

Summarized and expanded on EO 12898 to include all policies, programs, and activities for federal-aid programs, or approved by FHWA, FTA, or other U.S. DOT Components.

National Environmental Policy Act, 1969

NEPA stresses the importance of providing for “all Americans, safe, healthful, productive and aesthetically pleasing surroundings” and requires a “systematic interdisciplinary approach” to aid in considering environmental and community factors in decision-making.

Related Statutes & Authorities

FHWA/FTA Memo on Title VI and Planning

Provided clarification for field officers on ensuring that environmental justice is considered during current and future planning certification reviews for metropolitan and statewide planning entities.

FTA Circular 4703.1, 2012

Provides guidance to FTA fund recipients on how to engage EJ populations in the public transportation planning process fully, how to identify and mitigate disproportionately high adverse planning impacts.

EO 14008 – Tackling the Climate Crisis, 2021

Introduced Justice 40, which mandates that at least 40% of the benefits of certain federal programs must flow to disadvantaged communities.

FHWA Order 6640.23A, 2012

Clarified that EJ at FHWA means addressing disproportionately high and adverse environmental or health effects of agency's programs on minority and low-income populations to achieve more equitable distribution.

EO 13985 – Advancing Racial Equity, 2021

Directs the federal government to revise agency policies to account for racial inequities in their implementation.

Infrastructure Investment and Jobs Act, 2021

IIJA or the Bipartisan Infrastructure Law created several new programs that specifically target equitable outcomes by prioritizing funding for disadvantaged or low-income populations.



TITLE VI POLICY STATEMENT

The HRTPO acknowledges that historical discriminatory practices have excluded disadvantaged communities from regional planning. To address this, HRTPO actively engages with underrepresented communities in planning activities. HRTPO recognizes Hampton Roads' diversity and strives to incorporate it into its planning projects. The HRTPO assures that no person will be discriminated against based on race, color, national origin, disability, sex, age, or income status. They are committed to ensuring nondiscrimination in all their programs and activities. The Executive Director oversees the implementation of the Title VI Plan, while the Title VI Liaison coordinates its administration.

Title VI/LEP Plan



Title VI Complaint Form

Title VI Administrators –
Hampton Roads Planning District Commission (HRPDC)
Hampton Roads Transportation Planning Organization (HRTPO)
The Regional Building
773 Windlike Drive
Chesapeake, VA 23320

Please provide the following information to process your complaint. Assistance is available upon request by contacting the Title VI Coordinator Monday – Friday from 8:00 a.m. to 4:30 p.m. by phone at (757) 420-3000 or by email at titlevi@hrpdc.org.

Section 1:

| | | | |
|--|-----------------|---------------|--------|
| Name: | | | |
| Address: | | | |
| Phone (Home): | Phone (Mobile): | Phone (Work): | Email: |
| Accessibility Format Requirements? (check all that apply): | | | |
| Large Print | Audio | TDD | Other |

Section 2:

| | | |
|--|-----|----|
| Are you filing this complaint on your behalf? | Yes | No |
| If you answered "yes" go to section 3. | | |
| If you answered "no," please supply the name and relationship of the person you are filing a complaint with. | | |
| Please explain why you have filed for a third party: | | |
| Please confirm that you have obtained the permission of the third party: | | |

Section 3:

| | | | |
|---|------------|---------------|-----------------------------|
| I believe the discrimination I experienced was based on (check all that apply): | | | |
| Race | Disability | Color | National Origin |
| Age | Sex | Income Status | Limited English Proficiency |

Date of Alleged Discrimination (MM/DD/YY/YY):

Explain what happened and why you believe you were discriminated against as clearly as possible. Describe all persons who were involved, include the name and contact information of the person(s) who discriminated against you (if known) and any witness names and contact information. If more space is needed, please attach pages.

Section 4:

| | | |
|--|-----|----|
| Have you previously filed a Title VI complaint with this agency? | Yes | No |
|--|-----|----|

Section 5:

| | | |
|---|-----|----|
| Have you filed this complaint with any other agency or court? | Yes | No |
|---|-----|----|

If yes, check all that apply.

| | |
|-----------------|---------------|
| Federal Agency: | Federal Court |
| State Agency: | State Court |
| Local Agency: | Other |

Please provide a point of contact at the agency or court where the complaint was filed.

Agency/Court:

Address:

Contact Name:

Title:

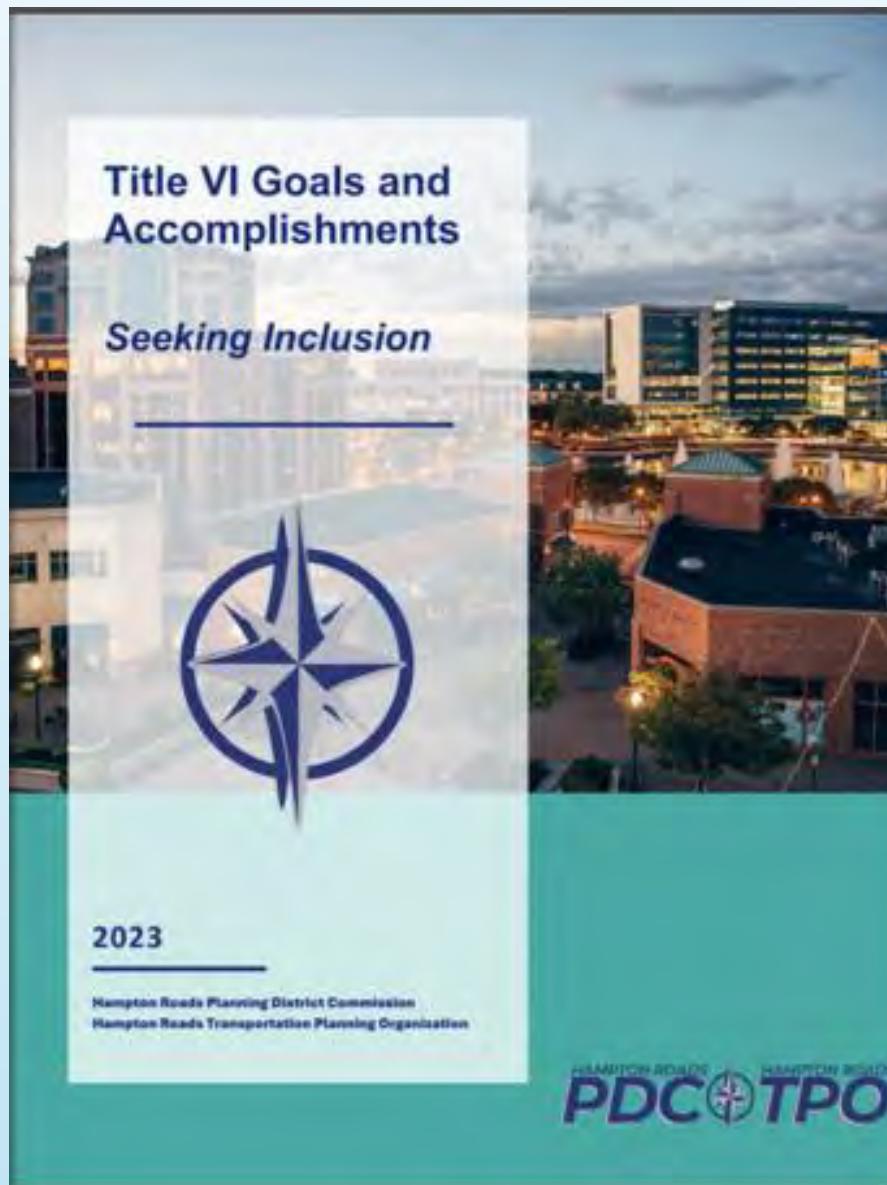
Phone:

Email:

Section 6:

| |
|----------------------------------|
| Agency the complaint is against: |
| Contact Name: |
| Title: |
| Phone: |
| Email: |

Title VI Goals & Accomplishments



Long Range Transportation Planning – The Hampton Roads Long Range Transportation Plan (LRTP) has been recognized in the [Federal Highway Administration's \(FHWA\) 2013 Model Long-Range Transportation Plans: A Guide for Performance-Based Planning](#) for the use of its Project Prioritization Tool to objectively evaluate the benefits of transportation projects, including equity considerations. Additionally, the LRTP incorporates the following nine indicators when evaluating projects for Environmental Justice, social equity, and Title VI.

- Careless Households
- Disabled Populations
- Elderly Populations
- Female Head of Households
- Households Receiving SNAP (Food Stamps)
- Households Receiving Cash Public Assistance
- Limited English Proficiency Populations
- Low-income Households
- Minority Populations

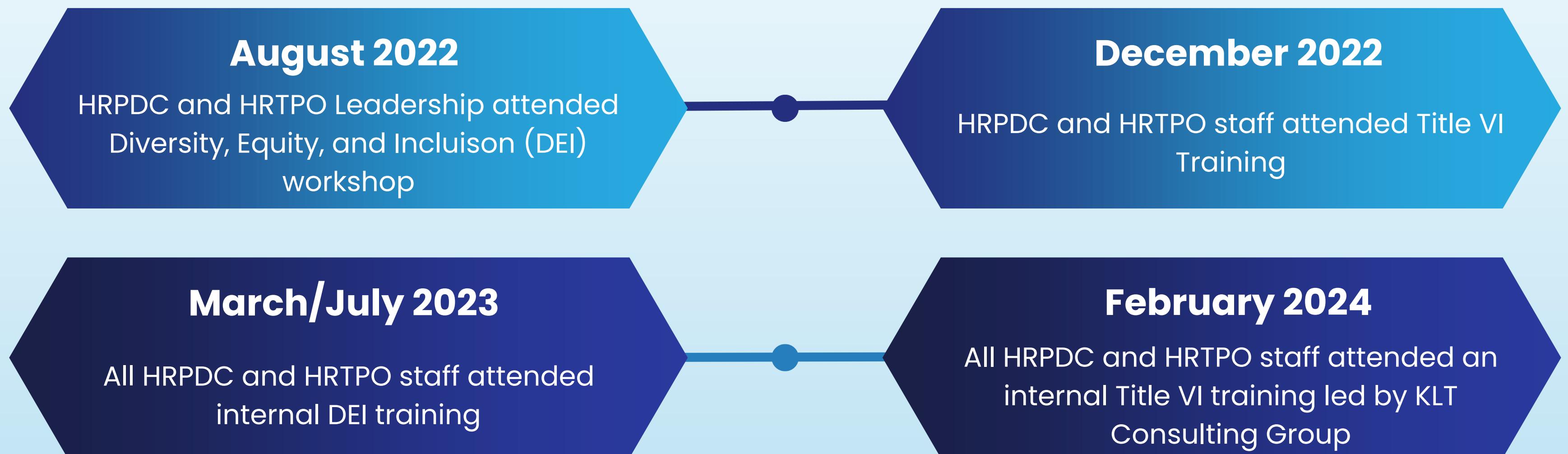
For the region's current 2045 LRTP, approximately 300 candidate projects totaling \$70 billion were submitted by regional stakeholders and the public. These candidate projects included suggestions for new or widened roadways, expanded bridges and tunnels, better-flowing interchanges/intersections, improved public transportation options, more bike and pedestrian trails, and the enhanced movement of freight throughout the region. With only approximately \$13 billion identified for roadway construction, the HRTPO Project Prioritization Tool was utilized to evaluate and prioritize the most robust and resilient projects to include in the 2045 LRTP.

In addition to using the Project Prioritization Tool, the HRTPO applies its Title VI/Environmental Justice framework to help evaluate the potential impacts of projects on vulnerable communities. The Hampton Roads 2045 LRTP: [Title VI/Environmental Justice Candidate Project Evaluation report](#) describes the methodology process in detail.

To ensure the 2045 LRTP included diverse modes, a consideration especially important for vulnerable communities, Guiding Principles for Fiscal Constraint were established to make the project selection process more effective and transparent. The Guiding Principles established funding splits between highway, transit, and active transportation (bike/pedestrian) projects.

Using these Guiding Principles scores produced by the HRTPO Project Prioritization Tool, and input from regional stakeholders and the public, high-ranking projects were selected for inclusion in the 2045 LRTP. The HRTPO staff created a [Project Information Guide](#) that provides a resource the public and stakeholders can use to learn about and monitor the implementation of the 2045 LRTP. The guide includes project information such as the description, summary, scoring, total project cost, and status.

Title VI & Equity Training



Title VI & Equity Training



Title VI Reviews



Certification 2020

Commendation from FHWA:
HRTPO continues to excel with
respect to the administration of
Title VI Program



Compliance Review Feb 2023

Corrective Actions from VDOT:
Training, Title VI/LEP Plan,
Reevaluation of PPP, Title VI
Goals and Accomplishments



Compliance Review Nov 2023

VDOT found that corrective actions had
been satisfied, no further violations
found, and recommended to continue
update to PPP

***Note: No Title VI complaints received
between 2020 and 2024.***

AMERICANS WITH DISABILITIES ACT OF 1990



BACKGROUND

The **Americans with Disabilities Act (ADA)** of 1990 is a landmark civil rights law that prohibits discrimination against individuals with disabilities in various areas of public life, including employment, transportation, public accommodations, and state and local government programs. The ADA ensures that people with disabilities have the same opportunities as others and prevents discrimination based on their disabilities. It has significantly improved the lives of millions of Americans with disabilities by providing them with greater access to education, employment, and community life.



ADA POLICY STATEMENT

In accordance with the Americans with Disabilities Act (ADA), the HRPDC and HRTPO will strive to provide reasonable accommodations and services for persons who require special assistance to participate in the public involvement process.

ADA

Resources

Virginia Relay System

Services for persons with hearing or speech loss

Website

ADA compliant and added accessibility functions

Accessible Meetings

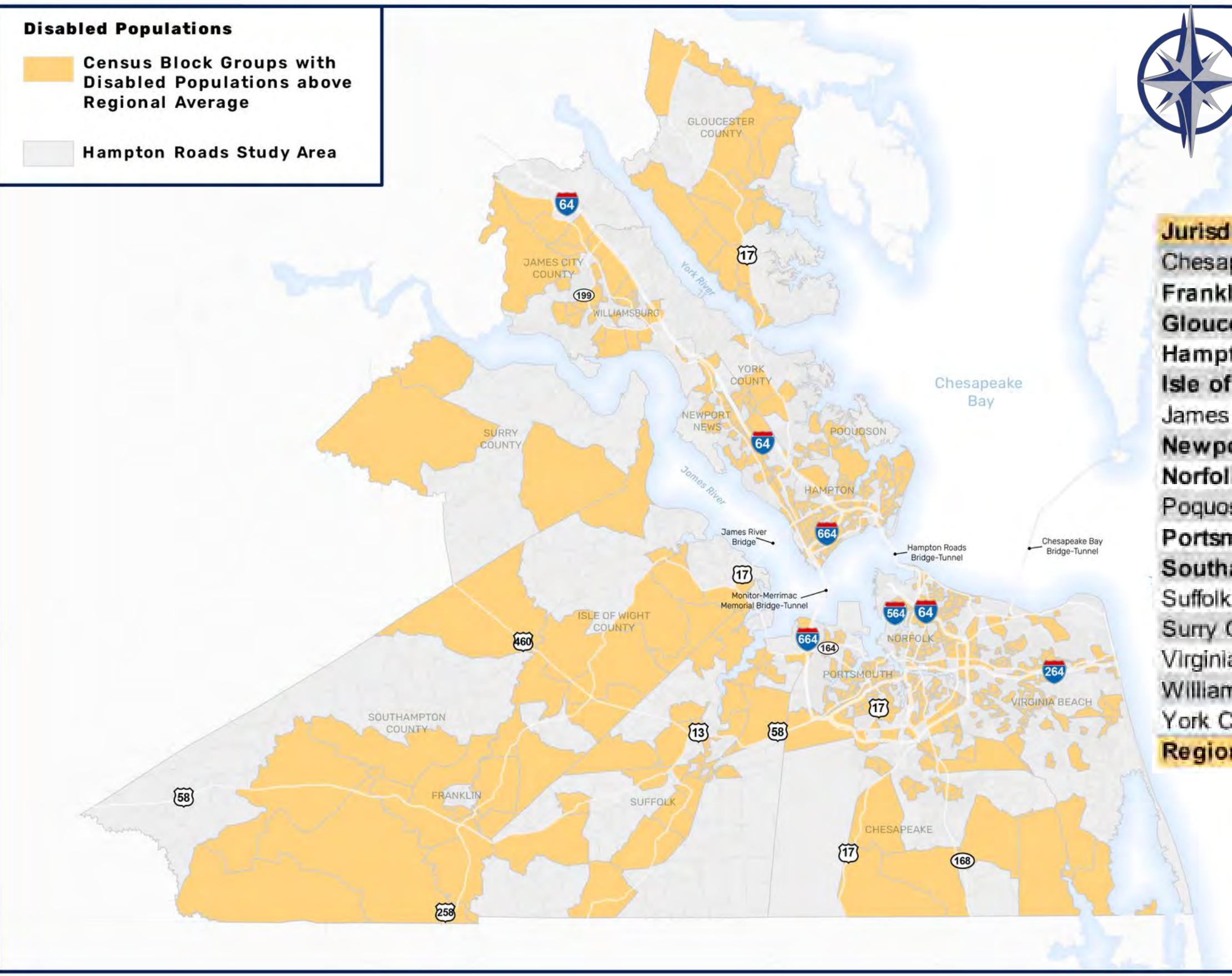
All public meetings are held in ADA compliant and accessible facilities

Accommodation Requests

All persons needing accommodations can contact Title VI Liaison

All persons needing additional accommodations to participate in the regional planning process or access HRPDC or HRTPO services can contact the Title VI Liaison. The HRPDC and HRTPO strive to ensure all community members, including those with disabilities, have access and support to engage with regional planning efforts.

ADA Mapping



The average percentage of the disabled population within Hampton Roads is 11.6% based on 2017 - 2021 ACS, and the total disabled population was 112,060

ADA Connecting



Versability



**Hampton Roads
Disability Board**



RCS Symposium

LIMITED ENGLISH PROFICIENCY EO 13166



BACKGROUND

Executive Order 13166 was issued in 2000 to improve access to federally conducted and federally assisted programs and activities for individuals with limited English proficiency (LEP).

It requires federal agencies to examine their services and develop systems to ensure that LEP individuals can meaningfully access them. This includes providing language assistance services such as translation and interpretation. The order aims to ensure that all eligible individuals, regardless of their language skills, have equal access to federal programs and services.



LIMITED ENGLISH PROFICIENCY

In accordance with the Americans with Disabilities Act (ADA), the HRPDC and HRTPO will strive to provide reasonable accommodations and services for persons who require special assistance to participate in the public involvement process.

The HRTPO utilizes the four-factor analysis to anticipate demand for LEP services and support.

Interpretation Services

Available for public meetings with notice

Material Translation

Documents and materials are translated based on project needs and impacted populations.

Website Translation

Built in translation support

TDD/TTY Capabilities

Deaf and hearing-impaired people can utilize Virginia Relay System

Resources

Persons needing additional support with language translation or interpretation can contact the Title VI Liaison. The HRPDC and HRTPO are committed to making regional planning accessible, including for persons with communication barriers.

Bilingual Staff

Some HRPDC and HRTPO staff may be available to support immediate communication needs.

I Speak Cards

Available to assist in providing immediate support

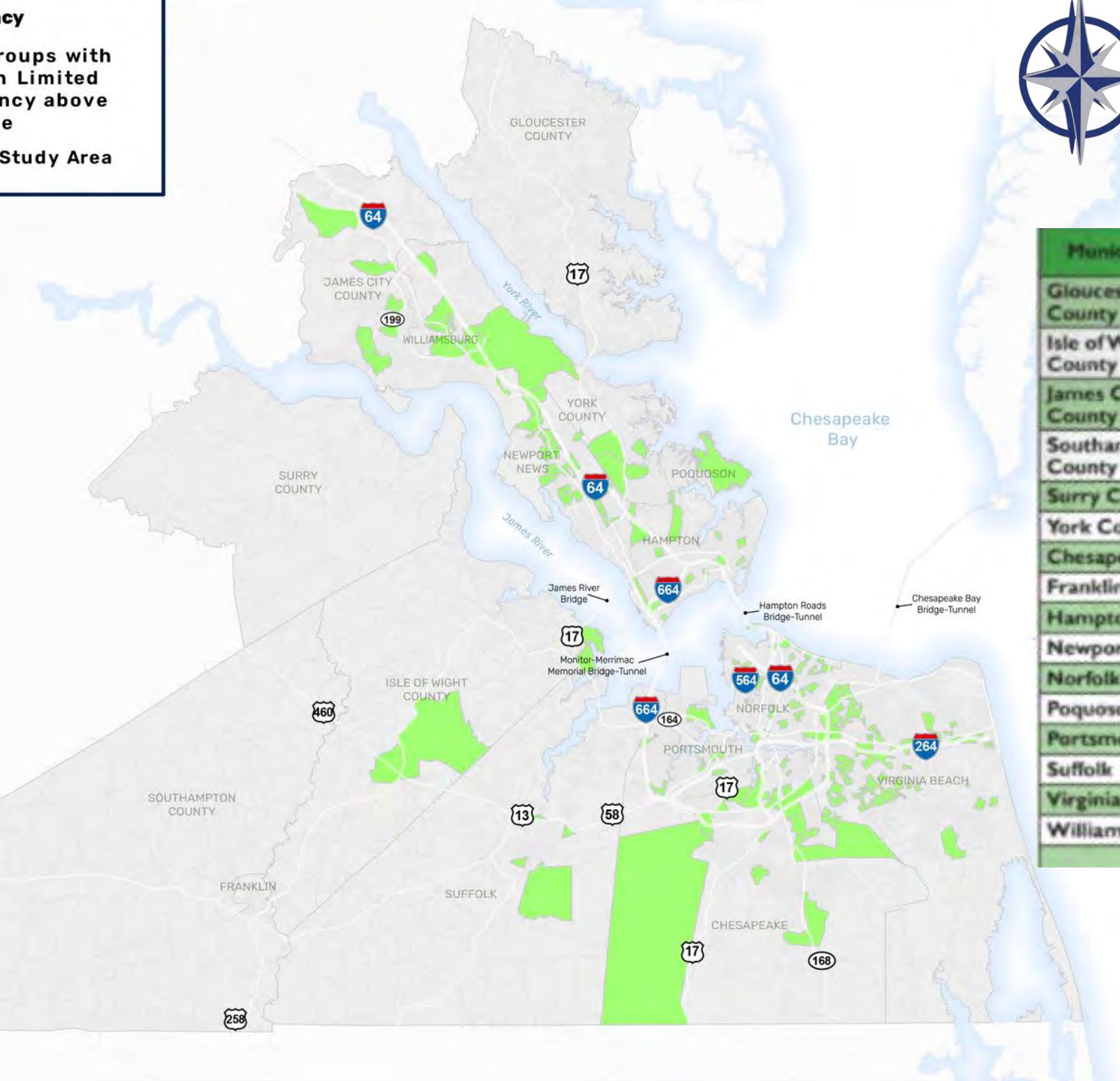
LEP

Mapping

Limited English Proficiency

 **Census Block Groups with Households with Limited English Proficiency above Regional Average**

 **Hampton Roads Study Area**



| Municipality | Population 5 Years & Over | Speak Only English | Speaks Other Languages | Speak English Less than "Very Well" |
|----------------------|---------------------------|--------------------|------------------------|-------------------------------------|
| Gloucester County | 35,337 | 34,307 | 1,030 | 164 |
| Isle of Wight County | 34,735 | 33,076 | 1,659 | 549 |
| James City County | 71,330 | 65,629 | 5,701 | 1,975 |
| Southampton County | 17,008 | 16,730 | 278 | 40 |
| Surry County | 6,237 | 6,158 | 79 | 2 |
| York County | 64,203 | 57,049 | 7,154 | 2,364 |
| Chesapeake | 224,838 | 206,199 | 18,639 | 5,462 |
| Franklin | 7,601 | 7,394 | 207 | 35 |
| Hampton | 126,762 | 118,526 | 8,236 | 2,489 |
| Newport News | 166,556 | 148,799 | 17,757 | 6,039 |
| Norfolk | 228,523 | 204,754 | 23,769 | 7,133 |
| Poquoson | 11,536 | 10,992 | 544 | 109 |
| Portsmouth | 87,988 | 83,953 | 4,035 | 1,285 |
| Suffolk | 84,134 | 79,847 | 4,287 | 1,112 |
| Virginia Beach | 421,625 | 369,023 | 52,602 | 17,076 |
| Williamsburg | 14,412 | 12,410 | 2,002 | 278 |
| Total | 1,602,825 | 1,454,846 | 147,979 | 46,112 |

Municipal distribution of languages spoken by individuals with limited English proficiency who speak English less than "very well" sourced from the ACS 2017 - 2021 survey.

ENVIRONMENTAL JUSTICE EO 12898



BACKGROUND

Executive Order 12898 aims to address environmental injustice by identifying and addressing disproportionate risks faced by minority and low-income communities. It ensures their involvement in decision-making and prohibits discrimination.



ENVIRONMENTAL JUSTICE

The HRPDC and HRTPO are committed to advancing environmental justice in Hampton Roads by ensuring all communities have equal access to a clean and healthy environment. Through active engagement with marginalized communities, collaboration with partners, and integration of environmental justice considerations into decision-making, the HRPDC/HRTPO is working to address historical disparities, promote equity, and create a more just and resilient region.

ENVIRONMENTAL JUSTICE

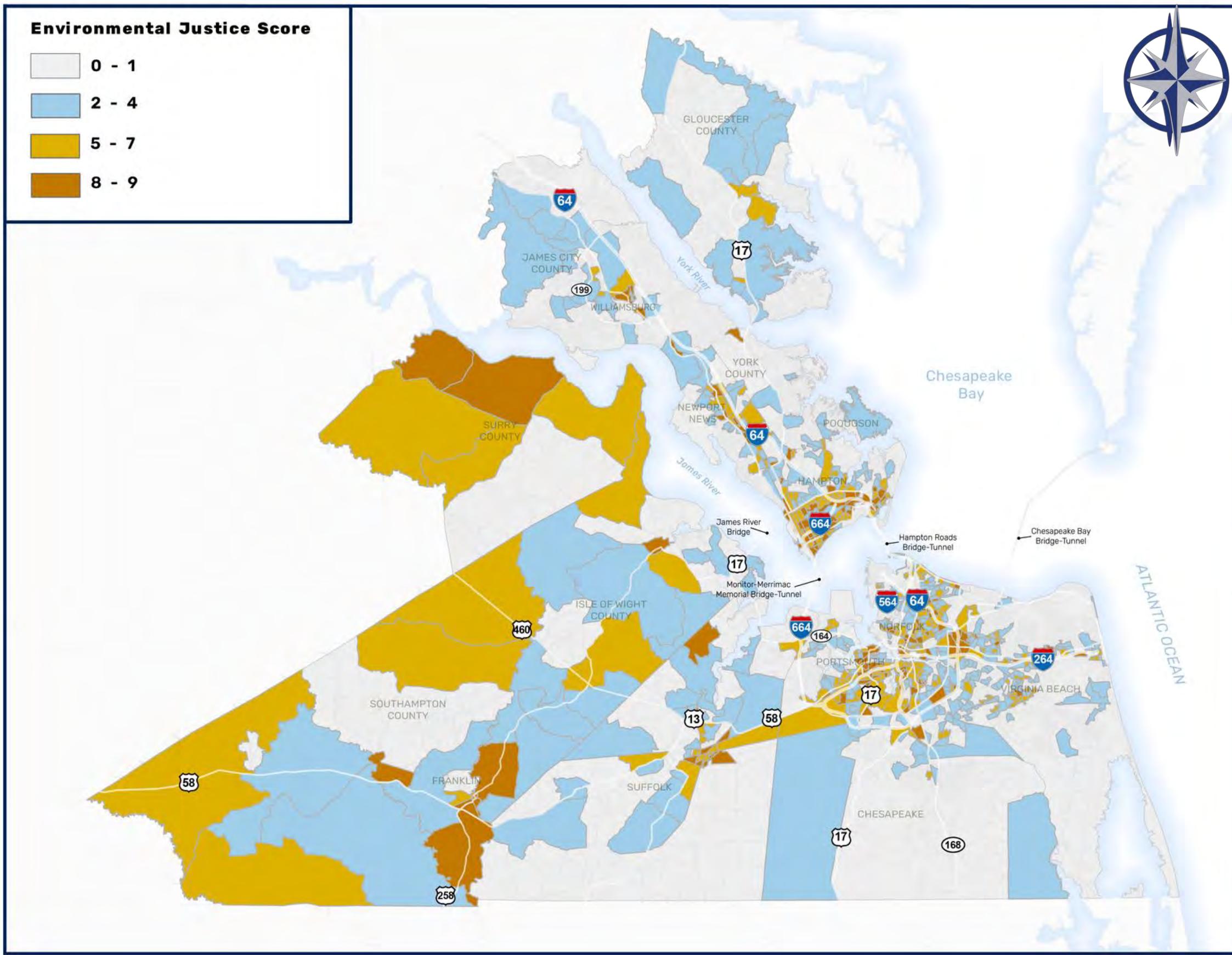


The HRTPO has incorporated an EJ framework in developing the region's Long-Range Transportation Plan to evaluate potential impacts on vulnerable populations. Additionally, the HRTPO has incorporated equity considerations in the HRTPO Project Prioritization Tool to further evaluate equity impacts.

The HRPDC and HRTPO have partnered with community-based organizations and governmental agencies that share a focus on Environmental Justice issues.

Mapping

As part of the Long-Range Transportation Plan implemented an Environmental Justice Framework as part of the 2050 LRTP.



| Minority Populations | Low-Income Households | Households with SNAP |
|---------------------------------|---------------------------|-------------------------------|
| Households with Cash Assistance | Female Head of Households | Individuals with Disabilities |
| Zero-Car Households | Elderly Populations | LEP Households |



SELF-CERTIFICATION TIP

The HRTPO Self-Certification Process documents, to reviewing agencies and the public, that the metropolitan transportation planning and programming processes are being carried out in accordance with applicable requirements (most recently May 2023).

3 Components of Self-Certification Process

- HRTPO TIP Certification
- Self-Certification Procedural Guide
- Self-Certification Document & Accomplishments Report

For more information, please visit Certification
(HRTPO.org)



THANK YOU FOR ATTENDING

For questions, please contact Quan
McLaurin (qmclaurin@hrpdcva.gov)



www.hrtpo.org

