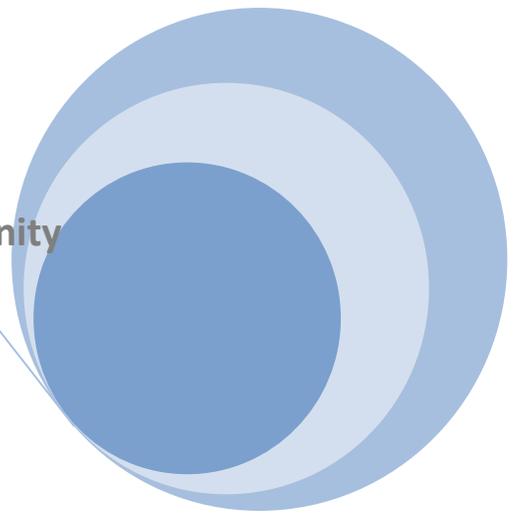


California Department of Transportation
Office of Business and Economic Opportunity



**Title VI of the Civil Rights Act of 1964
Annual Element Report**

2015



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Introduction

The Title VI of the Civil Rights Act of 1964 and related nondiscrimination statutes (Title VI) annual element report includes information regarding program accomplishments for federal fiscal year (FFY) 2015 and goals for FFY 2016.

This report was prepared in accordance with 23 Code of Federal Regulations, Section 200.9(b)(10).

I. Statistical Data

Title VI	
Number of Title VI complaints filed with Caltrans	1
Number of completed investigations conducted by Caltrans	0
Number of Caltrans completed investigations with findings	0
Number of planned Caltrans reviews	12
Number of completed Caltrans reviews	7
Number of current Caltrans subrecipients	600+
Number of planned Caltrans subrecipient reviews	8
Number of completed Caltrans subrecipient reviews	8
Number of planned training sessions	Not applicable ¹
Number of completed training sessions	4,311 ²

Limited English Proficiency (LEP)	
Percentage of population that does not speak English proficiently	20% ³
Number of languages (other than English) used by the population	37
Number of translation services provided	195
Number of interpreter services provided	457
Cost of translation and interpreter services provided	No cost ⁴

II. Organizational Structure

There were no changes to the organizational structure in FFY 2015. Caltrans’ Office of Business and Economic Opportunity (OBEO) consists of the following six branches: Training and Outreach, Policy and Reports, Certification, Compliance, Program Operations, and Contract Evaluation.

¹ Title VI training is provided online as a self-paced training and in a classroom setting as needed.

² One person is a session.

³ Source: Table 6. Detailed Languages Spoken at Home and Ability to Speak English for the Population 5 Years and over for California: 2006-2008, released April 2010 by the United States Census Bureau.

⁴ Certified and volunteer Caltrans staff provided interpreter services. There was no cost for use of the phone interpreting service.



Angela Shell is the Assistant Director of the OBEO.

III. Title VI Complaints

Caltrans’ Discrimination Complaint Investigation Unit received one Title VI complaint between October 1, 2014, and August 31, 2015. The complaint was not investigated due to current litigation.

IV. Accomplishments

A. Office of Business and Economic Opportunity

Compliance Branch

- Participated in the Western Association of State Highway and Transportation Officials round table teleconference July 15, 2015, to share best practices used by the western state transportation departments in carrying out the Title VI Program.
- Updated Title VI Compliance Branch procedures manual.
- Revised the reporting matrix and executive summary to provide Title VI compliance review findings to the Federal Highway Administration (FHWA).
- Created a Title VI compliance review schedule of Caltrans’ major program areas for October 1, 2014, through September 30, 2015.
- Participated in Title VI Liaison quarterly meetings.
- Reported on Compliance Branch activities at Title VI quarterly meetings.
- Developed an intranet page to share with divisions information about upcoming Title VI compliance reviews of Caltrans major program areas.
- Worked with the Caltrans divisions to update Title VI Program implementation plans.
- Provided guidance and support to local agencies.

- Participated in the Environmental Protection Agency’s Environmental Justice Screening Tool Training.
- Conducted five Title VI reviews of local agencies in partnership with the Division of Local Assistance (DLA). From May 2015-September 2015, five Title VI compliance reviews were conducted in the City of Costa Mesa, County of Ventura, County of Los Angeles, County of San Diego, and County of Riverside. The joint team effort consisted of a Compliance Analyst from the Compliance Branch and the DBE Program Manager from the DLA. The compliance team reviewed local government agencies’ Title VI policies, reports, and activities. Upon finding deficiencies, the compliance team provided guidance and instruction to develop and implement policies to ensure compliance with Title VI requirements.

Policy and Reports Branch

- Revised Caltrans Director’s Policy 28, “Title VI of the Civil Rights Act of 1964, and Related Nondiscrimination Statutes.”
- Revised Caltrans Deputy Directive 91, “Limited English Proficiency.”
- Revised Caltrans’ External Discrimination Complaint Form for the FHWA.

Training and Outreach

- Facilitated meetings with division and district Title VI Liaisons and OBEO branches on a quarterly basis to discuss program updates and provide technical assistance and training regarding Title VI requirements.
- Drafted a Title VI intranet page to share information and resources with Caltrans staff.
- Conducted Title VI compliance reviews of the DLA and the Division of Engineering Services (DES).
- Updated Caltrans’ Volunteer/Certified Bilingual List quarterly.
- Partnered with the DLA to conduct two sessions of in-person Title VI training to 69 local agency staff.
- Developed a draft Local Agency Title VI Training module.
- Trained Compliance Branch staff to conduct Title VI compliance reviews.
- Participated in the United States Department Of Transportation Civil Rights Virtual Symposium, February 3-5, 2015.

B. Divisions - Headquarters

Division of Construction – Labor Compliance

- Added “How to File a Title VI Complaint” link to the Division of Construction’s Internet Web page.
- Trained staff on the services offered by Language Line Solutions to provide assistance to the limited English speaking public.

- Updated the Labor Compliance Resident Engineer training at the district level to include Title VI requirements.

Division of Rail and Mass Transportation (DRMT)

- Submitted DRMT’s LEP Plan to the Federal Transit Administration (FTA).

Division of Right of Way (DRW)

- Headquarters staff conducted two quality enhancement joint reviews (QEJRs) at the district and region level to ensure compliance with the DRW’s policies and procedures specific to Title VI and the Uniform Relocation Assistance and Real Property Acquisition Policies Act. The first review was of District 4’s appraisal function. The review found all files in compliance with disseminating Title VI rights information to the property owners. The second review was of the North Region’s (Districts 1, 2, and 3) acquisition function. The review found that recording of the dissemination of Title VI rights information to the property owner was not consistent in Districts 1 and 3.
- North Region’s management team developed a five-point plan which includes proper diary entry procedures.

Division of Transportation Planning – Office of State Planning

- Conducted a workshop in seven districts to solicit public comment and input on the draft California Transportation Plan (CTP 2040). Collected demographic information from workshop participants.

North Region - Division of Construction

- Mailed Title VI brochures and discrimination complaint forms to contractors prior to the pre-construction meetings; analysts discussed the materials during the pre-construction meetings.

C. Districts

- Conducted 125 public outreach and involvement meetings and open house events in project planning and design.

District 1 – Division of Transportation Planning and Local Assistance

- Hosted the first “Procuring Architectural and Engineering Contracts-Consultant Selection” training for 20 local agencies and 3 tribes. The training addressed Title VI contract language.
- Hosted 20 local agencies and 3 tribes for a week-long “Federal Aid Series” training, which included Title VI.

District 4 – Division of Administration – Equal Employment Opportunity

- Provided Web site references and information on Title VI requirements to assist the City of Alameda’s Public Works Department to develop a new Web site.

**District 4 – Division of Transportation Planning and Local Assistance
Office of Transit and Community Planning**

- In May 2015, performed a compliance check of FTA Section 5311 fund subrecipients. All subrecipients had current Title VI plans on file and met the Title VI compliance requirements.

District 6 - Division of Transportation Planning and Local Assistance

- Coordinated with District 6’s Native American Coordinator to integrate “complete street” policy in the consultation and coordination efforts with tribal governments and communities. As a result of the consultation and coordination with the Tule River Indian Tribe, the State Route (SR)-190 and County Road 284 Roundabout Project will incorporate the cultural design elements defined by the Tule River Indian Tribe.
- Disseminated information on Caltrans’ Sustainable Transportation Planning Grant Program to 8 tribal governments, 20 tribal communities, and 35 environmental justice/Title VI communities.
- Developed a “disadvantaged communities” mapping template based on CalEPA’s CalEnviroScreen 2.0.⁵ Created a draft template for the SR-198 Transportation Concept Report.

District 7 - Division Administration -Equal Employment Opportunity

- District 7’s Title VI Liaison marketed and provided Title VI training to prime contractors, subcontractors, and other federal-aid highway funds recipients during pre-construction meetings (approximately 29 meetings).
- District 7’s Title VI Liaison received a complaint alleging disparity in project allocations and lack of services for a certain district area. An audit and investigation are pending.

District 9 – Planning/Project Management

- Signed Tribal Employment Rights Ordinance Memorandum of Understanding with the Bishop Paiute Tribe to facilitate hiring Native Americans on Caltrans’ SR-168 sidewalks project.

⁵ California’s Office of Environmental Health Hazard Assessment, on behalf of the California Environmental Protection Agency (CalEPA), announced the availability of the California Communities Environmental Health Screening Tool: CalEnviroScreen Version 2.0 (CalEnviroScreen 2.0). CalEnviroScreen is a screening methodology that can be used to help identify California communities that are disproportionately burdened by multiple sources of pollution. CalEPA used the tool to designate California communities as disadvantaged pursuant to Senate Bill 535.

District 10 – Division of Administration

- District 10’s Title VI Liaison conducted quarterly meetings with district Title VI Coordinators to relay updates from headquarters.

District 11 – Division of Administration - Public Affairs

- Reviewed in-house outreach methods and materials and determined they are in compliance with Title VI requirements.

District 11 – Division of Environmental - Project Analysis All Branch B

- Worked with District 11’s Community Impact Specialist to ensure that environmental justice was addressed in the environmental document for the SR-94/SR-125 Interchange Improvement Project.

District 11 – Division of Planning

- Monitored grant recipients and subrecipients for compliance with Title VI requirements. Project managers attended stakeholder meetings after the grants were awarded to ensure all recipients understood the various elements of Title VI and the monitoring process.
- Included procedures in grant applications and contracts for determining compliance with Title VI requirements. Planning staff monitored each subrecipient for compliance on a quarterly basis. The monitoring included a review of payees, adherence to the project schedule, and a review of progress made. During the reporting period, all grant subrecipients were in compliance with Title VI.
- Collected and analyzed demographic data of attendees at Caltrans-sponsored meetings and workshops and evaluated the effectiveness of outreach efforts.

District 11 – Division of Right of Way

- Conducted 46 reviews of contractors/subcontractors to ensure compliance with Title VI requirements. All contractors were compliant.

V. Goals

A. Office of Business and Economic Opportunity

Policy and Reports Branch

- Develop and implement a communication plan for sharing Title VI policy and policy-related information with internal stakeholders.
- Develop and publish on the OBEO Web site a schedule for Title VI policy updates.
- Finalize updates to Caltrans’ Title VI Program Plan by December 31, 2015.
- Update Caltrans’ LEP Plan.

Training and Outreach

- Revise the current Title VI online training module.
- Develop a handbook for Title VI Liaisons that includes an overview of Title VI requirements as well as roles and responsibilities.
- Develop “New Title VI Liaison” training and incorporate the training into the Title VI Liaison handbook.
- Develop a Title VI training video for local agencies.
- Develop a “frequently asked questions” resource on the Title VI intranet page.
- Publish a Title VI intranet page to share information and resources with Caltrans staff.

Compliance Branch

- Post on the intranet the FFY 2016 Title VI compliance review schedule of Caltrans’ program areas and districts.

B. Divisions - Headquarters

Division of Construction - Labor Compliance

- Train district and field staff how to use the division’s Internet Web page, “How to File a Title VI Complaint.”

Division of Maintenance

- Establish a Title VI complaint procedure the public can access online via the Maintenance Service Request portal. This will allow Title VI complaints to be monitored, tracked, and reported.
- Inform Division of Maintenance – Headquarters staff about the services offered by Language Lines Solutions to assist the limited English speaking public.

Division of Right of Way

- Conduct two Title VI QEJRs in two Right of Way district offices.
- Complete list of vital documents for translation.
- Post a link on the Right of Way – Headquarters intranet to include Title VI discrimination complaint filing instructions.

C. Districts

North Region Division of Construction

- Determine the effectiveness of current methods used to collect information on attendees at public meetings.

District 1 – Equal Employment Opportunity

- By June 30, 2016, the District 1 Title VI Liaison will disseminate Title VI informational brochures to the public at 101 outreach events.

District 3 – Planning/Local Assistance

- Establish a mechanism to tabulate the identity of participants in all the Capitol City Corridor Project external workshops and online outreach.

District 4 – Equal Employment Opportunity

- Seventy-five percent of District 4 staff will complete Title VI training.

District 6 – Equal Employment Opportunity

- All field maintenance staff will complete classroom Title VI training by October 2016.

District 6 – Transportation Planning

- Complete a narrative to accompany the “disadvantaged communities” mapping template created for the SR-198 Transportation Concept Report. Defining the locations of disadvantaged communities along the corridor will assist in securing future Active Transportation Program and Affordable Housing and Sustainable Communities Program funding.

District 9 – Planning and Local Assistance

- Complete an additional 15 percent of the District 9 multi-modal plan to address all users’ needs for the State Highway System.

District 10 – Equal Employment Opportunity

- The District 10 Title VI Liaison will work with the District 10 Training Coordinator to ensure all district staff complete Title VI training.

District 11 – Division of Construction - Labor Compliance

- By December 31, 2015, each construction field office will display the Title VI brochures (English and Spanish versions).

District 11 – Division of Right of Way

- Conduct Title VI compliance reviews of all new contractors awarded a service contract.

District 12 – Equal Employment Opportunity

- The District 12 Title VI Liaison will schedule meetings with Title VI contacts in the divisions to ensure their awareness of program information and reporting updates and changes.