
**CITY OF WASHINGTON, MISSOURI
TITLE VI PROGRAM**

**405 JEFFERSON STREET
Washington, Missouri 63090
May 2016**

I. PLAN STATEMENT

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, national origin or ethnicity in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that “no person in the United States shall, on the ground of race, color, national origin, or ethnicity be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving Federal financing assistance” (42 U.S. C. Section 2000d).

The City of Washington is committed to ensuring that no person, on the basis of race, color, national origin, or ethnicity, is excluded from participating in or denied the benefits of any project receiving federal funding, including the Federal Transit Administration (FTA) in accordance with FTA Circular 4702.1.A.

Title VI Coordinator

Office of the City Engineer
City of Washington
405 Jefferson Street
Washington, Missouri 63090
Telephone (636) 390-1015

II. TITLE VI INFORMATION

Title VI information posters shall be prominently and publicly displayed in City facilities. Information regarding the Title VI coordinator is available on the website www.ci.washington.mo.us Additional information relating to nondiscrimination obligation can be obtained from the City’s Title VI Coordinator.

Title VI information shall be disseminated to the City’s employees via e-mail. This information will remind employees of the City’s policy statement.

III. SUBCONTRACTS AND VENDORS

All subcontractors and vendors who receive payments from the City of Washington where funding originates from federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended. Written contracts shall contain non-discrimination language, either directly or through the bid specification package, which becomes an associated component of the contract.

IV. RECORD KEEPING

The Title VI Coordinator will maintain permanent records, which include, but are not limited to, copies of Title VI complaints or lawsuits and related documentation, and records of correspondence to and from complainants, and Title VI investigations.

V. TITLE VI COMPLAINT PROCEDURES

How to File a Title VI Complaint?

A formal complaint must be filed within one hundred eighty (180) calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant. The complaint must meet the following requirements:

- a. Name of complainant, mailing address, and how to contact the complainant (telephone number etc.).
- b. Complaints must include the date of the alleged act(s) of discrimination; date when the complainant(s) became aware of the alleged discrimination; or the date on which the conduct was discontinued or the latest instance of the conduct.
- c. Complaint must present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the action complained against.

The Title VI Complaint Form (see Appendix A) may be used to submit the complaint information. The complaint must be filed in writing with the City of Washington, Office of the City Engineer at the following address:

Office of the City Engineer
Title VI Coordinator
City of Washington
405 Jefferson Street
Washington, MO 63090

NOTE: The City encourages all complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily. For complaints originally submitted by facsimile, an original, signed copy of the complaint must be mailed to the Title VI Coordinator as soon as possible, but no later than 180 days from the alleged date of discrimination.

What happens to the complaint after it is submitted?

All complaints alleging discrimination based on race, color or national origin in a service or benefit provided by the City of Washington will be directly addressed by the City. The City shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, the City shall make every effort to address all complaints in an expeditious and thorough manner.

A letter acknowledging receipt of complaint will be mailed by the City with ten (10) days (Appendix B) of receipt of the complaint. Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.

How will the complainant be notified of the outcome of the complaint?

The City will send a final written response letter (Appendix C) to the complainant. In the letter notifying complainant that the complaint is not substantiated (Appendix D), the complainant is also advised of his or her right to 1) appeal within ten calendar days of receipt of the final written decision from the Office of the City Engineer and/or 2) file a complaint externally with the appropriate Federal Agency. Every effort will be made to respond to Title VI complaints within 60 working days of receipt of such complaints, if not sooner.

VI. LIMITED ENGLISH PROFICIENCY (LEP) PLAN

According to the U. S. Census Bureau 2010 Demographic Profile Data 1.4% of the City of Washington population potentially speaks a language other than English. The actual percentage is unknown, but very likely substantially less than this percentage. The four factor FTA LEP analysis is found in Appendix E.

The Plan for Implementation plan is found in Appendix F.

VII. COMMUNITY OUTREACH

Community outreach is a requirement of the Title VI. As an entity receiving federal financial assistance, the City regularly implements the following outreach efforts.

- a. Conducting public engagement meetings.
Members of the public are invited to attend. Meeting notice is communicated in a variety of methods, depending on the subject matter, and may include: e-mail blasts, the City website, targeted mailings, dissemination of posters or meeting fliers, use of bulletin boards, notice in the local newspaper and radio station.
- b. Conducts various commission and council meetings.
The City has numerous boards and commissions organized around topic area (for example: Highway Transportation Committing, Planning & Zoning Committee, Traffic Committees, City Council). Members of the public are invited to attend these meetings. Meeting notice is communicated in a variety of methods, depending on the subject matter, and may included: e-mail blasts, the City Website, targeted mailings, dissemination of posters or meeting fliers, notice in the local newspaper and radio station.
- c. Updates the City's website and other social media.
The City's website and other social media forums are regularly updated by staff.

APPENDIX A: COMPLAINT FORM



405 Jefferson Street, Washington, Missouri 63090, Phone (636) 390-1015, Fax (636) 239-4649

Title VI Complaint Form

Title VI of the 1964 Civil Rights Act and related nondiscrimination statues and regulations require that *no person in the Untied States shall, on the ground of race, color, national origin, sex, age or disability 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 following information is necessary to assist us in processing your complaint. Should you require any assistance in completing this form, please call (636) 390-1015. The completed form must be returned to the Office of the City Engineer, City of Washington, 405 Jefferson Street, Washington, MO 63090

Complainant's Name:	Phone: Alt. Phone:
Street Address:	City, State, Zip Code:
Person(s) discriminated against (if someone other than complainant): Names(s):	
Street Address, City, State and Zip Code:	

Date of Incident: _____

- Which of the following best describes the reason you believe the discrimination took place?
- Race/Color
- Sex/Gender
- Disability
- National Origin/Limited English Proficiency
- Age

Please describe the alleged discrimination incident. Explain what happened and whom you believe was responsible. Please use the back of this form if additional space is required.

(continued on reverse)

Please describe the alleged discrimination incident (continued)

Have you filed this complaint with any other federal, state, or local agency; or with any federal or state court? (Circle one) Yes / No

If so, list agency / agencies and contact information below:

1. Agency:	Contact Name:
Street Address, City, State, Zip Code	Phone:
2. Agency:	Contact Name:
Street Address, City, State, Zip Code:	Phone:

I affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

Complainant's Signature

Date:

APPENDIX B: LETTER OF RECEIPT



405 Jefferson Street, Washington, Missouri 63090, Phone (636) 390-1015, Fax (636) 239-4649

Date

Name
Address
City, State, Zip

Dear Name:

This letter is to acknowledge receipt of your complaint against _____
alleging _____.

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office at (636) 390-1015 or in writing at:

Office of the City Engineer
City of Washington
405 Jefferson Street
Washington, Missouri 63090

Sincerely,

John Nilges, P.E.
City Engineer

APPENDIX C: LETTER OF RESPONSE – SUBSTANTIATED



405 Jefferson Street, Washington, Missouri 63090, Phone (636) 390-1015, Fax (636) 239-4649

Date

Name

Address

City, State, Zip

Dear Name:

The matter referenced in your letter of _____(date) against _____, alleging Title VI violation has been investigated.

(An/Several) apparent violation(s) of title VI of the Civil Rights Act of 1964, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for bringing this important matter to our attention. You were extremely helpful during our review of the program. (If a hearing is requested, the following sentence may be appropriate): You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

John Nilges, P.E.
City Engineer

APPENDIX D: LETTER OF RESPONSE – NOT SUBSTANTIATED



405 Jefferson Street, Washington, Missouri 63090, Phone (636) 390-1015, Fax (636) 239-4649

Date

Name

Address

City, State, Zip

Dear Name:

The matter referenced in your letter of _____ (date) against _____, alleging Title VI violation has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964 had in fact been violated. As you know, Title VI prohibits discrimination based on race, color, national origin or ethnicity in any program receiving federal financial assistance.

I therefore advise you that your complaint has not been substantiated, and that I am closing this matter in our files.

You have the right to appeal this decision within ten calendar days of receipt and/or file a complaint externally with the U.S. Federal Transit Administration at:

Federal Transit Administration Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor – TCR
1200 New Jersey Ave., SE
Washington, DC 20590

Thank you for contacting us. If you need additional information, do not hesitate to contact me at (636) 390-1015.

Sincerely,

John Nilges, P.E.
City Engineer

APPENDIX E:
City of Washington
Limited English Proficiency (LEP)
Federal Transit Administration (FTA)
Four Factor Analysis

Introduction

The City of Washington, Missouri promotes a positive and cooperative understanding of the importance of language access to federally conducted and federally assisted programs.

While most individuals in the United States read, write, speak and understand English, there are many individuals whose primary language is not English. Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English are considered by federal law to be limited English proficient, or “LEP.” This language barrier may prevent individuals from accessing services and benefits and they may be entitled to language assistance with respect to a particular type or service, benefit, or encounter.

Federal law requires that people who are LEP have meaningful access to federally conducted and federally funded programs and activities. Moreover, federal agencies are required to ensure that recipients of federal financial assistance, like the City of Washington, provide meaningful access to their LEP constituencies.

Two federal documents provide the foundation for the development of the LEP plan: Title VI of the Civil Rights Act of 1964, and Executive Order 13166 “Improving Access to Services for Persons with Limited English Proficiency,” signed in 2000. Title VI stipulates that agencies should take reasonable actions to provide language assistance. Executive Order 13166 requires agencies to examine the services provided and develop and implement a system by which LEP persons can meaningfully access those services.

Four-Factor Analysis

The City of Washington is required to ensure that strategies are in place to involve those individuals in the community who may have a harder time participating in activities due to a language barrier. In accordance with Executive Order 13166, the agency has conducted the four-factor analysis recommended by the U.S. Department of Transportation to determine the level and extent of language assistance measures the City of Washington must undertake to ensure meaningful access to the agency’s programs, activities, and services. The City of Washington will assess and update the following four-factor analysis every four years:

Factor 1: The number and proportion of LEP persons served or encountered in the eligible service population.

Task 1, Step 1: Become familiar with data from the U.S. Census

Best available information comes from the U.S. Census Bureau 2010 Demographic Profile Data. This data does not provide information for Limited English Proficiency (LEP), but does list the population according to race. This information is provided below.

RACE	Number	Percent
Total population	13,982	100.0
One Race	13,818	98.8
White	13,521	96.7
Black or African American	96	0.7
American Indian and Alaska Native	20	0.1
Asian	76	0.5
Native Hawaiian and Other Pacific Islander	10	0.1
Some Other Race	95	0.7
White & Other	164	1.2

The total potential non-English speaking population is 201 persons or 1.4% of the City population. The actual number would most likely be substantially less than this number.

The most significant potential non-English language population would speak Asian languages.

Task 1, Step 2

Upon request the City will provide translation services for persons with limited English. The local educational institutions would be one resource for this service. The City also would utilize its current contract with the Cyra-Com Company to provide translation services.

Factor 2: The frequency with which LEP individuals come into contact with your programs, activities, and services

Task 2, Step 1: Review the relevant programs, activities, and services you provide.

Upon request, the City will provide translators at all public meetings relevant to Federal grant project activities. Notification will occur per the Community Outreach program.

Task 2, Step 2: Due to the limited number of potential LEP persons affected there will be few resources or time for outreach to LEP persons outside the public meetings or the stated community outreach plan.

Factor 3: The importance to LEP persons of your program, activities, and services

Task 3, Step 1: Identify your agency's most critical services

Community input into the planning process is important to achieve the most desirable results for all people. How a neighborhood is impacted by this process is important to LEP persons. Limited English must not be a barrier towards contributing to the public workshops and other opportunities for community input about redevelopment.

Task 3, Step 2: Review input from community organizations and LEP persons.

The City Engineer will be responsible to compile and review and respond to all input received from LEP persons.

Factor 4: The resources available to the recipient and costs

Task 4, Step 1: The City Engineer will monitor the cost of all such measures.

Task 4, Step 2: Determine what, if any additional services are needed to provide meaningful access.

No additional measures identified

Task 4, Step 3: Due to anticipated limited needs, budget constraints will not be an issue

Task 4, Step 4: Consider cost effective practices for providing language services

The City of Washington can collaborate with the local educational institutions and the Cyra-Com Company to provide cost effective practices such as:

- Help with translation of printed and online information.
- Distribution channels for printed information
- Translation assistance for LEP persons
- Educational and outreach opportunities to help improve access for LEP persons.

APPENDIX F:
City of Washington, Missouri
Limited English Proficiency (LEP)
Language Assistance Plan

Plan for Implementation

Identifying LEP individuals who need language assistance

Approximately 200 citizens have been identified as potentially non-English speaking persons. These people are not concentrated in any particular area.

Language assistance measures

If requested, the City will provide language assistance supplied by nearby educational institutions and the Cyra-Company Company.

Training Staff

City staff will share information on public involvement and brainstorm new resources, ideas, and approaches for putting these into effect. Staff training will include a discussion of collected recommendations for conveners of participatory public engagement efforts.

Providing notice to LEP persons

Notification for LEP identified persons/areas will be through direct contact such as flyers, bulletins, announcements, notifications in community papers, and word-of-mouth.

Monitoring and Updating the LEP Plan

The LEP Plan effectiveness will be monitored by analyzing input from the target population. Where necessary, improvements to the plan will be made on a case by case or policy-wide basis.

Just the facts on Title VI

What is Title VI?

Title VI of the 1964 Civil Rights Act is a federal statute that prohibits discrimination on the grounds of race, color, or national origin shall not occur in connection with programs and activities receiving Federal financial assistance and authorizes and directs the appropriate Federal departments and agencies to take action to carry out this policy

Who is protected by Title VI?

Any person who seeks to participate in or receive benefits from programs or activities receiving Federal financial assistance.

What does Title VI require?

At its core, Title VI requires non-discrimination in any program or activity that is funded through Federal monies

Discriminatory action under Title VI includes: (a) discrimination, (b) exclusion from, or (c) denial of benefits under any program or activity that receives Federal financial assistance, if the action is made upon the grounds of: (a) race, (b) color or (c) national origin.

Who must comply with Title VI?

Any agency department, state or local government (or instrumentality) that receives Federal financial assistance.

How to file a complaint or obtain additional information

If you have a complaint, you may file a signed, written complaint form up to 180 days from the date of the alleged discrimination.

The complaint should include:

- Your name, address and telephone number
- The name and address of the agency, institution, or department you believe discriminated against you.
- How, why, and when you believe you were discriminated against. Include as much specific, detailed information as possible about the alleged acts of discrimination, and any other relevant information.
- The names of any persons, if known, whom the City of Washington could contact for clarity of your allegations.

A complaint form and process information can be found at www.ci.washington.mo.us

Please submit your complaint to the following address:

Mr. John Nilges
Title VI Coordinator
City of Washington, Missouri
405 Jefferson Street
Washington, MO 63090

Email: jnilges@ci.washington.mo.us
636-390-1015 • fax 636-239-4649

See the Title VI link at:
<http://www.ci.washington.mo.us>