



**Kitsap County Public Works (KCPW) Roads Division  
Title VI Plan - July 2023**

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**Kitsap County Public Works (KCPW)  
Roads Division**

Beginning date of Plan **7/25/2023**

Eric Baker/Acting County Administrator Effective July 3, 2023

Andrew B. Nelson/Public Works Director

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**I. Title VI Policy Statement**

It is the policy of KCPW Roads Division that no person shall on the grounds of race, color, and national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of KCPW Roads Division as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

This policy applies to all operations of KCPW Roads Division, including its contractors and anyone who acts on behalf of KCPW Roads Division. This policy also applies to the operations of any department or agency to which KCPW Roads Division extends federal financial assistance. Federal financial assistance includes grants, training, equipment usage, donations of surplus property, and other assistance.

Prohibited discrimination may be intentional or unintentional. Seemingly, neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Harassment and retaliation are also prohibited forms of discrimination.

Examples of prohibited types of discrimination based on race, color, or national origin include: Denial to an individual any service, financial aid, or other benefit; Distinctions in the quality, quantity, or manner in which a benefit is provided; Segregation or separate treatment; Restriction in the enjoyment of any advantages, privileges, or other benefits provided; Discrimination in any activities related to highway and infrastructure or facility built or repaired; and Discrimination in employment.

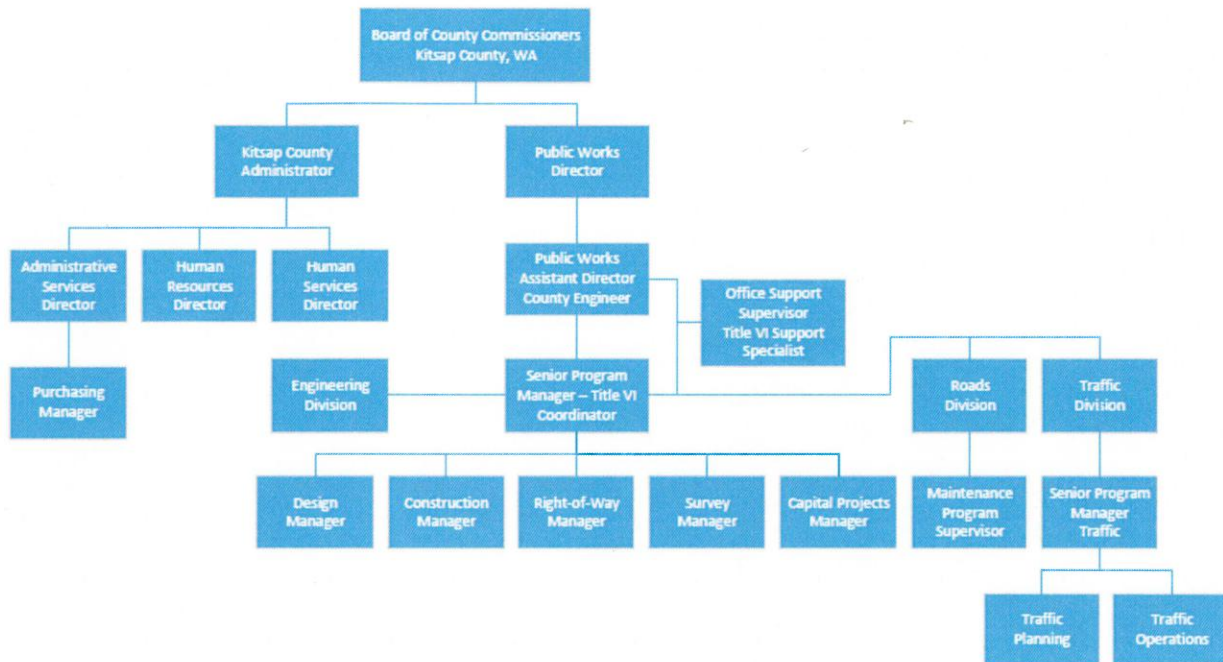
Title VI compliance is a condition of receipt of federal funds. The Title VI Coordinator is authorized to ensure compliance with this policy, Title VI of the Civil Rights Act of 1964, 42 USC § 2000d and related statutes, 42 USC 4601 to 4655; 23 USC 109(h); 23 USC 324; DOT Order 1050.2; EO 12250; EO 12898; 28 CFR 50.3 and 49 CFR part 21.

Signed:   
Chair of the Board of County Commissioners

7/25/, 2023  
Date

## II. Organization, Staffing, and Structure

### Organizational Chart – Reporting Relationship



Chair of the Board of County Commissioners is ultimately responsible for assuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related statutes and has directed that non-discrimination is required of all LPA employees, contractors, and agents pursuant to 49 CFR Part 21.

KCPW Roads Division has designated the position of Senior Program Manager, Engineering to perform the duties of the Title VI Coordinator and ensure implementation of their Title VI program. The position of Senior Program Manager, Engineering is located within KCPW Roads Division. The Title VI Coordinator is supported by the Title VI Support Specialist, also located within KCPW Roads Division.

The Title VI Coordinator is responsible for:

- Submitting a Title VI plan and annual reports on the agency’s behalf.

- Developing procedure(s) for the prompt processing and disposition of complaints;
- Investigating complaints, compiling a complaint log, and reporting to WSDOT;
- Developing procedures for the collection and analysis of statistical data;
- Developing a program to conduct Title VI reviews of program areas;
- Conducting annual Title VI assessments of pertinent program areas;
- Developing Title VI information for dissemination; and
- Establishing procedures for resolving deficiency status and reducing to writing the remedial action agreed to be necessary.

**Title VI Support Specialist**

The Title VI Support Specialist supports the Title VI Coordinator with administrative functions and needs associated with the Title VI program by:

- Assisting with the preparation and updates of the Title VI Implementation Plan.
- Assisting with the tracking and gathering of Title VI data for the Annual Update and Accomplishments Report.
- Maintaining Title VI data and records in the County’s Document Center
- Acting as a point-of-contact for data collected by all Title VI Program Specialists.
- Submitting completed annual report and implementation plan to WSDOT-OEO.

**III. Primary Program Area Descriptions & Review Procedures**

**Title VI Coordinator’s Responsibilities and Program Administration** – As authorized by the Agency Administrator, the Title VI Coordinator is responsible for initiating, monitoring, and ensuring KCPW Roads Division’s compliance with Title VI requirements as follows:

<b>Program Area</b>	<b>General Description</b>	<b>Title VI/Non-Discrimination Concerns and Responsibilities</b>	<b>Review Procedures for Ensuring Non-Discrimination</b>
Real Estate Services (Right of Way)	<ul style="list-style-type: none"> <li>• Manages and coordinates property appraisal and acquisitions, easements, rights-of-way, and other property rights for KCPWD Roads and all other divisions of the</li> </ul>	<ul style="list-style-type: none"> <li>• Adhere to departmental policy for apprising affected property owners, tenants, and others involved in right-of-way acquisition of their rights and options regarding negotiation,</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure relocation advisory assistance services are provided to all eligible displaced persons, tenants, and entities.</li> <li>• Ensure the preparation of deeds, permits and leases contain the appropriate Title VI clauses.</li> <li>• Apprise property owners and tenants of their rights and options under eminent</li> </ul>

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	<p>Public Works Department, as well as advises other departments of the County.</p> <ul style="list-style-type: none"> <li>• Ensure that the property acquisition follows WSDOT Right of Way Manual and Local Agency Guidelines Manual, and all applicable local, state, and federal laws and regulations, including Title VI and Section 504.</li> </ul>	<p>relocation, condemnation, and other aspects of the acquisition process.</p> <ul style="list-style-type: none"> <li>• Ensure that appraisal standards and communications associated with the appraisal and negotiation operations result in equitable treatment.</li> <li>• Ensure that relocation advisory assistance services are provided equitably to all displaced persons and entities.</li> </ul>	<p>domain acquisition including appraisal, negotiation, relocation, condemnation, and other aspects of the acquisition process.</p> <ul style="list-style-type: none"> <li>• Follow the guidelines in the WSDOT Right of Way Manual, WSDOT Local Agency Guidelines manual for property acquisition as well as any and all applicable local, state, and federal laws and regulations, including Title VI and Section 504 of the Rehabilitation Act of 1973.</li> </ul>
<p>Education and Outreach, a subsidiary of Real Estate Services</p>	<ul style="list-style-type: none"> <li>• Responsible for public outreach and communication support for KCPW Roads Division and coordinate on Public Works wide matters with other PW divisions.</li> <li>• Develops an outreach plan for each KCPW Roads division project in conjunction with the Project Manager.</li> <li>• Responsible for determining the community composition and appropriate outreach with</li> </ul>	<ul style="list-style-type: none"> <li>• Disseminate written program or project information to media and provide public service announcements for social and traditional media as warranted.</li> <li>• Assist staff in providing, as appropriate, EJ and LEP populations with access to information on programs and projects through the public outreach and public involvement processes.</li> </ul>	<ul style="list-style-type: none"> <li>• Works with the Title VI Coordinator and Project Managers to utilize and consider demographic data and other sources of information to help identify and address LEP, and EJ, communities, and Title VI compliance.</li> </ul>

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	<p>translation or interpretation services available.</p>		
<p>Design, Capital Projects, and Survey</p>	<ul style="list-style-type: none"> <li>• Responsible for design and construction of capital transportation improvement projects, including designing of our roadways and bridges; overseeing design consultants; and working with Project and Program Support Services in assembling Requests for Proposals and Bid Packages. Also performs studies to assess various environmental factors as they relate to project development, which include social and economic elements.</li> <li>• Development and management of contracts and purchasing, including hiring of consultants and contractors.</li> <li>• Develops Requests <b>for</b> Proposals and Bid Packages, ensure competitive selection of</li> </ul>	<ul style="list-style-type: none"> <li>• Maintain required Title VI compliance documentation and statistical data.</li> <li>• Work with Real Estate Services and Education and Outreach to ensure that all aspects of the location selection process comply with the Title VI requirements.</li> <li>• Work with Real Estate Services and Education and Outreach consult to seek input from affected populations.</li> <li>• Coordinate with Real Estate Services and Education and Outreach to provide notice of public hearings and meetings in minority newspapers and newsletters as appropriate.</li> <li>• Include applicable Disadvantaged Business Enterprise (DBE) goals in the contract documents as a contract compliance item.</li> <li>• Include Title VI language in all</li> </ul>	<ul style="list-style-type: none"> <li>• Review activities associated with open houses to enhance the participation of minority, EJ, LEP, populations.</li> <li>• Develop and update contract documents, policies, and procedures, to ensure the inclusion of Title VI language and provisions.</li> <li>• Maintain necessary data and documentation required for completion of the Title VI Report.</li> <li>• Review of directives and operational guidelines to ensure Title VI compliance.</li> <li>• Review and ensure all appropriate Title VI language is placed in call for bids, requests for qualifications and proposals, and other applicable contract documents.</li> </ul>

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	<p>consultant firms recommend award of construction contracts based on lowest responsive/responsible bidder</p> <ul style="list-style-type: none"> <li>Responsible for ensuring compliance with contract provisions, including DBE goals, Title VI and Equity/Social Justice Requirements</li> </ul>	<p>contracts, and assurance and provision language in all federally funded construction contracts. Documents and language shall be periodically reviewed to ensure compliance with current laws and regulations.</p> <ul style="list-style-type: none"> <li>Ensure that available census data are included as a part of all Environmental Impact Statements/ Assessments (EIS/EIA) conducted by KCPW Roads Division for projects receiving Federal Highway Administration or other federal assistance.</li> </ul>	
<p>Construction</p>	<ul style="list-style-type: none"> <li>Responsible for managing and inspecting the construction of KCPWD Roads capital improvement projects, including our roadways, bridges, culverts, and non-motorized facilities, to assure compliance with</li> </ul>	<ul style="list-style-type: none"> <li>Monitoring tracking of DBE compliance and reporting in the State system by Contractors.</li> </ul>	<ul style="list-style-type: none"> <li>Monitor compliance with Title VI requirements on construction contracts.</li> </ul>



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	<p>contract documents and for quality assurance.</p> <ul style="list-style-type: none"> <li>• Responsible for ensuring compliance with contract provisions, including DBE goals, Title VI and Equity/Social Justice Requirements.</li> </ul>		
Traffic Engineering and Planning	<ul style="list-style-type: none"> <li>• Responsible for transportation planning, including completing biennial updates to concurrency; the Six-Year Transportation Improvement Plan; the Annual Construction Program; administration of the agency's grants program; and review of development proposals with respect to impacts to the county's road system.</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure that a cross section of various social, economic, and ethnic interest groups are provided opportunity to be represented in the planning process by distributing program information to minority media and ethnic organizations when appropriate.</li> <li>• Provide notice of public hearings and meetings in minority newspapers and newsletters when applicable.</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure that all aspects of the planning process operation comply with Title VI.</li> <li>• Maintain required Title VI compliance documentation and statistical data.</li> <li>• Work with Title VI Coordinator to ensure that all aspects of the location selection process comply with the Title VI requirements.</li> </ul>
Road Maintenance and Operations	<ul style="list-style-type: none"> <li>• Responsible for completing work that is planned and performed on a routine basis to maintain and preserve the road system including signs, traffic signals, drainage paving, bridges,</li> </ul>	<ul style="list-style-type: none"> <li>• Monitoring all maintenance operations and management practice to ensure nondiscrimination.</li> <li>• Coordinates the gathering of maintenance information related to the Title</li> </ul>	<ul style="list-style-type: none"> <li>• Review activities and programs to assure that maintenance efforts and resources are applied uniformly &amp; fairly, and in full compliance with Title VI requirements.</li> </ul>

	<p>and culvert maintenance.</p> <ul style="list-style-type: none"> <li>• Respond to storm, snow, and flood events to restore the roadway system to an adequate level of service.</li> <li>• Works closely with resource agencies, to help avoid or minimize the environmental impact of a project during maintenance and operations.</li> </ul>	VI Report.	
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**IV. Review Procedures**

**A. Title VI Review of Sub-recipients of Federal-Aid Highway Funds**

Title VI Specialists and the Coordinator will assist WSDOT to periodically conduct Title VI compliance reviews. KCPW Roads Division staff will review select recipients of Federal-aid highway funds to ensure adherence to Title VI requirements. Title VI Specialists and Liaisons will work cooperatively, to periodically confirm operational guidelines provided to consultants, contractors, and sub-recipients, including Title VI language, provisions, and related requirements, as applicable.

**B. Post-Grant Reviews**

The Title VI Coordinator will collaborate with KCPW Roads Division staff to conduct periodic post grant reviews of select recipients of Federal highway funds, for roads, sidewalks, bridges, municipal construction, etc. to ensure adherence to Title VI requirements. Appropriate staff will periodically confirm that operational guidelines provided to consultants, contractors and sub-recipients include Title VI language, provisions, and related requirements, where applicable.

**C. Remedial Action**

When irregularities occur in the administration of Federal-aid highway programs at either the County or sub-recipient levels, corrective action will be taken to resolve identified Title VI issues. KCPW Roads Division will seek the cooperation of the consultant, contractor or other sub-recipient in correcting deficiencies found during periodic reviews. KCPW Roads Division will provide technical assistance and guidance, upon request, to support voluntarily compliance by the sub-recipient. When conducting Title VI compliance reviews of sub-recipients, the KCPW Roads Division will reduce to writing any recommended remedial action agreed upon by the County and sub-recipient and provide a copy of the letter within a period not to exceed 90 days.

Sub-recipients placed in a deficiency status will be given a reasonable time, not to exceed 90 days after receipt of the deficiency letter, to voluntarily correct deficiencies. When a sub-recipient fails or refuses to voluntarily comply with requirements within the allotted time frame, KCPW Roads Division will submit to WSDOT and FHWA copies of the case file and a recommendation that the sub-recipient be found in noncompliance.

A follow-up review will be conducted by the Title VI Coordinator within 180 days of the initial review to ascertain if the sub-recipient has complied with the Title VI Program requirements in correcting deficiencies previously identified. If the sub-recipient refuses to comply, KCPW Roads Division and WSDOT may, with FHWA’s concurrence, initiate sanctions per 49 CFR 21.

**V. Data Collection/Reporting/Analysis**

<b>Program Area</b>	<b>Type of Data Collected &amp; Process for Collecting</b>	<b>Intended Outcome of Data Analysis (i.e. Title VI Purpose for Collecting the Data)</b>
Real Estate Services (Right of Way), Design, Construction, Survey, Capital Projects, Traffic Engineering and Planning, Road Maintenance	Demographic statistics at applicable community meetings and public hearings involving transportation planning sessions. Data is gathered through use of a voluntary self-reporting form which includes race, gender, and national origin. Copies of the completed forms are	KCPW Roads Division reviews the statistical data gathering process performed by Specialists periodically to ensure sufficiency of data for meeting the requirements of Title VI program administration.  To ensure access to public meetings, evening meetings are conducted in a variety of community buildings throughout Kitsap County, including those along transit routes, as well as via virtual platforms. Translation services are available if anticipated, and ensure public

	provided to Title VI Coordinator after each meeting.	meetings are held in predominantly minority communities when transportation projects will specifically impact those communities.
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**VI. Title VI Training**

**NHI Education and Title VI Training**

In keeping with adopted KCPW Roads Division’s policy of nondiscrimination, departmental procedures are established or followed for Public Works employees to have equal access to applicable educational and training opportunities. Public Works staff maintain program administration documentation and data necessary for preparation of annual Title VI reports, and routinely supply the necessary data to the Title VI Coordinator.

The Coordinator is notified when training for National Highway Institute (NHI) courses or workshops become available to KCPW Roads Division employees. The Public Works Director establishes policy for the selection of participants interested in taking part in NHI training workshops to ensure that no one is denied participation or subjected to discrimination based on race, color, national origin or sex. A report, and/or copy of certificates, is completed and forwarded to the Coordinator upon completion of each educational seminar or course throughout the course of the year, which includes the name of each participant, their title, division, sex and ethnicity for use in completing the annual Title VI accomplishment report.

The Coordinator is responsible for overall Title VI related training and staff development for Title VI Specialists and other KCPW Roads Division employees. The Coordinator organizes or conducts a minimum of one internal Title VI training session annually. The Coordinator organizes and facilitates the provision of Title VI training sessions for consultants, contractors, and subcontractors periodically. WSDOT’s Office of Equal Opportunity Internal and External Civil Rights Branch and the Contract Compliance Office may be asked to provide applicable training.

The Coordinator collaborates with Kitsap County’s Department of Human Resources to ensure KCPW Roads Division policy is followed in the selection of instructors for KCPW Roads Division training courses/workshops and ensures equal opportunity in the selection process for all training contracts. Per adopted policy, KCPW Roads Division provides accessibility to Minority/Women/Disadvantage Business Enterprise consulting and training firms to compete for training contracts.

## **VII. Title VI Complaint**

### **A. OVERVIEW**

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987, or under Executive Order 12898 on Environmental Justice, or under any related statutes and regulations, relating to any program or activity administered by the KCPW Roads Division or its sub-recipients, consultants, and/or contractors. The KCPW Roads Division is responsible for ensuring that all Title VI discrimination complaints occurring within the Federal-aid transportation program or its activities are investigated. If a complaint is against the KCPW Roads Division, the Washington State Department of Transportation (WSDOT) Office of Equal Opportunity (OEO) will investigate the complaint.

### **B. PROCEDURES**

#### **1. Instructions to Claimants**

##### **Discrimination Complaint Procedure for KCPW Roads Division**

Federal law prohibits discrimination based on race, color, or national origin in any KCPW Roads Division program, service, or activity. This prohibition applies to all branches KCPW Roads Division, its contractors, consultants, and anyone else who acts on behalf of KCPW Roads Division.

Complaints related to the Federal-aid programs may be filed with KCPW Roads Division and will be forwarded to Washington State Department of Transportation – Office of Equal Opportunity. If you need assistance to file your complaint or need interpretation services, please contact KCPW Roads Division Title VI Coordinator.

##### **Who is eligible to file a complaint?**

Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any KCPW Roads Division program, service, or activity because of their race, color, or national origin may file a complaint.

Discrimination includes lack of access, harassment, retaliation and disparate impacts from a program or activity. Harassment includes a wide range of abusive and humiliating verbal or physical behaviors. Retaliation includes intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they filed a complaint or otherwise participated a discrimination investigation.

### **How do you file a complaint?**

Complaints must be filed no later than 180 days from the last date of the alleged discrimination. Contact KCPW Roads Division Title VI Coordinator if you believe your complaint may fall outside this deadline.

Reasonable efforts will be made to assist persons with disabilities, non-English speakers, and others unable to file a written complaint. For assistance in filing a complaint, please contact KCPW Roads Division Title VI Coordinator.

Complaints should be in writing, signed, and may be filed by mail, fax, in person, or e-mail. If a complainant phones KCPW Roads Division with allegations, the allegations of the complaint will be transcribed as provided by phone and then the written complaint will be sent to the complainant for correction and signature.

A complaint should contain the following information:

- The complainant's contact information, including, if available: full name, mailing address, phone number (and best time to call), and email address (if available);
- The basis of the complaint (e.g., race, color, national origin);
- The names of specific person(s) and/or agencies/organizations alleged to have discriminated;
- A description of the alleged discriminatory actions, meaning sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives Federal financial assistance; and
- The date(s) of the alleged discriminatory act(s) and whether the alleged discrimination is ongoing.

All Title VI complaints are logged. The Complaint log must contain the following information for each complaint filed:

- The name and address of the person filing the complaint.
- The date of the complaint.
- The basis of the complaint.
- The disposition of the complaint.
- The status of the complaint.

The Complaint Log and documentation are destroyed four years after the end of the fiscal year in which the case is closed.

KCPW Roads Division then forwards complaints to WSDOT-Office of Equal Opportunity for processing by FHWA. [WSDOT investigates complaints only if delegated by FHWA after acceptance of a complaint.] FHWA is responsible for all determinations regarding whether to accept, dismiss, or transfer the complaint and finding no violation or failure to comply.

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Please use the KCPW Roads Division Title VI Complaint Form and submit it to:

Kitsap County Dept of Public Works Roads Division  
Attn: Title VI Coordinator  
614 Division Street, MS-26  
Port Orchard, WA 98366

Form is available via Public Works Title VI Website: [Title VI \(kitsapgov.com\)](https://www.kitsapgov.com/pw/Pages/Title-VI.aspx)

<https://www.kitsapgov.com/pw/Pages/Title-VI.aspx>

Or call/email Kitsap 1.360.337.5777 Kitsap1@kitsap.gov

Complainants have the right to file a complaint directly with the federal funding agency. The following address is where Title VI complaints may be filed directly with FHWA:

Federal Highway Administration  
U.S. Department of Transportation Office of Civil Rights  
8th Floor E81-105  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
CivilRights.FHWA@dot.gov

**What happens after a complaint is filed?**

Upon receipt of the complaint, the Title VI Coordinator will determine whether the KCPW Roads Division has jurisdiction over the complaint, the acceptability of the complaint, and whether additional information is needed.

The Title VI Coordinator will send the Complainant a written notice of receipt of the complaint within ten (10) working days from receipt of the complaint and will forward a copy of the complaint to WSDOT Office of Equal Opportunity. If your complaint is forwarded to another agency, you will be provided the name and contact information of the employee handling your complaint.

Federal law prohibits retaliation against individuals because they have filed a discrimination complaint or otherwise participated in a discrimination investigation. Any alleged retaliation should be reported in writing to the investigator.

FHWA will render final decisions in all cases including those investigated by WSDOT. There are no administrative appeal forums in Title VI complaints. Once FHWA issues its final agency decision, a complaint is closed.

There is no prohibition against a complainant filing a Title VI complaint simultaneously with an LPA, WSDOT, and FHWA.

**VIII. Title VI Complaint Form**

Kitsap County's Title VI Complaint form is accessed through our Complaint Procedure posted on the County's website:

[Title VI \(kitsapgov.com\)](https://www.kitsapgov.com)

A sample form is provided below.



## Title VI Complaint Form



If you believe that you have been discriminated against because of your race, color, or national origin (including limited English proficiency), by agency programs or activities, you may file a formal complaint by completing this form.

Please submit completed forms to:  
Kitsap County Public Works  
Attn: Title VI Coordinator  
614 Division Street MS-26  
Port Orchard, WA 98366

Questions?  
Call Kitsap 1: 360.337.5777  
or email [help@Kitsap1.com](mailto:help@Kitsap1.com)

You do not need an attorney to file or pursue this complaint. However, you may wish to seek legal advice regarding your rights under the law.

### Complainant Information

Name \*

First	Last
-------	------

Address \*

Address Line 1		
Address Line 2		
City	State <span>▼</span>	Zip Code

Email \*

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Aggrieved party contact information (if different from Complainant)

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**Name**

First	Last
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**Address**

Address Line 1
----------------

Address Line 2
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City	State	Zip Code
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**Email**

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**If applicable and known, name, location and position/title of persons(s) who you allege discriminated against you:**

--

**Date(s) and location(s) of incident(s) giving rise to the complaint:**

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**Identify the alleged basis of discrimination:**

- Race
- Color
- National Origin

**1) Please state how you believe you were discriminated against. Include all facts upon which the complaint is based. Indicate who was involved and include how you feel the other person(s) were treated differently than you. Attach additional written material if needed. (field below)**

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**2) If you think there is other information relevant to the complaint, please describe.**

**3) Please list below any person(s) we may contact for further information to support or clarify your complaint (witnesses, others):**

**4) What remedy are you seeking for the alleged discrimination? Please note that this process will not result in the payment of punitive damages or financial compensation.**

**5) Have you filed a lawsuit or complaint regarding this matter anywhere else? If yes, give the name and address of each place where you have filed, and status of that process:**

**Additional written material if needed**

or drag files here.

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x

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draw type

*Signature of Claimant*

x

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draw type

*And/or Signature of Aggrieved Party (if applicable)*

Date

📅

Submit

## **IX. Public Participation**

When planning outreach activities, KCPW Roads Division staff use demographic data gathered from EPA EJScreen, Overburdened Communities, and direct Census data to analyze the population of the area affected by the project. The affected 'area' is typically considered as being within a 0.5 mile from the project. In addition, when applicable, staff will follow-up with community members, nearby schools, local organizations, and tribes, to learn about preferred communication strategies and media along with presence of unrepresented communities that may not have been found in the gathered data.

Once a project is programmed for construction a series of outreach methods begin at 30% design. Identifying LEP is accomplished using census demographics derived from environmental justice screening and the EJScreen mapping tool with a 0.5 mile buffer.

In order to ensure dissemination of information and foster participation from affected populations, the KCPW Roads Division staff will place public notices in 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 predominantly minority communities.

Public involvement in the area of Environmental Justice is achieved through outreach measures that assure meaningful involvement of minority and low-income populations. This is achieved through a variety of measures, including but not limited to:

- Holding meetings at a variety of times during the day and providing various locations, including virtually, to facilitate access and participation by target populations.
- When necessary, translate documents, notices, and hearings for limited English-speaking populations.
- Obtaining demographic data at applicable community meetings and public hearings. Data will be gathered through voluntary self-reporting forms which include race, gender, and national origin. Copies of these forms will be sent to the Title VI Coordinator after each meeting.
- Document all evidence to support conclusions regarding Environmental Justice issues. Detail all efforts taken to identify minority or low-income populations affected by transportation planning activities.

Public dissemination, communication, includes postings of official statements, inclusion of Title VI language in contracts or other agreements, website postings, and annual publication of Kitsap County's Department of Public Works Road Division's Title VI Policy Statement in the newspaper of record having a general circulation, and informational brochures. Ensure public service announcements or notices are posted of proposed projects, hearings, meetings, or formation of public advisory boards, in newspapers or other media reaching the affected community. Ensure the full utilization of available minority publications or media; and, where appropriate, provide written or verbal information in languages other than English.

KCPW Roads Division staff is not accustomed to receiving a large amount of input on its planning, design, construction, or maintenance projects, considering every input is standard procedure. Staff work closely with everyone that provides input, has a question, or requires additional information. All property owners, businesses, and residents that are directly affected by a project, receive direct communication, via phone and letter, and a one-on-one meeting with our Real Estate Services staff.

**X. Limited English Proficiency (LEP)**

KCPW Roads Division captures demographic data for each project, study, and maintenance activity to analyze the LEP population within the activities' service area relying primarily on "EJ Screen" and "Overburdened Communities". When appropriate, the data is supplemented with information and data from School Districts and direct contact with individuals. The data is analyzed using a "Four Factor Approach" to develop reasonable steps to ensure that LEP individuals have meaningful access to information for the KCPW Roads Division activity.

Four Factor Approach:

Factor 1 – Demography - Number of LEP Populations in the Activity Area

The number or proportion of LEP individuals directly affected by a project, study, or maintenance activity is determined by reviewing the project/study/activity impact area and developing an 'impact map' within the resource (EJ Screen and/or Overburdened Communities) to capture data. If the LEP population is greater than five percent of the total or more than 1,000 LEP individuals, providing language assistance service will be part of our outreach program.

Factor 2 - Frequency – How often LEP individuals come in contact with the activity

The approach to the LEP outreach considers the number of meetings and publications that are planned for the activity. The larger the numbers, the more complex the activity, the more intense the outreach to LEP groups.

Factor 3 - Importance – Importance of the Activity to LEP individuals

The more important the activity is, the potential consequence the activity may have on the LEP individual, the more crucial the language service. An activity that adds a slight delay to travel time will have less importance than one that disrupts ability to access an individual's property, or one that requires a real estate transaction. The Real Estate Service (RES) Specialist is trained in where to locate translation services related to communication for real estate transactions for an individual property owner.

Factor 4 – Resources - Available Resources for LEP Recipients and Costs

How to access resources for language assistance to LEP individuals is identified in the outreach materials provided to the general public. The demographics, frequency, and importance of the activity will govern the level of language services provided. Some language services are available at little or no cost, such as using community volunteers or bilingual staff as interpreters.

## **XI. Environmental Justice**

KCPW Roads Division's policy/procedure is to assure that Environmental Justice, EJ, is part of the plan for any project. This includes:

- Addressing, by avoiding, minimizing, or mitigating adverse impacts to any property owner, or tenant, directly impacted, or residents/population indirectly impacted by a project.
- Ensuring full and fair participation by all potentially affected by the project.
- Providing timely, and fair, offers and settlements to any property owner, or tenant, and ensuring that negotiations are conducted uniformly.

## **XII. Notice of Title VI Rights**

Kitsap County Public Works Roads Division Title VI Notice to the Public is available on the Public Works "Plan Your Project" webpage at [Title VI \(kitsapgov.com\)](#). Title VI information is also added to all brochures and outreach material.

### **Kitsap County's Notice of Title VI Rights is posted on our website:**

[Title VI \(kitsapgov.com\)](#)

Work with Kitsap County's Department of Public Works Road Division staff to develop and disseminate Title VI program information to Kitsap County's Department of Public

Works Road Division employees and subrecipients, including contractors, subcontractors, consultants, and subconsultants and beneficiaries, as well as the public. Public dissemination includes postings of official statements, inclusion of Title VI language in contracts or other agreements, website postings, and annual publication of Kitsap County's Department of Public Works Road Division's Title VI Policy Statement in the newspaper of record having a general circulation, and informational brochures. Ensure public service announcements or notices are posted of proposed projects, hearings, meetings, or formation of public advisory boards, in newspapers or other media reaching the affected community. Ensure the full utilization of available minority publications or media; and, where appropriate, provide written or verbal information in languages other than English.

**Your Rights against Discrimination under Title VI of the Civil Rights Act of 1964**

KCPW Roads Division hereby gives public notice that it is the Agency's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities. Title VI requires that no person shall, on the grounds of race, color, or national origin be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any Federal Aid Highway program or other activity for which Agency receives federal financial assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with KCPW Roads Division. Any such complaint filed with the KCPW Roads Division Title VI Coordinator within 180 days following the date of the alleged discriminatory occurrence. Title VI discrimination Complaint Forms may be obtained from on-line, website for Title VI or via Kitsap1.

To file a Title VI discrimination complaint, contact:

Kristina Nelson  
614 Division Street MS-26  
Port Orchard WA 98366  
360-337-4891 [knelson@kitsap.gov](mailto:knelson@kitsap.gov)

Washington Department of Transportation  
Office of Equal Opportunity – Title VI  
Box 47314  
Olympia, WA 98504-7314  
[TitleVI@wsdot.wa.gov](mailto:TitleVI@wsdot.wa.gov)  
Phone: (800) 259-9143



## Title VI Non-Discrimination Assurances

### The United States Department of Transportation (USDOT) Standard Title VI/Non-Discrimination Assurances - DOT Order No. 1050.2A

The ***Kitsap County Public Works (KCPW) Roads Division*** (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 Washington State Department of Transportation (WSDOT), 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 Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. section 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 Washington State Department of Transportation.*

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 its Federally assisted program:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) 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 Regulations made in connection with all Federal-Aid Highway Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The (***KCPW Roads Division***), 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 ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration 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 financial 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 of 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 real 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, and other 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 this Assurance.

By signing this ASSURANCE, KCPW Roads Division also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees

**Kitsap County Public Works (KCPW) Roads Division**  
**Title VI Plan - July 2023**

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to comply) with all applicable provisions governing the WSDOT 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 the WSDOT. You must keep records, reports, and submit the material for review upon request to WSDOT, 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.

KCPW Roads Division 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 the Federal Highway Administration. This ASSURANCE is binding on Washington State Department of Transportation, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Federal-Aid Highway Program. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Kitsap County Public Works Roads  
Division – Authorized  
Official

by   
(*Signature of Authorized Official*)

DATED 25 July 2023

## 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, Washington State Department of Transportation, 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, or national origin 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. **Solicitations 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, or national origin.
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 Washington State Department of Transportation 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 Washington State Department of Transportation, 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 Washington State Department of Transportation may determine to be appropriate, including, but not limited to:
  - a. withholding payments to the contractor under the contract until the contractor complies; and/or
  - b. 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 Washington State Department of Transportation may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is 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 KCPW Roads Division will accept title to the lands and maintain the project constructed thereon in accordance with Title 23, United States Code, the Regulations for the Administration of Washington State Department of Transportation, and the policies and procedures prescribed by the Federal Highway Administration 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 KCPW Roads Division 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 KCPW Roads Division 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 KCPW Roads Division, its successors and assigns.

The KCPW Roads Division, in consideration of the conveyance of said lands and interests 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 KCPW Roads Division will use the lands and interests in lands and interests 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 land, 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 TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED  
UNDER THE ACTIVITY, FACILITY, OR PROGRAM**

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the KCPW Roads Division 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 U.S. Department of Transportation 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, KCPW Roads Division 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, the KCPW Roads Division 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 the KCPW Roads Division 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 KCPW Roads Division 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 furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, 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 Non- discrimination covenants, KCPW Roads Division will have the right to terminate the (license, permit, 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, KCPW Roads Division will there upon revert to and vest in and become the absolute property of KCPW Roads Division 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 CFR 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 USC § 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 on 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 at 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 Non-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).