

Title VI Plan and Procedures

Title VI of the Civil Rights Act of 1964

ACCOMACK-NORTHAMPTON PLANNING DISTRICT
COMMISSION



APPROVED ON _____

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INTRODUCTION

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin 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, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." (42 U.S.C. Section 2000d).

The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of Federal-aid recipients, sub-recipients, and contractors, whether those programs and activities are federally funded or not.

This document details how Accomack-Northampton Planning District Commission (A-NPDC) incorporates nondiscrimination policies and practices in providing services to the public. The A-NPDC's Title VI policies and procedures are documented in this plan and its appendices and attachments. This plan will be updated periodically (at least every three years) to incorporate changes and additional responsibilities that arise.

I. POLICY STATEMENT AND AUTHORITIES

A-NPDC is committed to ensuring that no person shall, on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, whether those programs and activities are federally funded or not.

The A-NPDC Transportation Program Manager is responsible for initiating and monitoring Title VI activities, preparing annual reports, and other responsibilities as required by Title 23 Code of Federal Regulations (CFR) Part 200, and Title 49 CFR Part 21.

Signature of Authorizing Official

Date

AUTHORITIES

Title VI of the 1964 Civil Rights Act provides 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 receiving federal financial assistance (refer to 49 CFR Part 21). The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms "programs or activities" to include all programs or activities of Federal Aid recipients, sub recipients, and contractors, whether such programs and activities are federally assisted or not.

Additional authorities and citations include: Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d); Federal Transit Laws, as amended (49 U.S.C. Chapter 53 et seq.); Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601, et seq.); Department of Justice regulation, 28 CFR part 42, Subpart F, "Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs" (December 1, 1976, unless otherwise noted); U.S. DOT regulation, 29 CFR part 21, "Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of

1964” (June 18, 1970, unless otherwise noted); Joint FTA/Federal Highway Administration (FHWA) regulation, 23 CFR part 771, “Environmental Impact and Related Procedures” (August 28, 1987); Joint FTA/FHWA regulation, 23 CFR part 450 and 49 CFR part 613, “Planning Assistance and Standards,” (October 28, 1993, unless otherwise noted); U.S. DOT Order 5610.2, “U.S. DOT Order on Environmental Justice to Address Environmental Justice in Minority Populations and Low-Income Populations,” (April 15, 1997); U.S. DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient Persons, (December 14, 2005), and Section 12 of FTA’s Master Agreement, FTA MA 13 (October 1, 2006).

II. NONDISCRIMINATION ASSURANCES

In accordance with 49 CFR Section 21.7 (a), every application for financial assistance from the Federal Highway Administration must be accompanied by an assurance that the applicant will carry out the program in compliance with DOT’s Title VI regulations.

As part of the Certifications and Assurances submitted to VDOT, A-NPDC submits a Nondiscrimination Assurance which addresses compliance with Title VI as well as nondiscrimination in hiring (EEO) and contracting (DBE), and nondiscrimination on the basis of disability (ADA).

In signing and submitting this assurance, A-NPDC confirms to VDOT the agency’s commitment to nondiscrimination and compliance with federal and state requirements.

III. PLAN APPROVAL DOCUMENT

I hereby acknowledge the receipt of the A-NPDC Title VI Implementation Plan 2024-2026. I have reviewed and approve the Plan. I am committed to ensuring that no person is excluded from participation in, or denied the benefits of A-NPDC services on the basis of race, color, or national origin, as protected by Title VI.

Signature of Authorizing Official

IV. ORGANIZATIONAL AND TITLE VI PROGRAMS AND RESPONSIBILITIES

The **A-NPDC Transportation Program Manager** is responsible for ensuring implementation of the agency’s Title VI program. Title VI program elements are interrelated and responsibilities may overlap. The specific areas of responsibility have been delineated below for purposes of clarity.

OVERALL ORGANIZATION FOR TITLE VI

The Transportation Program Manager is responsible for coordinating the overall administration of the Title VI program, plan, and assurances, including complaint handling, data collection and reporting, annual review and updates, and internal education.

DETAILED RESPONSIBILITIES OF THE TRANSPORTATION PROGRAM MANAGER

The Transportation Program Manager is charged with the responsibility for implementing, monitoring, and ensuring compliance with Title VI regulations. Title VI responsibilities are as follows:

1. Process the disposition of Title VI complaints received.

2. Collect statistical data (race, color or national origin) of participants in and beneficiaries of agency programs, (e.g., affected citizens, and impacted communities).
3. Conduct annual Title VI reviews of agency to determine the effectiveness of program activities at all levels.
4. Conduct Title VI reviews of construction contractors, consultant contractors, suppliers, and other recipients of federal-aid fund contracts administered through the agency.
5. Conduct training programs on Title VI and other related statutes for agency employees.
6. Prepare a yearly report of Title VI accomplishments and goals, as required.
7. Develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English.
8. Identify and eliminate discrimination.
9. Establish procedures for promptly resolving deficiency status and writing the remedial action necessary, all within a period not to exceed 90 days.

GENERAL TITLE VI RESPONSIBILITIES OF THE AGENCY

The Transportation Program Manager is responsible for substantiating that these elements of the plan are appropriately implemented and maintained, and for coordinating with those responsible for public outreach and involvement and service planning and delivery.

DATA COLLECTION

To ensure that Title VI reporting requirements are met, A-NPDC will maintain:

- A database or log of Title VI complaints received. The investigation of and response to each complaint is tracked within the database or log.
- A log of the public outreach and involvement activities undertaken to ensure that minority and low-income people had a meaningful access to these activities.

ANNUAL REPORT AND UPDATES

As a sub-recipient of federal funds, A-NPDC may be required to submit a Quarterly Report Form to various federal agencies that documents any Title VI complaints received during the preceding quarter and for each year. A-NPDC will also maintain and provide to requesting agencies on an annual basis, the log of public outreach and involvement activities undertaken to ensure that minority and low-income people had a meaningful access to these activities.

Further, we will submit to requesting federal agencies updates to any of the following items since the previous submission, or a statement to the effect that these items have not been changed since the previous submission, indicating date:

- A copy of any compliance review report for reviews conducted in the last three years, along with the purpose or reason for the review, the name of the organization that performed the review, a summary of findings and recommendations, and a report on the status or disposition of the findings and recommendations
- Limited English Proficiency (LEP) plan
- Procedures for tracking and investigating Title VI complaints

- A list of Title VI investigations, complaints or lawsuits filed with the agency since the last submission
- A copy of the agency notice to the public that it complies with Title VI and instructions on how to file a discrimination complaint

ANNUAL REVIEW OF TITLE VI PROGRAM

Each year, in preparing for the Annual Report and Updates, the Transportation Program Manager will review the agency's Title VI program to assure implementation of the Title VI plan. In addition, they will review agency operational guidelines and publications, including those for contractors, to verify that Title VI language and provisions are incorporated, as appropriate. They will also review a Commission program or project for Title VI implications and report their findings to the Executive Director.

DISSEMINATION OF INFORMATION RELATED TO THE TITLE VI PROGRAM

Information on our Title VI program will be disseminated to agency employees, contractors, and beneficiaries, as well as to the public, as described in the "public outreach and involvement" section of this document, and in other languages when needed according to the LEP plan as well as federal and State laws/regulations.

RESOLUTION OF COMPLAINTS

Any individual may exercise his or her right to file a complaint if that person believes that he, she or any other program beneficiaries have been subjected to unequal treatment or discrimination in the receipt of benefits/services or prohibited by non-discrimination requirements. A-NPDC will report the complaint to relevant federal agency within three business days, and make a concerted effort to resolve complaints locally, using the agency's Title VI Complaint Procedures. All Title VI complaints and their resolution will be logged as described under the section Data Collection and reported annually (in addition to immediately) to the relevant federal agency.

WRITTEN POLICIES AND PROCEDURES

Our Title VI policies and procedures are documented in this plan and its appendices and attachments. This plan will be updated periodically to incorporate changes and additional responsibilities that arise. During the course of the Annual Title VI Program Review (above), the Title VI Manager will determine whether or not an update is needed.

INTERNAL EDUCATION/TRAINING

Our employees will receive training on Title VI policies and procedures upon hiring and upon promotion. This training will include requirements of Title VI, our obligations under Title VI (LEP requirements included), and required data that must be gathered and maintained. In addition, training will be provided when any Title VI-related policies or procedures change (agency-wide training), or when appropriate in resolving a complaint.

Title VI training is the responsibility of the Transportation Program Manager. The A-NPDC Executive Director will authorize appropriate training for the entire staff through staff meetings, and special training for the Transportation Program Manager and other selected staff.

TITLE VI CLAUSES IN CONTRACTS

In all federal procurements requiring a written contract or Purchase Order (PO), A-NPDC's contract/PO will include appropriate non-discrimination clauses. The Executive Director and the Transportation Program Manager who is/are responsible for procurement contracts and PO's to ensure appropriate non-discrimination clauses are included.

SPECIAL EMPHASIS PROGRAM AREAS

The Transportation Program Manager, upon finding a trend or pattern of discrimination in the yearly review, will add the identified program to the Special Emphasis Program Areas and monitor the program annually. The Manager will develop recommendations to eliminate the pattern or trend and report these to the Executive Director and subsequently provide assistance in meeting the recommendations. The Manager will also report on progress in the Annual Reports. Once a program reverses the pattern or trend, it will be monitored for one additional year and, if no subsequent trend or pattern is detected, it will be removed from the Special Emphasis Program Areas.

SUB RECIPIENT REVIEWS

The Commission does not have sub recipients.

V. PROCEDURES FOR NOTIFYING THE PUBLIC OF TITLE VI RIGHTS AND HOW TO FILE A COMPLAINT

Title 49 CFR Section 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under federal Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI. At a minimum, A-NPDC shall disseminate this information to the public by posting a Title VI notice on the agency's website and in public areas of the agency's office(s), including the reception desk, meeting rooms, in federally-funded vehicles, etc. A sample Public Notice is included as APPENDIX A- Title VI Notice to the Public; List of Locations, and will be displayed in all vehicles and facilities.

TITLE VI COMPLAINT PROCEDURES

REQUIREMENT TO DEVELOP TITLE VI COMPLAINT PROCEDURES AND COMPLAINT FORM.

In order to comply with the reporting requirements established in 49 CFR Section 21.9(b), all recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public. Recipients must also develop a Title VI complaint form. The form and procedure for filing a complaint shall be available on the recipient's website and at their facilities.

SAMPLE OF NARRATIVE

Any individual may exercise his or her right to file a complaint with Accomack-Northampton Planning District Commission if that person believes that he or she has been subjected to unequal treatment or discrimination in the receipt of benefits or services. We will report the complaint to the relevant federal agency within three business days, and make a concerted effort to resolve complaints locally, using the agency's Nondiscrimination Complaint Procedures. All Title VI complaints and their resolution will be logged and reported annually (in addition to immediately) to the relevant federal agency.

A person may also file a complaint directly with the relevant federal agency through their office of civil rights.

A-NPDC includes the following language on all printed information materials, on the agency's website, in press releases, in public notices, or in published documents:

A-NPDC is committed to ensuring that no person is excluded from participation in, or denied the benefits of its services on the basis of race, color or national origin, as protected by Title VI. For additional information on A-NPDC's nondiscrimination policies and procedures, or to file a complaint, please visit the website at www.esvaplan.org or contact the Transportation Program Manager, 23372 Front Street, P.O. Box 417, Accomac, Virginia 23301.

Instructions for filing Title VI complaints are posted on the agency’s website and in posters in the agency’s facilities. A copy of the Title VI Complaint Form is attached as APPENDIX B.

MONITORING TITLE VI COMPLAINTS

As part of the complaint handling procedure, the Transportation Program Manager investigates possible inequities in service delivery about which the complaint was filed. If inequities are discovered during this review, options for reducing the disparity are explored, and service changes are planned, if needed.

In addition to the investigation following an individual complaint, the Transportation Program Manager periodically reviews all complaints received to determine if there may be a pattern. At a minimum, this review is conducted as part of preparing the Annual Report and Update.

PROCEDURES FOR HANDLING AND REPORTING INVESTIGATIONS/COMPLAINTS AND LAWSUITS

The Federal Highway Administration (FHWA) Title VI Program is governed by several authorities. Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) provides that “[n]o person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

The U.S. Department of Transportation (USDOT) implemented its Title VI program in 49 CFR Part 21. Specific provisions regarding the investigation of complaints are found at 49 CFR §21.11. The FHWA follows the USDOT regulations. Further, FHWA’s regulations at 23 CFR §200.9(b)(3) direct State Departments of Transportation (State DOTs) to develop procedures for processing Title VI complaints filed with State DOTs against their Federal-aid highway Subrecipients.

PROCEDURES

1. Any person who believes they – or a specific class of persons – were subjected to discrimination on the basis of race, color, or national origin in the programs and activities of a primary Recipient of Federal financial assistance (e.g., a State DOT) or Subrecipient (e.g., a town, county, or planning organization that receives Federal financial assistance through a primary Recipient) may file a Title VI complaint.
 - a. Complaints related to the Federal-aid highway program may be filed with a Recipient State DOT, FHWA Division Office, the FHWA Headquarters Office of Civil Rights (HCR), the USDOT Department Office of Civil Rights, or the USDOJ.
 - b. According to USDOT regulations, 49 CFR §21.11(b), a complaint must be filed not later than 180 days after the date of the last instance of alleged discrimination, unless the time for filing is extended by the processing agency.
 - c. Complaints should be in writing and signed and may be filed by mail, fax, in person, or email. However, the complainant may call the receiving agency and provide the allegations by telephone, and the agency should transcribe the allegations of the complaint as provided over the telephone and send a written complaint to the complainant for correction and signature. A complaint should contain the following information:
 - A written explanation of the alleged discriminatory actions;
 - The complainant’s contact information, including, if available: full name, postal address, phone number, and email address;

- The basis of the complaint (e.g., race, color, national origin);
 - The names of specific persons and respondents (e.g., agencies, organizations) alleged to have discriminated;
 - Sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that received Federal financial assistance; and
 - The date(s) of the alleged discriminatory act(s) and whether the alleged discrimination is ongoing.
- d. All complaints should be routed to the FHWA Headquarters Office of Civil Rights (HCR) for processing. HCR is responsible for all determinations regarding whether to accept, dismiss, or transfer Title VI complaints filed against State DOTs or Subrecipients of Federal financial assistance.
- e. Complaints should be forwarded from the initial receiving agency through the Federal-aid highway oversight hierarchy until the complaint reaches HCR. For example, if a complaint is filed with a Subrecipient, that receiving agency should forward the complaint to the State DOT, which should forward the complaint to the State’s FHWA Division Office, which should forward the complaint to HCR. If a complaint is filed with a State DOT, then the State DOT should forward the complaint to the State’s FHWA Division Office, which should forward the complaint to HCR.
- f. State DOTs and Subrecipients must log all complaints received.
- g. When HCR decides on whether to accept, dismiss, or transfer the complaint, HCR will notify the complainant, the FHWA Division Office, State DOT, and Subrecipient (where applicable).
- h. Complaints may also be sent to HCR directly at:

Postal Mail:	Federal Highway Administration U.S. Department of Transportation Office of Civil Rights 1200 New Jersey Avenue, SE 8 th Floor E81-105 Washington, D.C. 20590
Email:	CivilRights.FHWA@dot.gov FHWA.TitleVIcomplaints@dot.gov
Fax:	202-366-1599
Questions?	202-366-0693

TRANSPORTATION-RELATED TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS

BACKGROUND

All recipients shall prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin:

- Active investigations conducted by FTA and entities other than FTA;
- Lawsuits; and
- Complaints naming the recipient.

This list shall include the date that the transportation-related Title VI investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to the investigation, lawsuit, or complaint. This list shall be included in the Title VI Program and information shall be provided as required. See Appendix C for a sample reporting form.

VI. PUBLIC OUTREACH AND INVOLVEMENT

PUBLIC PARTICIPATION PLAN

The Public Participation Plan (PPP) is a guide for ongoing public participation endeavors. Its purpose is to ensure that A-NPDC utilizes effective means of providing information and receiving public input on transportation decisions from low income, minority and limited English proficient (LEP) populations, as required by Title VI of the Civil Rights Act of 1964 and its implementing regulations.

Under federal regulations, sub recipients must take reasonable steps to ensure that Limited English Proficient (LEP) persons have meaningful access to their programs and activities. This means that public participation opportunities, normally provided in English, should be accessible to persons who have a limited ability to speak, read, write, or understand English.

In addition to language access measures, other major components of the PPP include: public participation design factors; a range of public participation methods to provide information, to invite participation and/or to seek input; examples to demonstrate how population-appropriate outreach methods can be and were identified and utilized; and performance measures and objectives to ensure accountability and a means for improving over time.

A-NPDC uses the Virginia Freedom of Information Act's public participation process that will determine how, when, and how often specific public participation activities should take place, and which specific measures are most appropriate. A-NPDC will publicize the public's rights and obligations in the Commission's decision making processes. A-NPDC will design public participation outreach with a goal of improving access to the entire community. An example of the techniques that could be used include the Accomack-Northampton 2015 Community Survey methods description.

A-NPDC will make these determinations based on a demographic analysis of the population(s) affected, the type of plan, program, and/or service under consideration, and the resources available. Efforts to involve minority and LEP populations in public participation activities may include both comprehensive measures, such as placing public notices, as well as targeted measures to address linguistic, institutional, cultural, economic, historical, or other barriers that may prevent minority and LEP persons from effectively participating in our decision-making process.

VII. LANGUAGE ASSISTANCE PLAN FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)

LEP is a term that defines any individual not proficient in the use of the English language. The establishment and operation of an LEP program meets objectives set forth in Title VI of the Civil Rights Act and Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP). This Executive Order requires federal agencies receiving financial assistance to address the needs of non-English speaking persons. This includes providing meaningful access to individuals who are limited in their use of English.

As required, A-NPDC developed a written LEP Plan (below). Using 2015 Census and American Community Survey (ACS) data, A-NPDC has evaluated data to determine the extent of need for translation services of its vital documents and materials.

ASSESSMENT OF NEEDS AND RESOURCES

The need and resources for LEP language assistance were determined through a four-factor analysis.

FACTOR 1: ASSESSMENT OF THE NUMBER AND PROPORTION OF LEP PERSONS LIKELY TO BE SERVED OR ENCOUNTERED IN THE ELIGIBLE SERVICE POPULATION

The agency has reviewed census data on the number of individuals in its service area that have Limited English Proficiency as well as the languages they speak. Table 1 details the languages spoken among the population 5 years and above in Accomack and Northampton Counties as well as the population who speaks English less than “very well”, as reported by the 2021 American Community Survey (ACS). According to the data, approximately 5.4% (2,327 individuals) of the population in the covered region speak English less than “very well”.

Table 1: Language Spoken at Home for the Population 5 Years and Over

Language	Population			Speaks English Less than “Very Well”			
	Accomack	Northampton	TOTAL	Accomack	Northampton	TOTAL	TOTAL Percent %
Only English	27,583	10,456	38,039	-	-	-	-
Spanish	2,500	884	3,384	1,216	345	1,561	3.61%
French, Haitian, or Cajun	1,111	11	1,122	506	0	506	1.17%
German or Other West Germanic Languages	37	41	78	0	11	11	0.03%
Russian, Polish, or other Slavic Languages	0	59	59	0	33	33	0.08%
Other Indo-European Languages	48	73	121	5	0	5	0.01%
Korean	0	7	7	0	6	6	0.01%
Chinese (incl. Mandarin, Cantonese)	126	10	136	74	7	81	0.19%
Vietnamese	0	0	0	0	0	0	0.00%
Tagalog (incl. Filipino)	52	32	84	1	21	22	0.05%
Other Asian and Pacific Island Languages	73	55	128	73	29	102	0.24%
Arabic	47	0	47	0	0	0	0.00%
Other and Unspecified Languages	0	0	0	0	0	0	0.00%
TOTAL	31,577	11,628	43,205	1,875	452	2,327	5.39%

2021 American Community Survey; Retrieved from data.census.gov on March 2, 2023

A-NPDC currently provides Spanish and French Creole language outreach materials and obtains non-English translation services on an as-needed basis. The French Creole population has emerged since the 2010 Haitian earthquake and the Transportation Program Manager will continue to work to improve the number of materials available in French Creole. The Transportation Program Manager will continue to monitor population change in the future and add language materials as needed. The A-NPDC website, www.esvaplan.org, offers a translation plug-in for LEP individuals to utilize. Publications and other materials are able to be translated upon request.

FACTOR 2: ASSESSMENT OF FREQUENCY WITH WHICH LEP INDIVIDUALS COME INTO CONTACT WITH THE AGENCY

In FY-2022, there were zero instances where there was a need for translation services; however, in August 2022, there was one instance where translation services were acquired for approximately 72 minutes. These translations services are immediately available.

The Transportation Program Manager will continue to identify emerging populations as updated Census and American Community Survey data become available for our service area. In addition, when LEP persons contact our agency, we will attempt to identify their language and keep records on contacts to accurately assess the frequency of contact.

FACTOR 3: ASSESSMENT OF THE NATURE AND IMPORTANCE OF SERVICES TO THE LEP POPULATION

A-NPDC currently provides planning and housing counseling services to the community; however, A-NPDC also staffs the Accomack-Northampton Regional Housing Authority. Many service programs of that agency are critical to all segments of the population. A-NPDC currently works with non-English speaking clients and will continue to make efforts to improve the client experience with the agency.

FACTOR 4: ASSESSMENT OF THE RESOURCES AVAILABLE TO THE AGENCY AND COSTS

We do not anticipate that these activities and costs will increase in the near future. Future budgets and staff trainings will reflect needs assessed.

MONITORING/UPDATING THE PLAN

This plan will be reviewed on a periodic basis (at least every three years), based on feedback, updated demographic data, and resource availability. As the community grows and new LEP groups emerge, A-NPDC will strive to address the needs for additional language assistance.

LEP IMPLEMENTATION PLAN

Through the four-factor analysis, A-NPDC has determined that a written Language Implementation Plan is not required at this time, which is permissible under FTA Circular C4702.1A. The A-NPDC understands that the absence of a written LEP plan does not obviate the underlying obligation to ensure meaningful access by LEP persons to our program or activities. When appropriate, A-NPDC will provide translation of vital documents, provide access to language assistance services, and provide staff training on policies and procedures related to assisting LEP persons. A summary of outreach efforts is attached as APPENDIX D.

MINORITY REPRESENTATION ON PLANNING AND ADVISORY BODIES

Title 49 CFR Section 21.5(b)(1)(vii) states that a recipient may not, on the grounds of race, color, or national origin, “deny a person the opportunity to participate as a member of a planning, advisory, or similar body which is an integral part of the program.”

A-NPDC will seek additional diversity in race, color, and national origin on committees and work groups formed that make transportation planning-related decisions and will document recruitment efforts to encourage greater participation from minority segments of the community. These efforts will continue for each committee/work group formed in order to include representation of the entire community on transportation-related decisions and planning activities. Participation in future committees and/or work groups will be documented as indicated in Appendix E.

VIII. ENVIRONMENTAL JUSTICE

Environmental Justice focuses on identifying and addressing disproportionately high and adverse human health or environmental effects of the Commission's programs, policies, and activities on minority populations and low-income populations to achieve an equitable distribution of benefits and burdens. This objective is to be achieved, in part, by actively adhering to the principles and practices of both Title VI and the National Environmental Policy Act (NEPA) during the development and implementation of transportation activities.

A-NPDC is committed to adhering to the following principles when planning or implementing transportation projects.

1. Avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations,
2. Ensure the full and fair participation by all potentially affected communities in the transportation decision-making process, and
3. Prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority population and low-income populations.

IX. SERVICE CHANGES & PERIODIC REVIEW

A-NPDC follows the Commonwealth of Virginia's Freedom of Information Act public comment process. All planning efforts for changes to existing services, as well as new services, have a goal of providing equitable service.

The Transportation Program Manager will, at least annually, review a Commission program or project for Title VI implications and report their findings to the Executive Director.

The Transportation Program Manager's review report and update for FY20 follows as **Appendix F**.

Title VI Public Notice



Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin 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, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

A-NPDC is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transportation services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1B. If you feel you are being denied participation in or being denied benefits of the transit services provided by A-NPDC or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, our contact information is:

Name/Title:	Ashley Mills, Transportation Program Manager
Agency Name:	Accomack-Northampton Planning District Commission
Address:	23372 Front St, P.O. Box 417
City, State, Zip:	Accomac, Virginia 23301
Phone Number:	(757) 787-2936 x127
Email Address:	amills@esvaplan.org

TITLE VI COMPLAINT FORM

Accomack-Northampton Planning District Commission
23372 Front Street, P. O. Box 417
Accomac, Virginia 23301

Phone: (757) 787-2936

Email: emeil@a-npdc.org

Please Note: The complaint should include the following information:

- Your name, address, and how to contact you (telephone number, email address, etc.)
- How, when, where, and why you believe you were discriminated against
- The location, names, and contact information of any witnesses

Below is a link to the complaint form. It is also available at www.esvaplan.org.

<https://www.esvaplan.org/wp-content/uploads/2023/03/Title-VI-Complaint-Form.pdf>

APPENDIX C

INVESTIGATIONS, LAWSUITS, AND COMPLAINTS DOCUMENT

Table 2: FY-2022 Investigations, Lawsuits, and Complaints

	Number Reported	Date	Summary (Include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations	0				
1.					
Lawsuits	0				
1.					
Complaints	0				
1.					

APPENDIX D

SUMMARY OF OUTREACH EFFORTS

PUBLIC OUTREACH AND INVOLVEMENT

Public outreach and involvement apply to and affects A-NPDC's mission and work program as a whole, particularly agency efforts and responsibilities. The overall goal of the public outreach and involvement policy is to secure meaningful public notification about and participation in major actions and decisions. In seeking public comment and review, A-NPDC makes a concerted effort to reach all segments of the population.

PUBLIC OUTREACH ACTIVITIES

A-NPDC will take steps to ensure that minority, low-income, and LEP members of the community have meaningful access to public outreach and involvement activities when the need of additional public outreach is identified. Public notices appear currently in local newspaper publications, on the website, A-NPDC's social media, and are displayed on a slide show in the A-NPDC office lobby. Additionally, a copy of the public portions of meeting packets are made available in the office lobby and on the website for the public to examine. Any changes to our program would be announced in this format.

NON-ELECTED BOARD DIVERSITY

The Transportation Program Manager will make efforts to recruit committee and/or work group members that represent all segments of the community. The Transportation Program Manager will document these recruitment efforts.

APPENDIX E

TABLE OF MINORITY REPRESENTATION ON COMMITTEES BY RACE

- 1. Please provide a description of your selection process, including recruitment efforts made to encourage the participation of minorities on such committee(s)***

There are no standing transportation committees at this time.

A-NPDC staff request public bodies who appoint members to the Commission to consider the racial and ethnic diversity of their jurisdiction when recruiting and appointing members.

- 2. Please provide a table(s) depicting the racial breakdown of the membership of those committees***

Committee	Black or African American	White/Caucasian	Latino/Hispanic	American Indian or Alaska Native	Asian	Native Hawaiian or other Pacific Islander	Other	Totals
Accomack-Northampton Planning District Commission	5 (38%)	8 (62%)						13

APPENDIX F

FY2022 ANNUAL REVIEW AND UPDATE

I. PROCEDURES FOR NOTIFYING THE PUBLIC OF TITLE VI RIGHTS AND HOW TO FILE A COMPLAINT

1. A complaint form is available to anyone at the front desk.
2. A copy of the complaint form is available in this report under Appendix B.
3. The complaint form is also available to be downloaded from the A-NPDC website (<https://www.esvaplan.org/>) under Title VI Civil Rights (<https://www.esvaplan.org/wp-content/uploads/2022/01/Title-VI-Complaint-Form.pdf>)
4. The Title VI Plan and Procedures and the A-NPDC's Affirmative Action Statement are also available on the website.
5. Copies of the complaint form were placed in all work vehicles.
6. No complaints were received in FY2021.

II. LANGUAGE ASSISTANCE PLAN FOR PERSONS WITH LIMITED ENGLISH LANGUAGE PROFICIENCY (LEP)

7. In FY2022, A-NPDC renewed its contract with a language service, Liberty Language Services, to assist staff in communicating with clients with limited English proficiency.
 - a. All A-NPDC staff received updated instructions on how to utilize the service.
 - b. The service was not used in FY2021 for language translation.
8. Because Liberty Language Services provides interpretation for more than 200 languages, A-NPDC staff are confident in being able to communicate with all prospective clients.
9. The Commission and Board of Director Packets for Accomack-Northampton Planning District Commission, Eastern Shore of Virginia Housing Authority, and Accomack-Northampton Regional Housing Authority were all updated with translation service availability language.
10. All A-NPDC Committee Packets were updated with translation service availability language.
11. The A-NPDC website has been updated with translation service availability language and now has a translation plug-in that allows viewers to auto-translate the entire website.

III. ENVIRONMENTAL JUSTICE

12. A-NPDC staff continues to monitor progress made to the community in the area of Savage and Finney Drives near the Town of Parksley. Staff has developed and recruited several diverse members of the community to participate in the Metompkin Streets Working Group in order to improve the overall community, mitigate stormwater flooding, and turn over Savage Drive and Finney Drive to VDOT to upkeep and provide regular maintenance, including removal of trash and other debris, drainage ditch maintenance, snow plowing, etc.
13. A-NPDC staff submitted four SMART SCALE pre-applications in FY-2021 with the intent of submitting four full applications to the grant program. All applications were for various segments of the Eastern Shore Rail Trail, a project that