

HOW TO FILE A TITLE VI COMPLAINT:

Any person who believes that they, or any specific class of persons, has been subjected to a prohibited discrimination under Title VI may by themselves or by a representative file with a written complaint. A complaint must be filed not later than 180 days after the date of the alleged discrimination unless the time is extended by the Federal Highway Administration.

Federal Highway Administration – WV Division

154 Court Street
Charleston, WV 25301
Phone: (304)347-5928

Federal Highway Administration —

Office of Civil Rights
HCR-20, Room E81-320
1200 New Jersey Avenue, SE
Washington, DC 20590
Phone: (202)366-4000 / Fax: (202)366-1599
TTY: (202)366-5751

Also, the Title VI Complaint Form can be found on the WVDOT website:

<https://transportation.wv.gov/crc/TitleVI/Pages/default.aspx>

“Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination.”

President John F. Kennedy



For more information, or to request this document in an alternate format or translated into another language, please contact the department listed below.

Para mas información o para solicitar este documento en un formato alternativo o traducido a otro idioma, por favor contacte el departamento enlistado abajo.

Contact Us

Civil Rights Compliance Division

1900 Kanawha Boulevard East
Building 5
Charleston, WV 25305
Phone: 304-558-3931
Fax: 304-558-4236
Web: Transportation.wv.gov/crc

WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Civil Rights Compliance Division



TITLE VI

Your Rights Under Title VI And Related Statutes

This brochure is designed to inform you of the requirements of Title VI of the Civil Rights Act of 1964 and your rights under those requirements.

WHAT IS TITLE VI OF THE CIVIL RIGHTS ACT OF 1964?

Title VI provides as follows: “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 a program or activity receiving federal financial assistance.” [42 U.S.C. 2000d].

Entities, whether public or private, that receive federal assistance from any federal agency, including Federal Highway Administration must take concrete steps to ensure nondiscrimination in their programs and activities.

DISCRIMINATION PROHIBITED BY TITLE VI

1. Engaging in intentional discrimination toward people because of their race, color, or national origin.
2. Using criteria or methods of administration that have the effect of subjecting people to discrimination because of their race, color, or national origin; or,
3. Intimidating, threatening, coercing, or discriminating against any individual in retaliation for exercising a right or privilege.

WHO MUST COMPLY WITH TITLE VI?

All programs and operations of entities that receive assistance from the federal government (i.e. recipients), including:

State agencies

Local agencies

Private and nonprofit entities

Subrecipients

LIMITED ENGLISH PROFICIENCY (LEP) EXECUTIVE ORDER 13166

Improving Access to Services for Persons with Limited English Proficiency. Executive Order 13166 obligates departments of transportation and sub-recipients to make certain that people of Limited English Proficiency (LEP) have “meaningful access to benefits, services, information, and other important portions.”

WHO IS AN LEP PERSON?

A person who does not speak English as their primary language and who has a limited ability to read, speak, write or understand English are considered to have a Limited English Proficiency or “LEP.”

WHAT DOES TITLE VI REQUIRE?

You or the government agency must take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of your programs and activities are available for individuals who are Limited English Proficient.



WHERE DOES TITLE VI NOT APPLY?

1. Employment practices unless the primary purpose of the federal financial assistance is to provide employment.
2. Activities of the federal government, itself, because the law only applies to “recipients.”

ENVIRONMENTAL JUSTICE EXECUTIVE ORDER 12898

Executive Order 12898 provides that “each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations.”

ADVERSE IMPACTS MAY INCLUDE:

- Bodily impairment, sickness, illness, or death
- Air, noise, water pollution, and soil contamination
- Destruction or disruption of man-made or natural resources
- Destruction or disruption of aesthetic values
- Destruction or disruption of community cohesion or a community’s economic vitality
- Destruction or disruption of the availability of public and private facilities and services
- Vibration
- Adverse employment effects
- Displacement of persons, businesses, farms, or nonprofit organizations
- Increased traffic congestion, isolation, exclusion, or separation of minority or low-income within a given community or from the broader community
- The denial of, reduction in, or significant delay in the receipt of, benefits of DOT programs, policies, or activities