

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 PROGRAM IMPLEMENTATION PLAN

May 2026

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1. Title VI Program Plan ([28 CFR 42.415](#) and [23 CFR 200.9\(b\)\(11\)](#))

i. Introduction

About Orange County Public Works Department

The Orange County Public Works (OCPW) Department is dedicated to protecting and enriching the communities of Orange County through the sustainable delivery of projects and services. Guided by its mission and vision—to provide world-class projects and services through collaboration, innovation, and stewardship—OCPW operates with a strong foundation of core principles: Safety, Integrity, Quality, Teamwork, and Adaptability. With 863 authorized positions, the department serves the 205 square miles of unincorporated Orange County, maintaining critical infrastructure including 340 miles of roadways, 380 miles of flood channels, 4 dams, and 8 dump stations. OCPW is organized into 9 service areas across two main divisions: Customer Services, which includes Administrative Services, OC Agricultural Commissioner & Sealer of Weights & Measures, , OC Facilities Design & Construction Management & the Central Utility Facility (CUF) and, OC Facilities Maintenance, & OC Fleet Services; and Engineering Services, which encompasses OC Construction, OC Development Services, OC Environmental Resources, OC Infrastructure Programs, and OC Operations & Maintenance. Together, these teams work collaboratively to ensure the efficient planning, design, construction, and maintenance of public infrastructure.

For more details on OCPW please review the 2022-2024 OC Public Works State of the Department Book that can be found linked here, [OCPW-SOTD 2022-2024-Final 0.pdf](#).

Background

The County of Orange (County), Orange County Public Works (OCPW) Department is a recipient of federal funds from the United States Department of Transportation (USDOT) modal agencies, including the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). All Recipients of federal funding must comply with the requirements of Title VI of the Civil Rights Act of 1964 (Title VI) and other nondiscrimination statutes, regulations, and authorities. This Title VI Program Implementation Plan (Title VI Plan) describes how OCPW accomplishes nondiscrimination in the delivery of its federally assisted programs, services, and activities. The Title VI Plan includes the structure of OCPW's Title VI program as well as the policies, procedures, and practices OCPW uses to comply with nondiscrimination requirements. The Title VI Plan is intended to be a living document, regularly monitored and updated by OCPW Title VI Coordinator, to meaningfully reflect the program as it changes and grows.

Title VI states 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”, per [42 USC 2000d](#). In addition to Title VI, the other nondiscrimination statutes that afford legal protection are:

- i. [Section 162 \(a\) of the Federal-Aid Highway Act of 1973 \(23 USC 324\)](#) (sex)
- ii. [Age Discrimination Act of 1975](#) (age)
- iii. [Section 504 of the Rehabilitation Act of 1973](#) (disability)
- iv. [Americans with Disabilities Act of 1990](#) (disability)

Together, these requirements define an over-arching Title VI Program. It is important to also understand that Title VI and the additional nondiscrimination requirements apply to all OCPW programs even when only one program receives federal funds. The Civil Rights Restoration Act of 1987 defined the word "program" to make clear that discrimination is prohibited throughout an entire agency if any part of the agency receives federal funds. Simply stated, OCPW is to ensure that none of its activities or programs treat any part of a community any differently than another. OCPW is committed to achieving full compliance and expects every manager, supervisor, employee, and subrecipient of federal-aid funds (if applicable) administered by OCPW to be aware of and apply the intent of Title VI and related nondiscrimination statutes in performing assigned duties. The FHWA requires OCPW, as a recipient, to prepare a Title VI implementation plan to clarify roles, responsibilities, and procedures to ensure compliance with Title VI and related nondiscrimination statutes. **Title 23 of the Code of Federal Regulations (CFR) 200.9(b) (11) requires an updated Title VI Plan every year by October 1.**

Anyone wishing to provide input into OCPW's Title VI Plan is encouraged to contact the Title VI Program Coordinator, at OCPWTitleVI@pw.oc.gov or in writing to the Title VI Coordination Office at 601 N. Ross St. 4th Floor. Santa Ana, CA 92701.

The Title VI Plan focuses on the functional areas with significant public contact responsibilities and provides the policy direction necessary to ensure compliance with Title VI and related nondiscrimination statutes.

ii. Title VI Requirements

Title VI and related statutes state that no persons 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.

Pursuant to this mandate, recipients of federal financial assistance must take affirmative steps to ensure that discrimination, as addressed by Title VI, does

not occur in its organization. Federal law in some cases and State law further those protections to include sex, disability, sexual orientation, religion and age. These activities fall into one or more of the areas listed below:

- i. Develop a written plan for enforcement that sets out its priorities and procedures. This plan must be available to the public (for example, posted on the website) and implement and enforce the Title VI Plan to ensure compliance with FHWA's Title VI requirements.
- ii. Identify their Title VI Coordinator who has easy access to the head of the agency. The coordinator's contact information should be made available to the public.
- iii. Develop a Title VI policy statement for signature by the head of the agency and be made available to the public. The statement must give a reasonable guarantee that the programs administered by the OCPW are conducted in compliance with all Title VI nondiscrimination requirements.
- iv. Ensure programs and activities normally provided in English are accessible to Limited English Proficiency (LEP) persons. Perform an annual assessment (also referred to as a Four Factor Analysis) to determine if modifications are needed to programs and activities to ensure meaningful access by LEP persons, culminating in the development of a Language Access Plan (LAP). The LAP must be available to the public (for example, posted on the website).
- v. Develop Title VI information for dissemination to the general public and where appropriate, in languages other than English (determined by the LEP Assessment). The purpose of this information is to communicate information about the public's rights under Title VI.
- vi. Provide Title VI training for all LPA employees every two years. Title VI training should cover what Title VI is, how the LPA implements its Title VI program to meet federal requirements, and what steps to take for handling Title VI complaints, as well as language interpretation (verbal)/translation (written) requests.
- vii. Include required Title VI assurances (specifically, Appendices A and E of the Title VI Assurances) in all sub-contracts and sub-agreements with federal funds, where applicable. OCPW signed the Title VI assurances as part of Exhibit 4-C, "MASTER AGREEMENT - ADMINISTERING AGENCY-STATE AGREEMENT FOR FEDERAL-AID PROJECTS".
- viii. Develop a Title VI complaint form and a log for Title VI complaints received. In addition, LPAs must develop procedures for prompt processing (including logging Title VI complaints, determining jurisdiction, and determining if the complaint is a Title VI complaint) and disposition of Title VI complaints received directly by the LP. Implement controls and data collection mechanisms to monitor for

any adverse treatment or impacts on any groups.

- ix. Develop procedures for the collection of statistical data (race, color, and national origin) of participants in, and beneficiaries of, federally funded roadway projects, e.g., citizens impacted by relocation and participants that attended the public hearing during an environmental review.
- x. Develop a program to conduct internal Title VI reviews of program areas and to conduct external Title VI reviews to sub-awardees, to ensure both OCPW and its sub-awardees comply with FHWA Title VI requirements.
- xi. Develop an annual Title VI Accomplishments and Goals Report which consists of accomplishments for the past year, and goals for the next year. This report should be made available to the public and when requested by Caltrans.

iii. **Title VI Policy** ([23 CFR 200.9\(a\)\(1\)](#) and [49 CFR 21.7\(b\)](#))

OCPW adopts Title VI requirements into its programs, activities and services. To demonstrate OCPW's commitment to Title VI and related statutes, there was an adoption of the **OCPW Nondiscrimination Policy Statement**, in January 2017, and was updated and readopted in November 2025, and can be found below in section, 3. **OCPW Nondiscrimination Policy Statement** and **Attachment No.1**.

d. **Title VI Program Implementation Plan** ([23 CFR 200.9\(b\)\(1\)](#) and [200.9\(b\)\(11\)](#), [49 CFR 21.7\(b\)](#) and [21.9\(d\)](#)):

The FHWA Technical Assistance Tool was used in preparing the OCPW Title VI Plan. The Title VI Plan emphasizes the planning and project delivery processes of projects and systems. Particular attention is placed on the programs of Procurement and Capital Programs. Specific guidance on **USDOT Title VI Assurances with Appendices A-E (Attachment No.2)**, **Public Participation, Complaint Procedures, LEP Assessment and LAP (Attachment No.3)**, and **Title VI Accomplishments and Goals (Attachment No.4)** are included as attachments to this document and are distributed to staff, the public, and local partners.

2. Title VI Coordinator ([23 CFR 200.9\(b\)\(1\)](#))

OCPW's Office of Administrative Services oversees the Title VI Plan and meets the terms of FHWA's implementing guidance. OCPW's Title VI responsibilities are described below and the **OCPW Title VI Implementation organizational chart** can be

found in **Attachment No.5.**

Information about the OCPW Title VI Program, is also available at: [Title VI of the Civil Rights Act | OC Public Works: Orange County California.](#)

a. OCPW Office of Administrative Services

The OCPW Title VI Program is led by the Title VI Program Coordinator position and reports to the OCPW Director. The Title VI Program Coordinator, in accordance with 23 CFR §200.9(b){1}, has direct access to the Director without any intermediary.

b. Personnel and Expanded Designation of Duties

To ensure comprehensive Title VI compliance, OCPW has expanded its designation of duties beyond core roles. These additional responsibilities are aligned with federal guidance and best practices in equity implementation.

Each duty is assigned to a specific department or role to promote accountability and streamline execution. These enhancements support proactive monitoring, inclusive engagement, and continuous improvement.

The following are involved in the implementation of the OCPW Title VI program:

- i. OCPW Administrative Services: Administers the Title VI program and ensures implementation of Title VI in Policies and Procedures.
 - a. OCPW Satellite Procurement: Ensures inclusion of Title VI nondiscrimination language, Appendices A-E of the Title VI Assurances in all contracts with providers and consultants, those posted in Bidsync, facilitates the provision of ADA and language support at public gatherings as needed including the distribution of bilingual materials. Conducts voluntary based surveys at public gatherings and reports findings.
 - b. Strategic Communications Officer: Responds to media/information requests, compiles data regarding make-up of any advisory boards, participation on the County social media and discussion of areas of improvement.
 - c. Budget/Finance: Ensures and defines resources to those within the organization chart in carrying out the Title VI program.
 - d. Talent Development Team: Facilitates Title VI Training for all OCPW employees.

- ii. County Executive Office (CEO): Monitors/provides data regarding public use of online translated materials and potential feedback. Publication of brochures and other materials throughout the County website.

Crosswalk Table – Duty Assignment Overview

Duty Area	Description	Responsible Party
Program Area Monitoring	Conduct internal audits and develop corrective action plans	Title VI Coordinator + Admin Services
Data Collection & Analysis	Collect and analyze demographic data on service beneficiaries	GIS Team + Strategic Communications
LEP Coordination	Translate vital documents and provide interpreter services	Strategic Communications + CEO Office
Public Outreach & Engagement	Host forums and track engagement with underserved communities	Strategic Communications + Community Liaison
Subrecipient Oversight	Monitor contractor compliance annually and provide technical assistance	Procurement + Contracts Division
Policy Review	Evaluate internal policies for Title VI alignment	Title VI Coordinator + Admin Services + Legal Counsel
Training & Capacity Building	Develop and deliver role-specific Title VI training	Talent Development Team + Title VI Coordinator
Complaint Management	Log, investigate, and report Title VI complaints	Title VI Coordinator + Admin Services + Legal Counsel
Annual Work Plan & Reporting	Create and publish yearly Title VI goals and progress updates	Title VI Coordinator + Admin Services

The duties and role of the Title VI Program Coordinator include:

- Ensure OCPW complies with FHWA Title VI and additional nondiscrimination statutes requirements.

- Monitor and oversee OCPW for Title VI compliance and issues and must report any issues to the Caltrans Local Title VI Coordinator.
- Monitoring if there are any Title VI Complaints filled by a member of the public against OCPW and follow all required procedures to address the complaint.
- Refer Title VI discrimination complaints to the appropriate investigative official.
- Provide guidance and technical assistance to ensure compliance with Title VI matters
- Prepares accomplishment reporting that also reflects organizational, policy and implementation changes.
- Prepare required reports regarding Title VI compliance
- Collection of statistical data (race, color, national origin) on participants in, and beneficiaries of programs, activities and services.
- Ensure the analysis of statistical data to determine transportation investment benefits and burdens to the eligible population, including the minority and low-income populations.
- Conduct Title VI compliance reviews of program area activities of federal financial assistance if applicable.
- Coordinate the development and implementation of a Title VI training program for employees. [23 CFR 200.9(b)(9)]
- Assist program staff to correct Title VI problems or discriminatory practices or policies found when conducting self-monitoring and compliance review activities. [23 CFR 200.9(b)(5)(6)(7)]
- Provide guidance and technical assistance to program staff to correct Title VI problems or discriminatory practices or policies.
- Develop and keep updated Title VI information for public dissemination, where appropriate, in languages other than English.
- Advise respective management and/or Board of Directors and others on Title VI issues.
- Self-monitor and implement corrective action within the respective areas of responsibility for Title VI compliance.
- Coordinate with OCPW Procurement Office to ensure sub-contractor consultants, contractors, suppliers, and subrecipients of federal financial assistance (if applicable) are being monitored.
- Coordinate with OCPW Procurement Office to ensure sub-contractor consultants, contractors, suppliers, and subrecipients contracts/agreements include the required assurances specifically Appendices A and E.

3. Limited English Proficiency Assessment and Language Assistance Plan ([Executive Order 13166](#))

LEP persons are those who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English. In keeping with Title VI requirements, the County and OCPW provides language assistance to ensure that its LEP users have meaningful access to its services, telephone-based customer service, printed materials including public meeting notices, and other customer-based services.

OCPW applies the Four-Factor Analysis Framework and has prepared the following comprehensive LAP that supplements this Title VI Plan.

- i. [The LEP Four-Factor Analysis includes the following:](#)
 - i. Assess the number and proportion of LEP persons served or encountered in the eligible service population.
 - ii. Assess the frequency with which LEP persons come into contact with programs, activities, or services.
 - iii. Assess the nature and importance of the programs, activities, or services provided.
 - iv. Assess the resources available to OCPW.
- ii. [At minimum, OCPW will provide the following:](#)
 - i. Provide translation services at public meetings, as needed.
 - ii. Translation of written communication such as brochures, signage and post signage that says translation is available
 - iii. County and all department websites have available a third-party, online, real-time translation service for information posted on a County website, County Social Media Accounts, and Board of Supervisor Meeting Agendas
 - iv. Provide training to employees on how to service LEP persons.
 - v. Language interpretation which includes in-person and by phone communication through bilingual staff or contracted interpreter services
 - vi. Collaborate, if needed with minority organizations, to ensure LEP persons are aware and have access to County services.

The LEP Plan reflects the overall goal of improving and maintaining language access for OCPW customers. The intent is to achieve a balance that ensures meaningful access to programs and services while avoiding undue burdens on OCPW resources. The **LEP Assessment and LAP Plan** can be found in **Attachment No.3** and the County **Language Access Policy** can be found in **Attachment No.6**.

4. NONDISCRIMINATION POLICY STATEMENT ([49 CFR 21.7\(b\)](#))

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November 2025

Nondiscrimination Policy Statement

The County of Orange (County), Orange County Public Works (OCPW) department, under Title VI of the Civil Rights Act of 1964 (Title VI), Sections 162(a) of the Federal Highway Act of 1973, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973 and related statutes, ensures that no person, shall on the basis of race, color, national origin, sex, disability, sexual orientation, religion or age be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any programs or activities receiving federal funds.

As subrecipients of United States Department of Transportation, Federal Highway Administration funding, OCPW is committed to complying with all federal nondiscrimination requirements for all programs and services delivered to the public. The OCPW Title VI Program Implementation Plan serves as a guide and a reflection of OCPW's commitment to preserving civil rights for all individuals and group beneficiaries of its programs and services.

Related federal statutes, remedies and state law further those protections to include sex, disability, religion, sexual orientation and age.

For questions regarding the OCPW Title VI Plan or guidance on how to file a Title VI complaint, please visit the webpage at: [Title VI of the Civil Rights Act | OC Public Works: Orange County California](#).

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Kevin Onuma, P.E.
Director,
Orange County Public Works

5. Dissemination of Title VI Information ([23 CFR 200.9\(b\)\(12\)](#))

- i. OCPW Website has a designated webpage for all Title VI related information and documents, including the notice of **Nondiscrimination Policy Statement, Attachment No.1** (including nondiscrimination in federal financial assistance programs) and how and where to file a complaint. The OCPW Title VI webpage can be viewed here: [Title VI of the Civil Rights Act | OC Public Works: Orange County California](#)
- ii. OCPW acknowledges the need to notify the public of civil rights under FHWA Title VI and the related statutes, inclusive of sex, disability, sexual orientation and age requirements for all its services, projects and activities. OCPW has created a poster and brochure on the public's rights under Title VI. Posters will be displayed within County's premises in highly visible locations and brochures for distribution to the public are available in English, Spanish and Vietnamese languages. ([23 CFR 200.9\(b\)\(12\)](#); [Federal Register Vol. 70 No. 239](#))

The poster and brochure contain:

- A statement that OCPW operates its programs and services without regard to race, color, national origin, or other protected-class interests.
- A description of the procedures that the public should follow in order to request additional information on OCPW nondiscrimination obligations.
- A description of the procedures that the public should follow in order to file a discrimination complaint.

"What is Title VI?" Brochure is linked here, [Title VI of the Civil Rights Act | OC Public Works: Orange County California](#) and can be found in **Attachment No.7**. The brochure explains Title VI and public rights, as well as describes the complaint procedures and where to file a complaint.

6. Title VI Training for Staff ([23 CFR 200.9\(b\)\(9\)](#))

OCPW requires annual training on Title VI and its related statutes,

including how to provide language services to LEP persons, for all staff. OCPW has implemented the following Mandatory Title VI training schedule:

- i. Newly Hired Employees or Promoted Staff must attend the training within six (6) months of start date.
- ii. All Manager/Supervisors and all other staff must attend annually.

The Mandatory Title VI Training is administered virtually through the County's approved learning platform, Eureka, which allows all staff unrestricted access to Title VI training materials. Additionally, the Eureka platform provides reporting features that support in tracking what staff have completed or not completed their Title VI training.

Staff who have not completed the training annually by the designated due date will receive a reminder notification to complete the training within 1 (one) week of the reminder notification. If staff fail to complete the training within the week of the designated due date, the supervisor will be notified and will ensure the staff complete the training.

The Mandatory Title VI training includes the following information:

- What is Title VI?
- How OCPW implements Title VI Plan to meet the federal requirements.
- How to handle a Title VI complaint.
- What to do when a language interpretation request is received.

7. Title VI Assurance in Contract Documents and Agreements ([\(23 CFR 200.9\(a\)\(1\)](#) and [49 CFR 21.7\(a\)\(1\)](#))

In accordance with the [USDOT Order 1050.2A](#), a copy of OCPW's **Title VI Assurances with Appendices A, B, C, D, and E**, signed by OCPW's Director is in **Attachment No.2**.

Among other references, the Title VI Plan was prepared in accordance with:

- i. [Title VI of the Civil Rights Act of 1964](#) and the [Civil Rights Restoration Act of 1987 \(Public Law 200-209\)](#)
- ii. [49 CFR Part 21](#) (Transportation)
- iii. [23 CFR Part 200.9](#) (Highways)
- iv. [28 CFR 42 Subpart F](#)
- v. [FHWA Title VI 1000.12c, Title VI, Nondiscrimination in the Federal-Aid Highway Program](#)

- vi. [USDOT Guidance of 2001: To Recipients on Special Language Services to LEP Beneficiaries](#)
- vii. [Age Discrimination Act of 1975](#) (age)
- viii. [Section 162 \(a\) of the Federal-Aid Highway Act of 1973 \(23 USC 324\)](#) (sex)

If applicable, collection of Title VI assurances from subrecipients, contractors, subcontractors, and others prior to passing through FHWA funds. The collection and reporting of this program and activities constitutes assurance of compliance with Title VI requirements. Under [49 CFR Section 21.9\(b\)](#), a report to the FHWA California Division Office and the appropriate California Department of Transportation will be submitted once every three years. The report contents will include:

1. A summary of public outreach and involvement activities undertaken since the last submission and a description of steps taken to ensure that minority and low-income people had meaningful access to these activities.
2. A copy of the Title VI Plan for providing language assistance for LEP persons that is based on USDOT LEP Guidance.
3. A copy of procedures for tracking and investigating Title VI complaints.
4. A list of any Title VI investigations, complaints, or lawsuits filed since the time of the last submission. This list will include only those investigations, complaints, or lawsuits that pertain to County.

A copy of County notice to the public that complies with Title VI and instructions to the public on how to file a Title VI discrimination complaint.

8. Title VI Complaint Procedures [\(23 CFR 200.9\(b\)\(3\)\)](#)

It is the policy of OCPW to employ its best efforts to ensure that all programs, services, activities, and benefits are implemented without discrimination. This section provides information on procedures for filing complaints alleging discrimination based on race, color, national origin (including LEP), or other protected-class interests by OCPW.

Any person who believes they, individually, or as a member of any specific class of persons, has been subjected to discrimination based on race, color, national origin or other protected-class interests by OCPW may file a written complaint with OCPW, the FHWA, the Federal Transit

Administration (FTA) or Caltrans. Further, OCPW prohibits intimidation, coercion, or engagement in other discriminatory conduct against anyone that has filed a complaint to secure their rights as protected by Title VI.

A. Complaint Procedures

i. How to file a Complaint

The **OCPW Title VI complaint form** can be referenced in **Attachment No.8** or on the OCPW Title VI webpage, at: [Title VI Complaint Form 0.pdf](#).

The signed complaint form can be mailed, emailed, or submitted in person. If the complainant is not able or not capable of providing a written statement, a verbal complaint will be accepted by the OCPW Title VI Coordinator. See contact information below. The complaint form must be signed by the complainant(s) or by designation of a representative for the complainant(s).

OCPW Title VI Coordinator contact information:

County Administration South
Atten: Title VI Program Coordinator
601 N. Ross St. 4th Floor
Santa Ana, CA 92701
(714)667-1679
OCPWTitleVI@pw.oc.gov

ii. Complaint Processing Timeline

A complaint form must be filed within **one hundred and eighty (180) calendar days** of the alleged discrimination, unless the time for filing is extended by the USDOT Secretary. OCPW encourages the complainant to file the complaint with OCPW for immediate resolution.

OCPW will determine jurisdictional responsibilities for handling the complaint. Title VI complaints under the FHWA jurisdiction, alleging Title VI violations regarding OCPW services and/or activities, will be forwarded within **one (1) business day** of receipt of complaint to Caltrans via email Title.VI@dot.ca.gov, to be submitted to FHWA Division Office for formal investigation. Title VI complaints under the FTA jurisdiction will be investigated at the local level or elevated to the FTA under egregious Title VI discrimination circumstances.

OCPW will also conduct an investigation, with acknowledgment of

receipt of complaint within **ten (10) days** and provide a resolution within **sixty (60) days** of receipt of the complaint, if additional time is needed OCPW will notify the complainant. If more information is needed OCPW will contact the complainant, and the complainant has **ten (10) business days** from the date of the request to provide the requested information.

iii. Investigation

The Process for investigation will include reviewing of evidence and possible interview of the complainant by an appropriate official authorized to investigate the complaint. In compliance with LEP, translation services will be provided to the complainant, as necessary.

OCPW will make every effort to complete the investigation within **sixty (60) days** of receipt of the complaint. However, some investigations may take longer, and the County will notify the complainant in writing, for an extension of time to complete the investigation.

iv. Decision

OCPW will provide the complainant with a complaint closure letter with a summary description of the allegation, investigation methodology and identify corrective action if discrimination is found. The respondent or respondent agency will also receive a copy of the closure letter.

v. Appeal

The complainant will have **five (5) business days** from receipt of the complaint closure letter to appeal the findings. If neither party appeals, the complaint will be closed. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

In the case that the complainant is dissatisfied with the resolution by OCPW or would prefer to file a complaint directly, the complainant may submit the same complaint directly to the **FHWA, FTA** or **Caltrans**. See contact information below.

Federal contact information:

Federal Highway Administration
US Department of Transportation
Office of Civil Rights
1200 New Jersey Ave, SE
8th Floor E81-105
Washington, DC 20590

Federal Transit Administration

Civil Rights Division
 Attention: Complaint Team
 East Building, 5th Floor – TCR
 1200 New Jersey Ave, SE
 Washington, DC 20590

Caltrans

Office of Civil Rights
 Attention: Title VI Branch
 P.O. Box 942874, MS 79
 Sacramento, CA 94274

In the event the complainant elects to file a complaint directly with FHWA, FHWA will promptly investigate the complaint.

B. Record of Investigations, Complaints and Lawsuits ([23 CFR 200.9\(b\)\(3\)](#))

All allegations of Title VI discrimination investigations, complaints and/or lawsuits will be tracked and monitored by the OCPW Title VI Coordinator for compliance with the Title VI Plan. The recording of investigations, complaints and/or lawsuits will include:

1. Date the investigation, complaint, and/or lawsuit was filed.
2. Date of alleged discriminatory act(s).
3. Name of the respondent (person(s)/business/agency who the complaint is against)
4. Basis of complaint (protected classes: race, color, and national origin).
5. Summary of the complaint and/or lawsuit.
6. Date forwarded to Caltrans/FHWA.
7. Actions taken in response to the investigation complaint, and/or lawsuit findings.
8. The status of the investigation complaint, and/or lawsuit.
9. Date complaint closure letter was sent to complainant and respondent or respondent agency

The recording of investigations, complaints, and/or lawsuits will be provided to Caltrans and FHWA upon request.

Please see below for a sample of the OCPW Title VI Complaint Investigation Record Log.

	A	B	C	D	E	F	G	H	I	J
	Date the investigation, complaint, and/or lawsuit was filed	Date of alleged discriminatory act(s)	Respondent name (person/business/agency the complaint is against)	Basis of complaint (protected classes: race, color, national origin)	Summary of the complaint and/or lawsuit	Date forwarded to Caltrans/FHWA	Actions taken in response to findings	Status of the investigation, complaint, and/or lawsuit	Date complaint closure letter sent to complainant and respondent	
1	1									
2	2									
3	3									
4	4									
5	5									
6	6									

9. Title VI Data Collection [\(23 CFR 200.9\(b\)\(4\)\)](#)

To support robust data collection public involvement is fundamental and essential in achieving equitable program, services and activities. Public participation provides involvement of all persons, including minorities and low-income persons, affected public agencies, employees, the public, transportation service providers, public transit users and other interested parties of the community impacted by transportation plans, programs and projects (programs).

i. Public Participation

To integrate the community outreach activities consideration expressed in the LEP Guidance document, OCPW will seek out and consider the viewpoints of minority, low-income, and LEP populations while conducting public outreach and involvement activities. OCPW public outreach strategy offers early and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed programs.

Public Outreach Activities:

- OCPW has posted a Notice to the Public that, as a recipient/sub-recipient of Federal-aid funds, its Federal-aid programs are equal opportunity programs, and that federal law prohibits discrimination.
- OCPW has developed and disseminated a Title VI and related statutes information brochure to its customers that informs the customers that OCPW administers programs subject to the nondiscrimination requirements of Title VI, summarizing those requirements, noting the availability of Title VI information, stating persons' rights under the law, and briefly explaining the procedures for filing a complaint. This brochure is available to members of the public and other parties or individuals participating in or otherwise benefitting from Federal-aid programs. In accordance with County policy for providing bi-lingual materials.
- The brochure will be made available in mediums other than the written word upon request and will be periodically reviewed and revised as appropriate. Where feasible, the brochure and other materials relevant to Title VI and related statutes are prominently displayed at the County administration building.
- OCPW will take reasonable steps, considering the scope of the program and the size and concentration of the eligible population, to provide information in appropriate languages. This procedure will apply to written

material of the type which is ordinarily distributed to the public.

- Upon request from persons served by or participating in Federal-aid programs administered by OCPW, a sign language interpreter or written information available to the public can be provided in alternate formats such as Braille.
- The OCPW Title VI webpage will be maintained on both the intranet (for OCPW staff use) and the internet (for public use) containing information relevant to the Title VI program.

OCPW understands that different program types require different levels of outreach to the community and has established 3 (three) levels of outreach, Level 1 (one), being the lowest form of outreach, Level 2 (two) being a moderate level of outreach and Level 3 (three) being the highest level of community outreach. When determining the level of outreach a program may require, there are several factors taken into consideration which is further explained in the chart below.

Community Outreach	Level 1	Level 2	Level 3
Impacts	Minimal or no impacts to community	Some impacts to community – construction noise, lane closures, etc.	Signification Impacts to community – major construction activity and noise, vibration, dust, lane/road closures, view impacts, etc.
Duration of the program	Short – couple of days or less	Longer – weeks to months	Long – months to years
Outreach Strategy	Social Medial posts	OCPW Website and Social Media posts, mailed notification to impacted residence, notification to local city staff and civic center organizations (Homeowners Associations, councils, schools, etc.)	Program Webpage, social media posts, mailed notification to impacted residence, Public Meeting(s), Briefing with OC Board of Supervisors, Periodic updates to residents, notification to local city staff and civic center organizations (Homeowners Associations, councils, schools, etc.)

To further support community outreach and engagement OCPW tailors' program related public meetings to achieve the highest level of community participation. This includes clearly communicating the meetings' purpose and being transparent with what OCPW is trying to achieve with the program or program. Determining these details supports in establishing the meeting format (townhall, open house, formal public meeting, etc.), if type,

To support inclusive public participation the following are factors to effective public participation:

- Time, location, translation services (as needed) and accessibility of meetings.
- Each program that falls into level 2 (two) or 3 (three) and requires some form of meeting that is open to the public. The meeting format is tailored to the community directly impacted by the program. This includes establishing the appropriate meeting type, such as formal public meeting, town hall or open house style meeting, feedback session, etc. The impacted area is assessed for the communities' LEP needs and potential need for verbal or written translation services and accessibility. The meeting location is centralized to the program and impacted area.
- Presentations focused on specific interests of group, if appropriate.
- Presentations are designed to build a relationship with the community and provide details of the program, including tentative schedule, scope, budget. The presentations also address potential concerns for and how the program may impact the community's day to day activities.
- Placement of meeting announcements and flyers using different types of media.
- Meeting announcements are shared on social media, OCPW webpage, mailed notification, program webpage (if applicable), and if a formal public meeting, the meeting agenda will be posted at the designated meeting location no less than 72 hours prior to the meeting day and time.
- Identified barriers to overcome public participation.

OCPW is working to identify barriers to public participation and establish ways in which to overcome those barriers.

For further information on **OCPW Opportunities for Public Comments and Engagement**, please see **Attachment No.9**.

ii. Data Collection

OCPW currently uses the United States Census Bureau (US Census)

data and mapping tools to support in determining demographics by project area. This process assists in better understanding the surrounding area and determine outreach methods as well as translation needs.

Additionally, at all program meetings attendees are asked to sign in and provide their name, address, contact information and how they heard about the meeting. OCPW is working to update meeting sign in processes to include the collection of attendee demographics (race, color, national origin, gender, and age) to determine the effectiveness of outreach methods to ensure that no group is excluded during the decision-making process or is not given an opportunity to voice their opinions or concerns. Sharing this information by the public is *voluntary*. Data Collection happens ongoing throughout the year and then analyzed annually to determine the effectiveness of current outreach methods and ensure no group is excluded during the decision-making processes. See **Attachment No.10**, for addition **Data Collection Guidance**.

10. Internal and External Title VI Reviews [\(23 CFR 200.9\(a\)\(4\), 23 CFR 200.9\(b\)\(5\), 23 CFR 200.9\(b\)\(6\), and 23 CFR 200.9\(b\)\(7\)](#)

a. Internal Reviews

Title VI compliance requires a collaborative effort among all OCPW program functions. The Title VI Coordinator will provide continuous leadership and guidance to the OCPW Director, personnel, subrecipients (if appropriate) and contractors on Title VI matters. Program and Project Managers are responsible for the ongoing monitoring of their functional activities and services to ensure nondiscrimination.

The Title VI Internal Compliance Review process will support measures and mitigate risk and will cover two main aspects, internal controls and implementation of those controls are sufficient and compliant. This includes but isn't limited to a review of the following Items:

- i. Site visit to public facing counters
- ii. Ensuring Title VI Brochures, forms, updated list of interpreters/translators and language Interpreter services are posted and readily accessible.

- iii. Reviewing Complaint log
- iv. Review staff training log

b. External Title VI Reviews

The OCPW Contracts and Procurement team will perform overall monitoring and compliance reviews on programs, subrecipients and contractors in partnership with the Title VI Coordinator and Program and Project Managers to ensure compliance with Title VI responsibilities. The compliance review may be conducted either as a desk audit or an on-site visit.

External reviews will consist of a representative sampling of sub-contractors' projects. The scope of the compliance review is defined on a case-by-case basis. The following list of factors will contribute to the selection and timeliness of a compliance review:

- v. Lawsuit and complaints filed by organizations alleging deficiencies or non-compliance with Title VI.
- vi. Issues brought to the County's attention by local civil rights organizations, the public or other government agencies.
- vii. Triennial schedule for general assurance of Title VI compliance on OCPW programs and subrecipients.

The results of the compliance review will be summarized to include findings of no deficiency, findings of deficiency, advisory comments, identified best practices and, if necessary, corrective action.