

# TITLE VI PROGRAM

As required by the Federal Transit Administration

May 2018



Metropolitan Washington  
**Council of Governments**

**TITLE VI PROGRAM**

Adopted on *(Insert Month Date, Year )*

**ABOUT COG**

The Metropolitan Washington Council of Governments (COG) is an independent, nonprofit association that brings area leaders together to address major regional issues in the District of Columbia, suburban Maryland, and Northern Virginia. COG's membership is comprised of 300 elected officials from 24 local governments, the Maryland and Virginia state legislatures, and U.S. Congress.

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**TITLE VI NONDISCRIMINATION POLICY**

The Metropolitan Washington Council of Governments (COG) fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations prohibiting discrimination in all programs and activities. For more information, to file a Title VI related complaint, or to obtain information in another language, visit [www.mwcog.org/nondiscrimination](http://www.mwcog.org/nondiscrimination) or call (202) 962-3300.

El Consejo de Gobiernos del Área Metropolitana de Washington (COG) cumple con el Título VI de la Ley sobre los Derechos Civiles de 1964 y otras leyes y reglamentos en todos sus programas y actividades. Para obtener más información, someter un pleito relacionado al Título VI, u obtener información en otro idioma, visite [www.mwcog.org/nondiscrimination](http://www.mwcog.org/nondiscrimination) o llame al (202) 962-3300.

# TABLE OF CONTENTS

<b>TITLE VI PROGRAM</b>	<b>1</b>
<b>Introduction</b>	<b>1</b>
Relationship between COG and the TPB	1
COG as Designated Recipient	2
List of FTA-Required Elements for a Title VI Program and Page Location	3
<b>Title VI Notice to the Public</b>	<b>4</b>
Locations of Where the Notice is Posted	6
<b>Instructions to the Public on How to File a Title VI Discrimination Complaint</b>	<b>7</b>
Title VI Complaint Form	10
<b>List of Any Public Transportation-Related Title VI Investigations, Complaints, or Lawsuits Filed</b>	<b>13</b>
<b>Public Participation Plan and Summary of Outreach Efforts</b>	<b>14</b>
Summary of Outreach since the Last Title VI Program Submission	14
<b>Plan for Providing Language Assistance to Persons with Limited English Proficiency</b>	<b>17</b>
<b>Racial Breakdown of Transit-related, Non-elected Planning Boards, Advisory Councils or Committee Members</b>	<b>18</b>
Efforts to Encourage Minority Participation on Committees	18
<b>Description of Efforts to Ensure Subrecipients Comply with Title VI and Schedule of Subrecipient Title VI Program Submissions</b>	<b>20</b>
COG's Record Keeping and Selection Process for Section 5310 Enhanced Mobility	21
Schedule of Subrecipient Title VI Program Submissions	21
<b>Board Resolution Approving the Title VI Program</b>	<b>24</b>
<b>Demographic Profile</b>	<b>25</b>
<b>Procedures Identifying the Mobility Needs of Minority Populations and Considerations within the Planning Process</b>	<b>29</b>
Advisory Committees	29
Equity Emphasis Areas	29
Regional Travel Survey	30
Coordinated Human Service Transportation Plan	30
<b>Demographic Maps by Census Tract</b>	<b>31</b>
Definitions	38
Methodology	39
Steps in the Analysis and Results	40
Analysis of impacts	43

Attachment A: TPB's Public Participation Plan

Attachment B: Language Assistance Plan

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# TITLE VI PROGRAM

## Introduction

The Federal Transit Administration (FTA) requires that the Metropolitan Washington Council of Governments (COG), as a Designated Recipient of the FTA Section 5310 Enhanced Mobility program, submit a Title VI Program to “document compliance with DOT’s Title VI regulations by submitting a Title VI Program to their FTA regional civil rights officer once every three years or as otherwise directed by FTA”.<sup>1</sup>

COG also has a Title VI Plan which includes policies and procedures to ensure nondiscrimination in all COG and TPB programs and services (available at [www.mwcog.org/nondiscrimination](http://www.mwcog.org/nondiscrimination)). While there is overlap between the Title VI Plan and Title VI Program, the Plan includes required elements for the U.S. Federal Highway Administration (FHWA), FTA, and other Federal agencies. The Title VI Program is specific to the USDOT FTA requirements as outlined in Circular FTA C 4702.1B ([www.fta.dot.gov/legislation\\_law/12349\\_14792.html](http://www.fta.dot.gov/legislation_law/12349_14792.html)). A list is provided on page 6 of where to find the FTA-required items for a Title VI Program in this document. The Program includes general requirements for a Title VI Program and the requirements for Metropolitan Planning Organizations (MPOs). The TPB serves as the MPO for the Metropolitan Washington region.

COG is committed to assuring that no person shall, on the grounds of race, color, national origin, or sex, 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, denied the benefits of, or be otherwise subjected to discrimination under any program or activity. COG further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities whether those programs and activities are federally funded or not.

## RELATIONSHIP BETWEEN COG AND THE TPB

The Metropolitan Washington Council of Governments was established in 1957 by local cities and counties seeking to work together more closely and develop solutions to regional issues, including growth, housing, the environment, public health and safety - as well as transportation. COG is an independent, nonprofit association, supported by financial contributions from its participating local governments, federal and state grants and contracts, and donations from foundations and the private sector. Policies are set by the full membership acting through its board of directors, which meets monthly.

COG serves as the administrative agent for the National Capital Region Transportation Planning Board (TPB) under an agreement with the Transportation Departments of Maryland, Virginia, and the District of Columbia. The TPB was created in 1965 by the region's local and state governments to respond to federal highway legislation in 1962 that required the establishment of a "continuing, comprehensive, and coordinated" transportation planning process in every urbanized area in the United States. The TPB is designated as this region's Metropolitan Planning Organization (MPO) by

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<sup>1</sup> Title Vi Requirements And Guidelines For Federal Transit Administration Recipients. FTA C 4702.1B. October 1, 2012. Page III-1. [www.fta.dot.gov/legislation\\_law/12349\\_14792.html](http://www.fta.dot.gov/legislation_law/12349_14792.html)

the governors of Virginia and Maryland and the mayor of Washington, D.C. based upon an agreement among the local governments. Although the TPB is an independent body, it's staff is provided by COG's Department of Transportation Planning. COG administers a Unified Planning Work Program (UPWP) in conjunction with the TPB in accordance with federal requirements.

## **COG AS DESIGNATED RECIPIENT**

COG is the Designated Recipient for the Federal Transit Administration (FTA) Section 5310 Enhanced Mobility Program.

## LIST OF FTA-REQUIRED ELEMENTS FOR A TITLE VI PROGRAM AND PAGE LOCATION

Requirement	Page Number
A copy of the recipient's Title VI notice to the public that indicates the recipient complies with Title VI, and informs members of the public of the protections against discrimination afforded to them by Title VI. Include a list of locations where the notice is posted	4
A copy of the recipient's instructions to the public regarding how to file a Title VI discrimination complaint, including a copy of the complaint form	7
A list of any public transportation-related Title VI investigations, complaints, or lawsuits filed with the recipient since the time of the last submission.	13
A public participation plan and a summary of outreach efforts made since the last Title VI Program submission.	14 and Attachment A
A copy of the recipient's plan for providing language assistance to persons with limited English proficiency, based on the DOT LEP Guidance.	17 and Attachment B
Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar bodies, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees or councils.	18
Description of efforts the primary recipient uses to ensure subrecipients are complying with Title VI, as well as a schedule of subrecipient Title VI program submissions.	20
If the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc., the recipient shall include a copy of the Title VI equity analysis conducted.	N/A
Board Resolution or minutes approving Title VI Program.	24
A demographic profile of the metropolitan area that includes identification of the locations of minority populations in the aggregate.	25
A description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process.	29
Demographic maps that overlay the percent minority and non-minority populations as identified by Census or ACS data, at Census tract or block group level, and charts that analyze the impacts of the distribution of State and Federal funds in the aggregate for public transportation purposes, including Federal funds managed by the MPO as a designated recipient.	Pages 31 to 37
An analysis of impacts that identifies any disparate impacts on the basis of race, color, or national origin, and, if so, determines whether there is a substantial legitimate justification for the policy that resulted in the disparate impacts, and if there are alternatives that could be employed that would have a less discriminatory impact.	38

## Title VI Notice to the Public

In order to comply with 49 CFR Section 21.9(d), the COG shall provide information to the public regarding their Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by Title VI. For more information on COG's nondiscrimination obligations, contact COG's Title VI Officer at [cbean@mwcog.org](mailto:cbean@mwcog.org) or (202) 962-3260. The paragraph below will be inserted into all significant publications that are distributed to the public. The text will be placed permanently on the COG website at [www.mwcog.org/nondiscrimination](http://www.mwcog.org/nondiscrimination) and in public areas of COG's offices.

The Metropolitan Washington Council of Governments (COG) fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations prohibiting discrimination in all programs and activities. For more information, to file a Title VI related complaint, or to obtain information in another language, visit [www.mwcog.org/nondiscrimination](http://www.mwcog.org/nondiscrimination) or call (202) 962-3300.

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Any individual, group of individuals, or entity that believes he/she, they, or it have been subjected to discrimination prohibited by Title VI may file a formal complaint with COG's Title VI Officer by completing and signing COG's Title VI Complaint Form. A formal complaint must be submitted in writing within 180 calendar days from the date of the alleged occurrence or when the alleged discrimination became known to the complainant. Complaints should be mailed to Title VI Officer, Metropolitan Washington Council of Governments, 777 North Capitol Street NE, Suite 300, Washington, DC 20002.

COG will acknowledge receipt of the complaint within 5 business days and determine if it accepts the complaint for investigation. Once accepted, COG will notify the parties within 5 calendar days. COG then has 40 calendar days to investigate the complaint. The investigation will be forwarded to the appropriate state agency within 60 calendar days of the acceptance of the complaint. Refer to COG's Nondiscrimination Complaint Procedures for additional information.

A person may also file a complaint directly with the appropriate state agency or the Federal Transit Administration at the following:



Virginia:

Civil Rights Division Administrator  
Virginia Department of Transportation  
1401 E. Broad St.  
Richmond, VA 23219  
Telephone: (804) 786-2085  
Toll free: (888) 508-3737  
(TTY/TDD 711)

OR

U.S. Department of Transportation  
Federal Highway Administration  
Virginia Division  
Office of Civil Rights  
400 N. 8th St., Suite 750  
Richmond, VA 23219

Maryland:

Equal Opportunity Compliance Programs  
Maryland Transit Administration  
6 Saint Paul Street  
Baltimore, Maryland 21202  
Web: [www.mta.maryland.gov](http://www.mta.maryland.gov)  
Telephone: (410) 539-3497 (TTY)

District of Columbia:

District Department of Transportation  
Office of Civil Rights  
55 M Street, SE, Suite 400  
Washington, DC 20003  
Telephone: (202) 673-6813  
Fax: (202) 671-0650

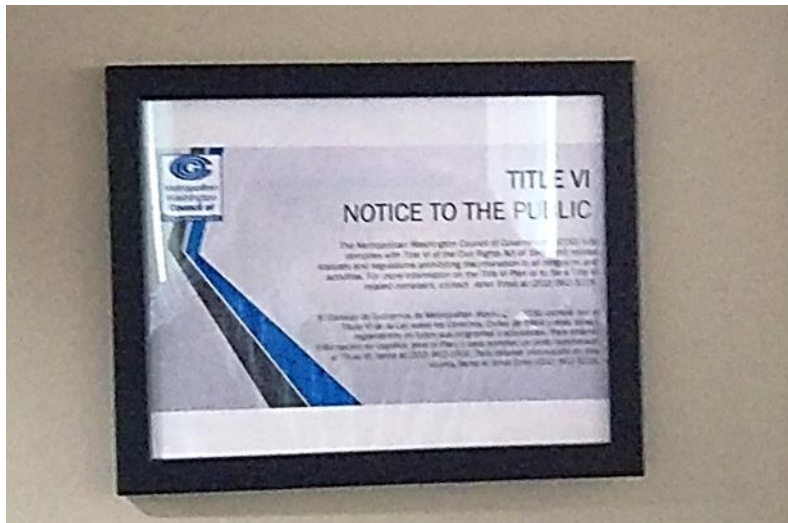
Federal Transit Administration:

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

## LOCATIONS OF WHERE THE NOTICE IS POSTED

The Title VI notice in English and Spanish is posted in the following locations:

- In the COG Board Room where it is visible to members of the public;
- On the bulletin board in the Office of Human Resources; and
- Throughout the COG offices on three bulletin boards on both the 2nd and 3rd floor.



COG's Title VI Notice to the Public as Displayed in the Board Room.

The notice is also posted on COG's website at [www.mwcog.org/nondiscrimination](http://www.mwcog.org/nondiscrimination)

# Instructions to the Public on How to File a Title VI Discrimination Complaint

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964 (including its Disadvantaged Business Enterprises (DBE) and Equal Employment Opportunity (EEO) components), Section 504 of the Rehabilitation Act of 1973, the Civil Rights Restoration Act of 1987, and the Americans with Disabilities Act of 1990, relating to any program or activity administered by COG or its sub-recipients, consultants, and/or contractors, intimidation or retaliation of any kind is prohibited by law. They do not apply to complaints related to employment conditions, actions, or decisions reflecting COG's status as employer. Such complaints should be initiated under policies administered by COG's Office of Human Resource Management.

These procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies, or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant.

Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and the Title VI Officer or the appropriate Title VI Coordinator may be utilized for resolution, at any stage of the process. The Title VI Officer will make every effort to pursue a resolution to the complaint. Initial interviews with the complainant and the respondent will request information regarding specifically requested relief and settlement opportunities.

## Procedures

1. Any individual, group of individuals, or entity that believes he/she, they, or it have been subjected to discrimination prohibited by Title VI may file a formal complaint with COG's Title VI Officer by completing and signing COG's Title VI Complaint Form. A formal complaint must be submitted in writing within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant. The complaint must meet the following requirements:
  - a. Complaint shall be in writing and signed by the complainant(s) and submitted using COG's Title VI Complaint Form
  - b. Include the date of the alleged act of discrimination (date when the complainant(s) became aware of the alleged discrimination; or the date on which that conduct was discontinued or the latest instance of the conduct).
  - c. Present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the complained-of incident. Additional pages may be submitted with the completed and signed Title VI Complaint Form.
  - d. Allegations received by fax or e-mail will be acknowledged and processed, once the identity(ies) of the complainant(s) and the intent to proceed with the complaint have been established. In order to establish the intent to proceed, the complainant is required to mail a signed, original copy of the fax or e-mail transmittal for COG to be able to process it.

- e. Complaints received by telephone will be entered into a log listing time, date, and complainant. Complainants will be requested to file a complaint in writing and will be directed to the website or other templates for a complaint form.
2. COG will acknowledge receipt of the complaint within 5 business days. Upon receipt of the complaint, the Title VI Officer will refer the matter to the General Counsel who will determine its jurisdiction, acceptability, and need for additional information, as well as investigate the merit of the complaint. In cases where the complaint is against one of COG's sub-recipients of federal funds, COG will assume jurisdiction and will investigate and adjudicate the case. Complaints against COG or the TPB will be referred by the General Counsel to the appropriate state or federal agencies for proper disposition pursuant to their procedures. In special cases warranting intervention to ensure equity, these agencies may assume jurisdiction and either complete or obtain services to review or investigate matters.
3. In order to be accepted, a complaint must meet the following criteria:
  - a. The complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant.
  - b. The allegation(s) must involve a covered discrimination such as race, color, national origin, gender, disability, or retaliation.
  - c. The allegation(s) must involve a program or activity of a Federal-aid recipient, sub-recipient, contractor, or, in the case of ADA allegations, an entity open to the public.
  - d. The complainant(s) must accept reasonable resolution based on COG's administrative authority (reasonableness to be determined by COG).
4. A complaint may be dismissed for the following reasons:
  - a. The complainant requests the withdrawal of the complaint.
  - b. The complainant repeatedly fails to respond to requests for additional information needed to process the complaint.
  - c. The complainant cannot be located after reasonable effort.
5. Once COG or a state or federal agency decides to accept the complaint for investigation, the complainant and the respondent will be notified in writing of such determination within five calendar days. The complaint will receive a case number and will then be logged in the records of COG or the agency referred to identifying its basis and alleged harm, and the race, color, national origin, and gender of the complainant.
6. In cases where COG assumes the investigation of the complaint, COG will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have 10 calendar days from the date of COG's written notification of acceptance of the complaint to furnish his/her response to the allegations.
7. In cases where COG assumes the investigation of the complaint, within 40 calendar days of the acceptance of the complaint, the General Counsel, with assistance from the appropriate Title VI Officer will prepare an investigative report for review by the Executive Director. The

report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition.

8. The General Counsel and the appropriate Title VI Officer will discuss the report and recommendations with the Executive Director within 10 calendar days. The report will be modified as needed and made final for its release.
9. COG's final investigative report and a copy of the complaint will be forwarded to the appropriate state agency within 60 calendar days of the acceptance of the complaint.
10. COG will notify the parties of its preliminary findings, which may be subject to concurrence from the appropriate state agency.
11. Once a state agency issues its final decision, COG will notify all parties involved about such determination. State determinations cannot be appealed.

If information is needed in another language, then contact (202) 962-3300.

Para obtener información en otra idioma, llame al (202) 962-3300.

## TITLE VI COMPLAINT FORM

### Section I

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Numbers:

(Home) \_\_\_\_\_ (Work) \_\_\_\_\_

Electronic Mail Address: \_\_\_\_\_

Accessible Format Requirements?

Large Print \_\_\_\_\_ Audio tape \_\_\_\_\_

TDD \_\_\_\_\_ Other \_\_\_\_\_

### Section II

Are you filing this complaint on your own behalf?

Yes \_\_\_\_\_ No \_\_\_\_\_

[If you answered "yes" to this question, go to Section III.]

If not, please supply the name and relationship of the person for whom you are complaining:

\_\_\_\_\_

Please explain why you have filed for a third party. \_\_\_\_\_

\_\_\_\_\_

If you are filing on behalf of a third party, have you have obtained the permission of the aggrieved party?

Yes \_\_\_\_\_ No \_\_\_\_\_

### Section III

Have you filed this complaint with any other federal, state or local agency, or with any federal or state court?

Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, please list:

Federal agency\_\_\_\_\_

State Agency\_\_\_\_\_

Local Agency\_\_\_\_\_

Federal Court\_\_\_\_\_

Have you filed a lawsuit regarding this complaint? Yes\_\_\_\_\_ No\_\_\_\_\_

If you answered “yes” to either of the two previous questions, please provide a copy of the complaint form or lawsuit.

**[Note: This above information is helpful for administrative tracking purposes. However, if litigation is pending regarding the same issues, we defer to the decision of the court, and COG will not take action.]**

Name of office or department you believe discriminated against you:

Office or Department\_\_\_\_\_

Name of Individual (if applicable)\_\_\_\_\_

Address\_\_\_\_\_

City\_\_\_\_\_ State\_\_\_\_\_ Zip code\_\_\_\_\_

Telephone\_\_\_\_\_

Basis(es) for complaint, check all that apply:

Race  Color  National Origin

**On separate sheets, please describe your complaint. You should include specific details such as names, dates, times, witnesses, and any other information that would assist us in our investigation of your allegations. Please also provide any other documentation that is relevant to this complaint.**

Please sign here: \_\_\_\_\_ Date: \_\_\_\_\_

[Note - We cannot accept your complaint without a signature.]

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**You may attach any written materials or other information that you think is relevant to your complaint.**

**Please mail your completed form to: Title VI Officer, Metropolitan Washington Council of Governments, 777 North Capitol Street NE, Suite 300, Washington, DC 20002**

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Civil Rights Division Administrator  
Virginia Department of Transportation  
Civil Rights Division  
1401 E. Broad St.  
Richmond, VA 23219  
Telephone: (804) 786-2085  
Toll free: (888) 508-3737  
(TTY/TDD 711)

Or

U.S. Department of Transportation  
Federal Highway Administration  
Virginia Division  
Office of Civil Rights  
400 N. 8th St., Suite 750  
Richmond, VA 23219

Maryland:

Equal Opportunity Compliance Programs  
Maryland Transit Administration  
6 Saint Paul Street  
Baltimore, Maryland 21202  
Web: [mta.maryland.gov](http://mta.maryland.gov)  
Telephone: (410) 539-3497 (TTY)

District of Columbia:

District Department of Transportation  
Office of Civil Rights  
55 M Street, SE, Suite 400  
Washington, DC 20003  
Telephone: (202) 673-6813  
Fax: (202) 671-0650

Federal Transit Administration:

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

Alternative formats of this form can be made available upon request. Visit [www.mwcog.org/accommodations](http://www.mwcog.org/accommodations) or call (202) 962-3300 or (202) 962-3213 (TDD).



## **List of Any Public Transportation-Related Title VI Investigations, Complaints, or Lawsuits Filed**

There are no Title VI investigations, complaints or lawsuits filed against the neither the Metropolitan Washington Council of Governments nor the National Capital Region Transportation Planning Board. There have not been any since COG's last Title VI Program submission in 2015.

## Public Participation Plan and Summary of Outreach Efforts

The TPB has a Participation Plan for the National Capital Region provided in Attachment A and is also available at [www.mwcog.org/tpb-participation-plan](http://www.mwcog.org/tpb-participation-plan). The plan outlines public involvement activities for constituencies with different levels of understanding and interest in the TPB process. The Participation Plan calls for the TPB to be strategic in targeting its activities to serve the needs of three different constituencies. The Participation Plan focuses on tailoring outreach and involvement activities to the "involved" public, the "informed" public, and the "interested" public.

As required by federal regulations, the Participation Plan was developed in consultation with interested parties that include: residents of the Washington region, representatives of people with disabilities, users of public transportation, users of bicycle and pedestrian facilities, and transportation and planning agencies in the Washington region.

While activities outlined in the Participation Plan are broadly applied to Washington area residents, including Title VI populations, there are several activities in the plan that are designed to specifically reach minority populations and other constituencies that are traditionally underserved, including people with disabilities, low-income populations, and others. Some of these activities are described below.

### SUMMARY OF OUTREACH SINCE THE LAST TITLE VI PROGRAM SUBMISSION

The following provides a summary of outreach to engage minority and limited English proficient populations since COG's last Title VI Program submission, which was in 2015.

#### Access for All Advisory Committee

The AFA was established in 2001 with a focus on bringing transportation concerns from low-income populations, minority populations, and persons with disabilities into the regional transportation planning process. While the TPB has been analyzing its Long-Range Transportation Plan for disproportionate and adverse impacts on traditionally-underserved populations since 2001, the AFA committee has brought short-term critical concerns about transportation issues to the attention of the TPB.

In 2016, the AFA and the Human Service Transportation Coordination Task Force were combined due to overlapping membership and to increase efficiency. After the Task Force oversaw the development Coordinated Human Service Transportation Plan, the work of the Task Force was largely done. The enhanced AFA committee has a larger membership with wider representation from low-income communities, minority communities, limited English speakers, older adults and people with disabilities.

The enhanced AFA mission is consistent with the mission statement included in the 2014 Update to the TPB's Participation Plan, although the definition of "traditionally underserved communities" has been expanded to explicitly include people with limited English proficiency and older adults.

The AFA is the primary way that TPB staff and Board members interact with and get feedback from Title VI populations. The committee includes approximately 30 community leaders, as well as ex-

officio representation from the major transportation agencies and private providers in the region. The AFA is chaired by a TPB member who makes regular reports to the TPB on AFA issues and concerns. The AFA meets four to five times a year. The month following each AFA meeting, the TPB is provided a written and oral report on the AFA agenda items and issues raised by members. The AFA comments on every update and amendment to the Long-Range Transportation Plan, and these comments are documented in a memorandum to the TPB and presented by the AFA chair.

### **Outreach for Visualize 2045**

Work is now underway on a new type of long-range transportation plan for the National Capital Region, called Visualize 2045.

Visualize 2045 will include both a financially constrained element (formerly known as the Constrained Long-Range Transportation Plan or CLRP) with hundreds of regionally significant highway, transit, bicycle, and pedestrian projects planned to be built throughout the region by 2045. In addition, Visualize 2045 will include an unfunded element and priority initiatives that the TPB has identified as important for the future.

In 2017, the TPB began the development of Visualize 2045 by launching an interactive online survey to solicit input about people's travel patterns, how key transportation issues affect them, and their ideas for improving transportation in the region. To encourage participation in the survey, the TPB conducted a wide range of outreach including direct mail, having tables at community events with staff with iPads who encouraged people to take the survey at the event, (this included staff who spoke Spanish), and the use of social media. Assistance for people that may have difficulty taking the online survey was offered for people with disabilities, those without internet access, or people with limited English Skills.

To reach other under-represented groups, staff attended National Night Out events at King Greenleaf Recreation Center in Southwest DC and Kenilworth Park in Northeast DC. Staff also administered the survey to students at the Washington English Center, a language school for immigrants. And staff reached out to and promoted the survey among additional groups who provide services for hard-to-reach populations.

The findings are currently being analyzed and will be shared with elected leaders and regional planners to help them better understand public attitudes and opinion as they make decisions about the region's transportation future.

### **Other Committees**

The TPB invites members of the public to participate in the review of technical work programs and analysis through attendance at meetings of the TPB Technical Committee and other TPB subcommittees, and at the regular monthly meetings of the TPB. These meetings are all held at a location, the COG office building, that is accessible to users of transit, automobiles, bicycles, as well as people who walk or need ADA accommodations. Assisted listening devices are available upon request.

## **Comment on Federally Required Plans and Programs**

Public comment is one of the most basic ways for the public to participate in the TPB process. The TPB holds 30-day public comment periods for federally required plans, including the Long-Range Transportation Plan and Transportation Improvement Program (“TIP”), and other plans of regional significance. Two 30-day public comment periods are held during the course of developing the Long-Range Transportation Plan and TIP. Both comment periods are announced online and in print. Electronic notices are made by email, social media, and postings to the COG website. The Title VI notice is included in the public comment email notices and on the online comment form in both English and Spanish. Notices are printed in in the Washington Post and the newspaper Afro-American, with the Title VI notice in English and Spanish. An ad is also placed in Spanish for the Washington Hispanic newspaper. TPB staff also present the context for these public comment periods to the AFA and the Citizens Advisory Committee (“CAC”).

Since the Title VI Program submission 2015, the TPB has held six (6) public comment periods on the Long-Range Transportation Plan, Air Quality Conformity Determination and TIP.

## **TPB News, Social Media, and Live Streaming**

The TPB publishes a bi-weekly newsletter, called TPB News, that provides brief, timely summaries of recent TPB research, analysis, outreach, and planning in the Washington region. These summaries are written to be accessible to a non-technical audience.

The TPB staff live “tweets” the monthly TPB and Technical Committee to allow interested parties to follow along with these meetings if they cannot attend in person. In addition, the TPB monthly meetings are live streamed on the internet, and the recordings are archived, allowing the public to listen either live or to past meetings remotely.

# Plan for Providing Language Assistance to Persons with Limited English Proficiency

The Language Assistance Plan is provided in Attachment B. A summary of the Plan is provided below.

COG's Accommodations Policy describes how language access is provided by COG and the TPB. The policy states that translation services are available upon request for meetings that are open to the public. The policy is published on the COG website at [www.mwcog.org/accommodations](http://www.mwcog.org/accommodations) along with translations of the policy in Spanish, French, Korean, Vietnamese, Amharic and Chinese.

The following is a list of some of the COG and TPB efforts made to provide language access:

- Advertise public comment periods in Spanish language news publications.
- Provide survey forms and web applications in multiple languages.
- Provide Spanish-speaking facilitators at forums and outreach effects.
- Hire bilingual staff members.
- Google Translate is available on all COG webpages.
- Provide Spanish versions of key web pages.

Key documents will be translated upon request. Staff arrange for the translation of materials through coordination with the Office of Public Affairs and Human Resources staff who maintain a list of qualified companies that provide translation services.

The website for the Metropolitan Washington Council of Governments<sup>2</sup>, including the Department of Transportation Planning's subsection of that website<sup>3</sup>, can be translated into over 50 different languages. Staff incorporated Google Translate translation capability into the development of this website as a cost-efficient means of making sure that the information contained on the website is accessible to individuals with limited-English proficiency and the non-English speaking public.

At key times during the planning process, the TPB publishes notifications in local newspapers (e.g. announcement of the opportunity to comment on the Long-Range Transportation Plan and Air Quality Conformity Determination). A notification is published in several newspapers, including a notification written in Spanish for the Spanish-language news publications.

Outreach strategies for the annual Street Smart pedestrian and bicyclist safety campaign<sup>4</sup>, that is coordinated by TPB, include radio, video, newspaper and transit advertising. These advertising efforts are focused on educating motorists, pedestrians and bicyclists to improve safety. Materials are produced in both English and Spanish.

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<sup>2</sup> <https://www.mwcog.org/>

<sup>3</sup> <https://www.mwcog.org/transportation>

<sup>4</sup> <http://www.bestreetsmart.net>

## **Racial Breakdown of Transit-related, Non-elected Planning Boards, Advisory Councils or Committee Members**

The table below depicts the racial and ethnic breakdowns of the two transit-related, non-elected advisory committees, the Access for All Advisory (“AFA”) Committee and the Citizen Advisory Committee (“CAC”). This information is collected from the applications for membership and is based on voluntary responses.

The Access for All Advisory committee advises the TPB on issues and concerns of low-income individuals, minority communities, persons with disabilities, older adults and people with limited English proficiency. The Citizen Advisory Committee promotes public involvement in transportation planning for the region and provides independent, region-oriented citizen advice to the TPB.

A racial breakdown for the National Capital Region Transportation Planning Board (“TPB”) is not included because the board is appointed by various authorities in the State of Maryland, the Commonwealth of Virginia and the District of Columbia, and neither COG nor TPB staff have a role in selecting or encouraging members.

### **EFFORTS TO ENCOURAGE MINORITY PARTICIPATION ON COMMITTEES**

The Access for All Advisory Committee encourages minority participation through its core objective of advising the TPB on issues and concerns of minority populations, low-income populations, persons with disabilities, those with limited-English skills and older adults. Members serve a two-year term and applications for membership are solicited and advertised widely through COG and TPB publications, social media, existing AFA members, non-profit organizations and TPB members. Committee members are required to state in their application how they represent of one of the five traditionally-disadvantaged population groups and are asked to include demographic information.

The Citizen Advisory Committee actively seeks to include and engage minority populations. As the Committee’s membership is revised every year through a nomination process, interested citizens are asked to include their demographic information in the initial application. The solicitation for applications is also widely advertised through COG and TPB publications and social media. As part of the nominating process, minority status is included as an important element in the composition of the Committee. The Committee is ultimately comprised of six members nominated from the previous year’s Committee as well as nine individuals nominated by the Transportation Planning Board.

**Race and Ethnicity of Members and Alternates of COG's Transit-Related Committees**

	Access for All (AFA) Advisory Committee		Citizen Advisory Committee (CAC)		Total Regional Population
<b>Race</b>					
	Number	Percentage	Number	Percentage	Percentage
American Indian or Alaska Native	1	3.40%	0	0.00%	0.20%
Asian	1	3.40%	1	4.00%	10.50%
African American	10	34.50%	4	16.00%	26.20%
Native Hawaiian or Other Pacific Islander	0	0.00%	0	0.00%	0.10%
White	13	44.80%	17	68.00%	44.00%
Some other race	0	0.00%	1	4.00%	0.30%
<b>Ethnicity (Hispanic / Latino)</b>					
Hispanic or Latino	4	13.80%	2	8.00%	15.70%

## Description of Efforts to Ensure Subrecipients Comply with Title VI and Schedule of Subrecipient Title VI Program Submissions

COG is the Designated Recipient for the Section 5310 Enhanced Mobility Program. The Enhanced Mobility Program Management Plan specifies how COG ensures subrecipients comply with Title VI and is summarized below.

COG assists its subrecipients in complying with the Title VI regulations, as outlined in FTA Circular C4702.1B, in the following ways:

- For applicants of the Enhanced Mobility program, COG/TPB outlines Title VI requirements in the grant application and at pre-application conferences. The Enhanced Mobility Application states that “All subrecipients of FTA funds are required to have a Title VI Program to ensure nondiscrimination and to resubmit it every 3 years during the duration of a project.”
- COG provides templates for Title VI Programs and Complaint Status Reports to all subrecipients. COG requires that each subrecipient submit a Title VI Program with the following sections and components before COG will issue a contract (or subgrant agreement) to the subrecipient:
  - Overview of Transportation Services Provided by the Subrecipient;
  - Policy Statement and Authorities;
  - Nondiscrimination Assurance to COG;
  - Plan Approval Document (resolution, board minutes, etc.);
  - Title VI Program Responsibilities (Title VI Manager, annual updates, written policies and procedures (etc.);
  - General Reporting Requirements:
    - Requirement to Provide a Title VI Notice to the Public;
    - Requirement to Provide Title VI Complaint Procedures and Complaint Form (subrecipient’s procedures for notifying the public of Title VI rights, instructions on how to file a discrimination complaint and procedures for how a complaint is handled and reported);
    - Requirement to Provide List of Title VI Investigations, Complaints and Lawsuits;
    - Requirement to Provide Summary of Public Outreach and Involvement Activities;
    - Requirement to Provide Access for Limited English Proficient (“LEP”) Persons (Language Assistance Plan, including a 4-factor analysis, and how the subrecipient will address the needs of non-English speakers);
    - Listing of Minority Representation on Planning and Advisory Boards;
  - Requirements of Transit Providers (if applicable).
- COG notifies subrecipients in writing, at the time of award, that any allegations made in writing regarding discrimination in service or employment, including Section 504 and ADA regulations, shall be immediately reported to COG and investigated by the subrecipient. COG will coordinate with the subrecipient in order to ensure appropriate actions are being taken to resolve the complaint.



- COG incorporates Title VI requirements into its contract with subrecipients. The contract references Circulars applicable to the subgrant award, including FTA Circular C4702.1B, and the Standard Terms and Conditions section of the contract also address Civil Rights requirements.

COG monitors its subrecipients to ensure compliance with FTA Circular C4702.1B, by:

- Collecting Title VI Programs from all grant award subrecipients at time of award.
- Reviewing Title VI Programs for compliance and working with subrecipients for needed updates or changes.
- Collecting Title VI complaint status reports as part of required subrecipient quarterly reporting to COG.
- Tracking triennial due dates for updated Title VI Programs by the Grant Manager. See schedule below, representing the current status of Title VI Program for all subrecipients with active projects.
- Holding a grantee training each funding cycle, that covers Title VI requirements for subrecipients to comply with Title VI regulations and provide documentation to grantees of COG's process for ensuring all subrecipients are in compliance.
- Reviewing compliance with Title VI requirements during site visits, which are conducted at a minimum of once over the life of the project. See table below, which shows COG's site visit checklist for Title VI requirements.

## **COG'S RECORD KEEPING AND SELECTION PROCESS FOR SECTION 5310 ENHANCED MOBILITY**

As the Designated Recipient of Section 5310 Enhanced Mobility funds for the Washington DC-VA-MD Urbanized Area, COG maintains a record of Enhanced Mobility funding requests received from private companies, non-profit organizations, State or local governmental authorities, and Indian tribes. COG maintains records of which applications were accepted and declined for funding. A question on COG's application for funding identifies the populations served by the applicant and thus, as required in FTA circular C4702.1B, COG can identify those applicants that would use grant program funds to provide assistance to predominantly minority populations.

COG's competitive selection process ensures equitable distribution of funds, by using a uniform scoring process that is applied to all applicants, under the purview of an independent and objective Selection Committee. COG also ensures that the application process is not a barrier to minority applicants by ensuring that agencies that serve minority populations receive notice of the funding opportunity. This is accomplished by distributing the solicitation notice widely, using community groups involved in the Access for All Advisory Committee to spread the word, hosting of pre-application conferences in central locations in D.C., Suburban Maryland and Northern Virginia in accessible venues, and in making staff available to provide technical assistance to any interested applicant. Staff can provide technical assistance in Spanish should that be requested.

## **SCHEDULE OF SUBRECIPIENT TITLE VI PROGRAM SUBMISSIONS**

The following table provides COG's schedule for subrecipient Title VI Program submissions and lists the date of the subrecipient's Title VI Program and the date of expiration. This schedule is maintained by the grant manager. The grant manager will notify subrecipients with active grants

120 days prior to the expiration date that a new Title VI Program is due in 60 days, and 30 days prior to the expiration date.

**Schedule of COG’s Subrecipient Title VI Program Submissions and Expirations**

Subrecipient – Enhanced Mobility	Title VI Program	
	Date	Expiration
ECHO	12/21/17	12/21/20
The Arc of Prince William County	2/26/18	2/26/21
CHI Centers, Inc.	7/10/15	7/10/18
The Arc of Montgomery County	9/18/17	9/18/20
The Arc of Prince George’s County	7/13/17	12/31/20*
Easter Seals Serving MD DC VA	10/17	12/31/20*
Columbia Lighthouse for the Blind	3/18/15	3/18/18**
Fairfax County Neighborhood and Community Services	7/1/14	10/31/17***
Jewish Council for the Aging	4/25/17	4/25/20
Montgomery County Dept of Health and Human Services	5/12/15	5/12/18
Yellow Transportation, LLC	3/25/15	3/25/18**
Seabury Resources for Aging	3/31/16	3/31/19
Capitol Hill Village	4/1/16	4/1/19
Montgomery County Drivers Union	4/8/16	4/8/19
Lifestyles of Maryland Foundation, Inc.	5/17	5/3/19
Sunrise of Maryland, Inc.	2/2/15	2/2/18**
Arc of Northern Virginia	3/21/16	3/21/19
Potomac and Rappahannock Transportation Commission	2/3/16	2/3/19
Woodley House	3/22/16	3/22/19
Community Support Services	3/28/16	3/28/19
University of Maryland, College Park	4/13/16	4/13/19
Regency Taxi	3/23/16	3/23/19

\*Date is based on the Maryland Transit Administration Title VI approval letter provided by subrecipients

\*\*Update under development by subrecipient

\*\*\*Update pending FTA approval

**Site Visit Checklist**

<p>Title VI Policy/Plan (display, open cases, log, notification, action)</p>
Subrecipient provides and describes written Title VI Plan
Title VI Policy/Plan includes Policy Statement and Authorities
Title VI Policy/Plan includes Non-discrimination Assurance
Title VI Policy/Plan includes Complaint Form and Procedures
Title VI Policy/Plan includes Complaint Status Report
Title VI Policy/Plan includes Language Assistance Plan (LAP) – see also LAP section below
Title VI Policy/Plan identifies Title VI officer and responsibilities
Title VI Policy/Plan includes public outreach and participation
COG confirms that information on Title VI is publicly posted and notes location(s)
COG reviews current Complaint Status log and notes any need to report per FTA regulations

<p>Language Assistance Plan or Policy (display, open cases, log, notification, action)</p>
Subrecipient provides and describes written Language Assistance Plan (LAP)
LAP Plan includes identification of LEP persons who speak English “less than very well”
LAP Policy/Plan includes language assistance measures to translate service information to identified LEP groups
LAP Policy/Plan includes staff training
LAP Policy/Plan includes method(s) for providing public notice of LEP services available
LAP Policy/Plan includes annual review of LEP plan

## **Board Resolution Approving the Title VI Program**

(TO BE INSERTED)

## Demographic Profile

This section is a demographic profile of the metropolitan Washington area including identification of the locations of minority and low-income populations in the aggregate. This demographic profile provides 2016 data from the 2012-2016 American Community Survey (“ACS”) on the numbers and spatial locations for minority population groups in the metropolitan Washington region.

Since the last Title VI Program submission in 2015, the TPB did a more in-depth analysis of regional demographics by using ACS data at the tract-level to identify concentrations of low-income and/or minority populations, called “Equity Emphasis Areas”. An interactive map is publicly-available as a tool for not only the TPB to understand demographic patterns, but also for the public, decision-makers and planners in sectors outside transportation. The map can be found here: [gis.mwcog.org/webmaps/tpb/clrp/ej/](https://gis.mwcog.org/webmaps/tpb/clrp/ej/)

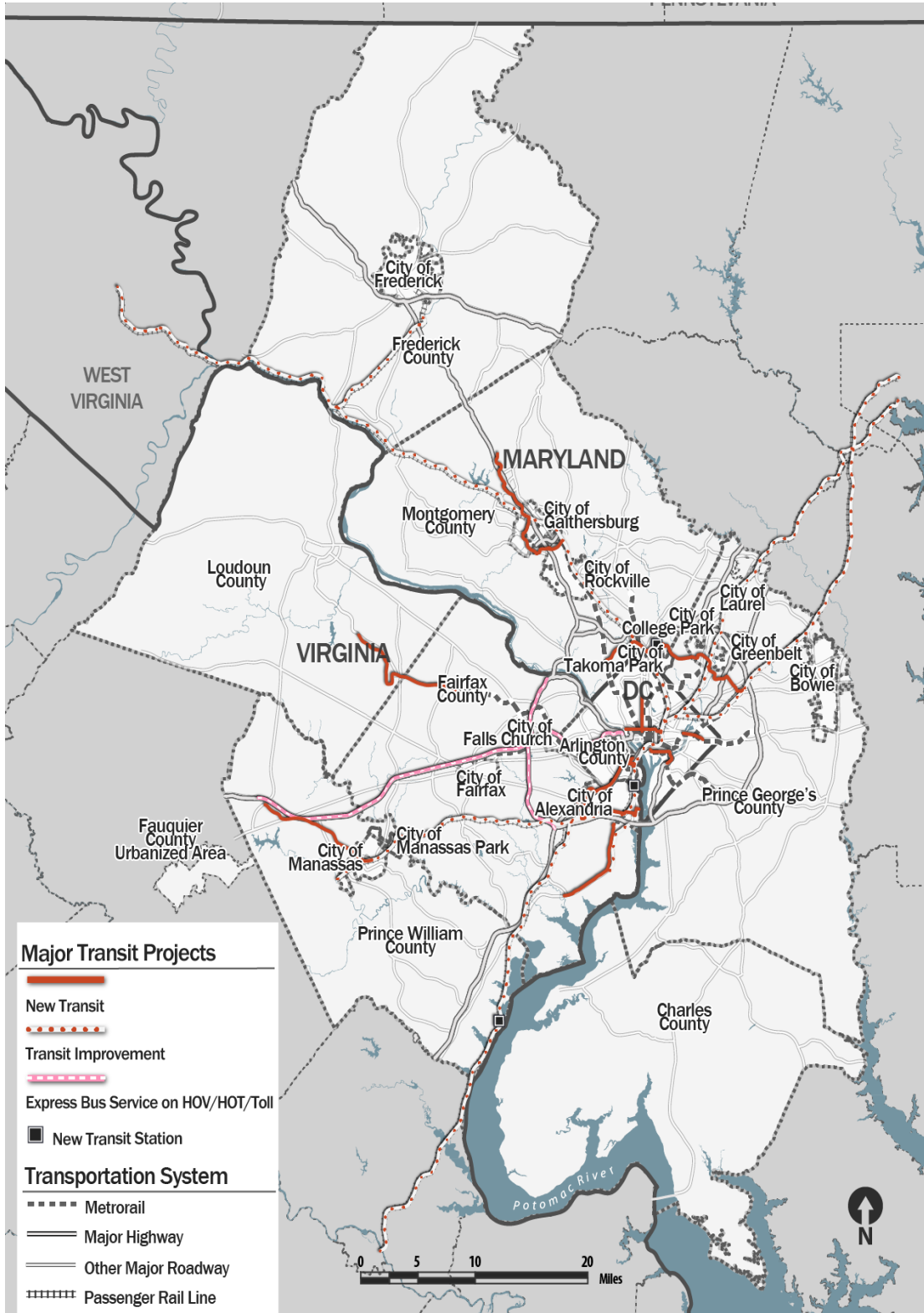
The Equity Emphasis Areas are also described on page 29.

The population groups used to create the demographic profile in this document are defined as:

- Low-Income Population
  - Individuals whose income is 150 percent or below the poverty line.
  - 1 person = \$18,729 per year
  - 4 people = \$36,509 per year
- Persons with Disabilities include individuals with any type of physical, sensory, and/or cognitive disability. For individuals under 5, hearing and vision difficulty is used to determine disability. Individuals between 5 and 14 also include cognitive, ambulatory, and self-care difficulties. Individuals 15 years of age and older includes all five categories, as well as, independent living difficulty.<sup>i</sup>
- Older Adults are individuals 65 years of age and over.
- Limited English Speakers include individuals who speak English less than “very well.”<sup>ii</sup>
- Black or African American refers “to a person having origins in any of the black racial groups of Africa,” including Afro-Caribbean.<sup>iii</sup>
- Asian refers “to a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent.”<sup>iv</sup>
- Hispanic or Latino refers to “people who classified themselves in one of the specific Spanish, Hispanic, [or]Latino categories listed on the Census 2010 questionnaire” no matter the racial category selected.<sup>v</sup>
- For this analysis, American Indian and Alaskan Native and Native Hawaiian or Other Pacific Islander population were not considered as Census data shows these population groups represent less than 1% of the Washington region.

The geographic area includes the Transportation Planning Board (“TPB”) planning area as shown below including portions of Fauquier County.

**TPB Planning Area**



Eight percent of residents lived below the poverty level in 2016 and an additional 13.9 percent were classified as low-income (shown in the figures below). In the same year, 8 percent of persons had a disability and over 11 percent of people were 65 years of age and over. Individuals with Limited English Proficiency make up 11 percent of the population.

The maps on pages 31-37 show the spatial locations of minority population groups in the region overlaid with the major transit projects planned for 2040.

**Regional Demographic Profile of Transportation-Disadvantaged Populations in the Washington Region, 2016**

<b>Population Group</b>	<b>Region</b>	<b>Percent of Region (1)</b>
<i>Low-Income or below (2)</i>	740,886	13.9%
<i>Persons with Disabilities (3)</i>	430,244	8.0%
<i>Older Adults (65 and over)</i>	599,826	11.2%
<i>Limited English Speakers (4)</i>	559,739	11.1%
<i>Black or African American</i>	1,419,478	26.2%
<i>Asian</i>	570,951	10.5%
<i>Hispanic or Latino</i>	852,566	15.7%
<i>Total Population</i>	5,425,477	

Source: 2012-2016 U.S. Census American Community Survey: numbers are for the TPB Planning Area (see definition above).

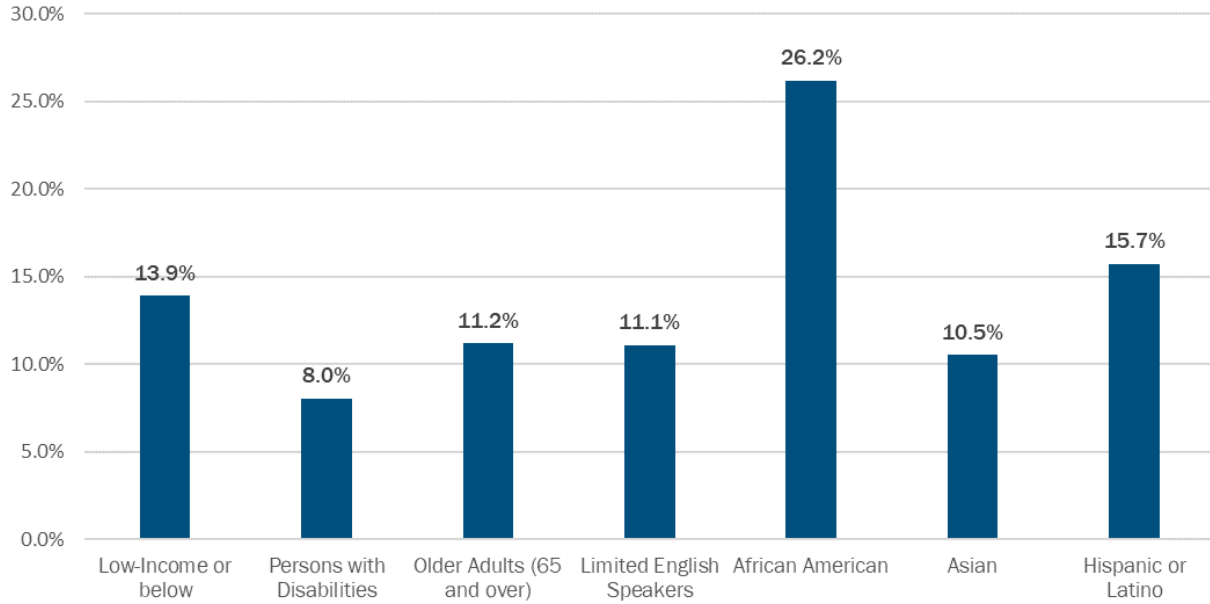
(1)Due to each groups' unique sampling, "Percent of Region" will not compute with Total Population.

(2)"Low-income" is commonly defined as income between 100 to 150 percent of the poverty level. For a family of four an annual income of \$36,509 or below is considered low income.

(3)Includes individuals with a physical, sensory, and/or cognitive disability.

(4)Limited English Proficiency includes individuals who speak English less than "very well."

**Regional Demographic Profile of Transportation-Disadvantaged Populations in the Washington Region, 2016**



Source: 2012-2016 U.S. Census American Community Survey: numbers are for the TPB Planning Area (see definitions above).



# Procedures Identifying the Mobility Needs of Minority Populations and Considerations within the Planning Process

The TPB has several procedures and methods for identifying the mobility needs of minority populations and for considering those needs within the planning process. As referenced earlier in this document, the TPB's Public Participation Plan outlines the strategies for including and considering the mobility needs of minority populations in the planning process, and can be found in Attachment A. The methods the TPB uses for inclusive planning are also described below.

## ADVISORY COMMITTEES

The TPB has two advisory committees that strive to increase the participation of minority, socially and economically disadvantaged individuals in the transportation planning process: the Citizens Advisory Committee ("CAC") and the Access for All Advisory Committee ("AFA"). The CAC is comprised of 15 citizens who are appointed for an annual term, and whose membership is evenly divided between the District of Columbia, Suburban Maryland, and Northern Virginia. More information about the CAC is available at: [www.mwcog.org/tpbcac/](http://www.mwcog.org/tpbcac/)

In 2001, the Access for All (AFA) Advisory Committee was created to advise the TPB on issues and concerns of low-income individuals, minority communities, persons with disabilities. In 2016, the mission was enhanced to formally include older adults and people with limited English proficiency ("LEP"). The committee is comprised of approximately 30 community leaders and also has ex-officio representation from the major transportation and social service agencies in the region. The AFA is chaired by a TPB member who makes regular reports to the TPB on AFA issues and concerns. Each time the Long-Range Transportation Plan is updated, the AFA reviews the major changes and the committee comments on the significant changes to the projects in the Long-Range Transportation Plan and general transportation-related concerns. The AFA Chair, a TPB member, presents these comments to the TPB in the form of a memorandum. More information is available about the AFA at: [www.mwcog.org/tpbafa/](http://www.mwcog.org/tpbafa/) [www.mwcog.org/tpbafa/](http://www.mwcog.org/tpbafa/)

## EQUITY EMPHASIS AREAS

In 2016, the National Capital Region Transportation Planning Board (TPB) took a deeper dive into the region's demographics, which resulted in the TPB adopting an "Equity Emphasis Areas" map for the first time which will help identify mobility needs of minority and low-income populations. These communities are small geographic areas that have concentrations of low-income and/or minority populations. The TPB's two public advisory committees, the CAC and AFA, reviewed and provided comments on the development of the Equity Emphasis Areas.

The publicly-available interactive map of the Equity Emphasis Areas helps inform the region about spatial patterns for various population groups and the relationship between the locations of these groups and the major highway and transit projects planned for 2040, as the interactive map includes transportation investment layers as well as the demographics:  
<http://gis.mwcog.org/webmaps/tpb/clrp/ej/>

The Equity Emphasis Areas will be used to analyze the Visualize 2045 long-range transportation plan for disproportionately high and adverse impacts on low-income and minority populations by comparing accessibility to jobs by automobile and transit in the Equity Emphasis Areas versus the rest of the region in 2045.

Additionally, the Equity Emphasis Areas are used in other COG and TPB planning activities and have been made available to local jurisdictions to assist them in considering equity in initiatives, such as housing, education, health care, and greenspace.

## **REGIONAL TRAVEL SURVEY**

The TPB also uses surveys to identify the mobility needs of minority and low-income populations. Approximately every ten years the TPB surveys the region and asks households to share information about their usual travel patterns, as well as, to complete a detailed travel diary for one weekday. The 2017/2018 Regional Travel Survey is currently under way. Outreach efforts are made to ensure that the survey sample includes minorities and people with limited incomes. The demographics of survey respondents are closely tracked to ensure adequate participation rates. TPB staff had survey materials translated into Spanish and partnered with non-profit organizations, such as Casa of Maryland, Inc. to increase participation by Spanish-speaking households.

The survey provides critical inputs into the travel models the TPB uses to forecast future travel patterns and vehicle emissions. These models aid regional planning and decision making by showing how long-range transportation plans are likely to affect travel patterns and travel conditions.

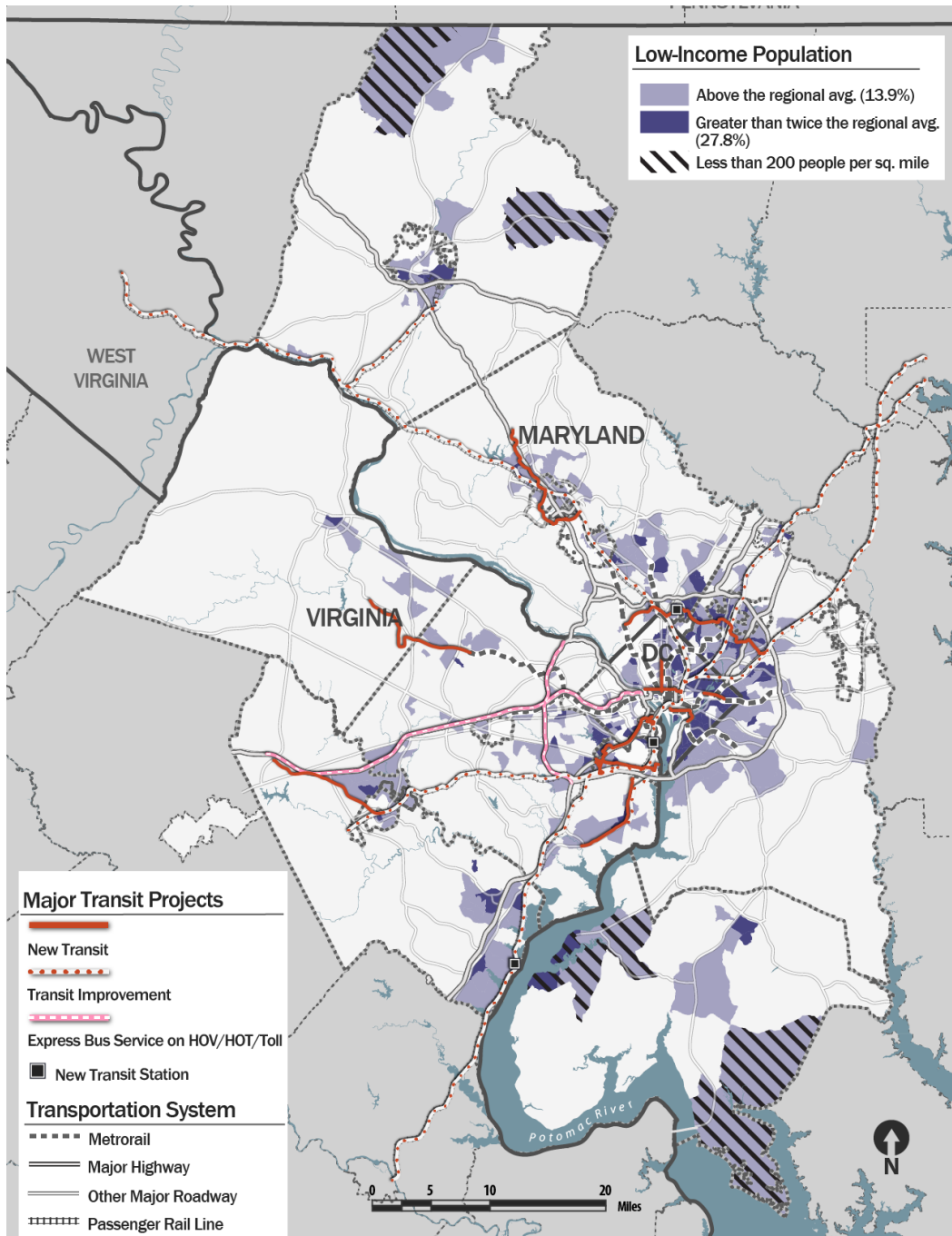
## **COORDINATED HUMAN SERVICE TRANSPORTATION PLAN**

In 2018, an update to the TPB's Coordinated Human Service Transportation Plan was initiated. The Coordinated Plan guides the implementation of Federal Transit Administration's (FTA's) Section 5310 Enhanced Mobility Program for Individuals with Disabilities and Older Adults. One of the elements of the Coordinated Plan is the identification of unmet transportation needs for people with low-incomes, those with disabilities, older adults and limited-English speaking populations. The Access for All Advisory Committee kicked off the Coordinated Plan update process by identifying significant unmet transportation needs and potential strategies to address those needs. The unmet needs and strategies will guide the development of priority projects for Section 5310 Enhanced Mobility funding. The 2014 Coordinated Plan can be found at: [www.mwcog.org/coordinated-human-service-transportation-plan/](http://www.mwcog.org/coordinated-human-service-transportation-plan/)

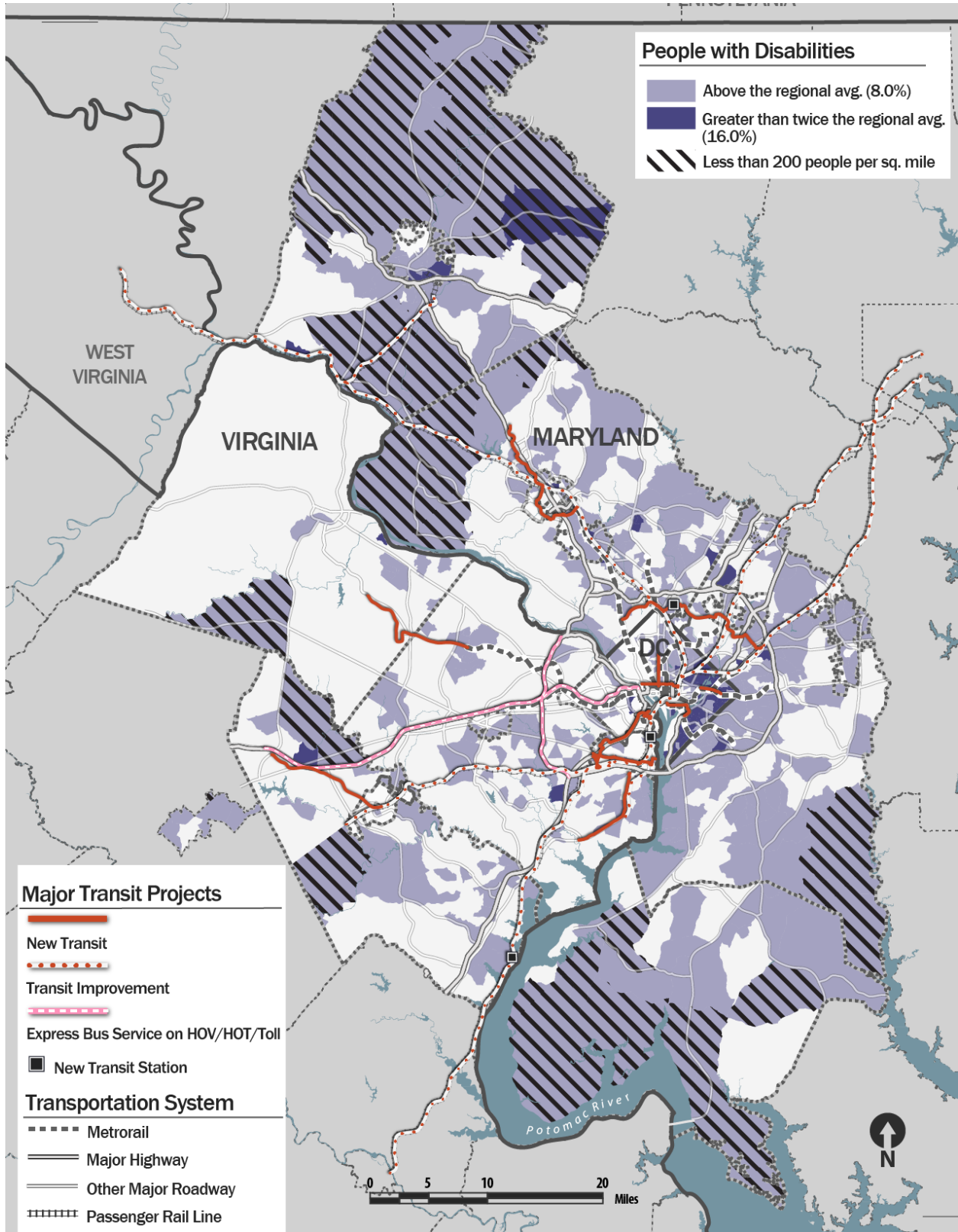
# Demographic Maps by Census Tract

This section includes regional demographic maps of transportation-disadvantaged populations and the definitions are on page 25. The maps overlay the percent minority and non-minority populations as identified by ACS data at the Census tract level. Minority populations are identified when the percent of a tract population is above the regional average. In addition, Census tracts with populations with an above average concentration and under 200 people per square mile are noted.

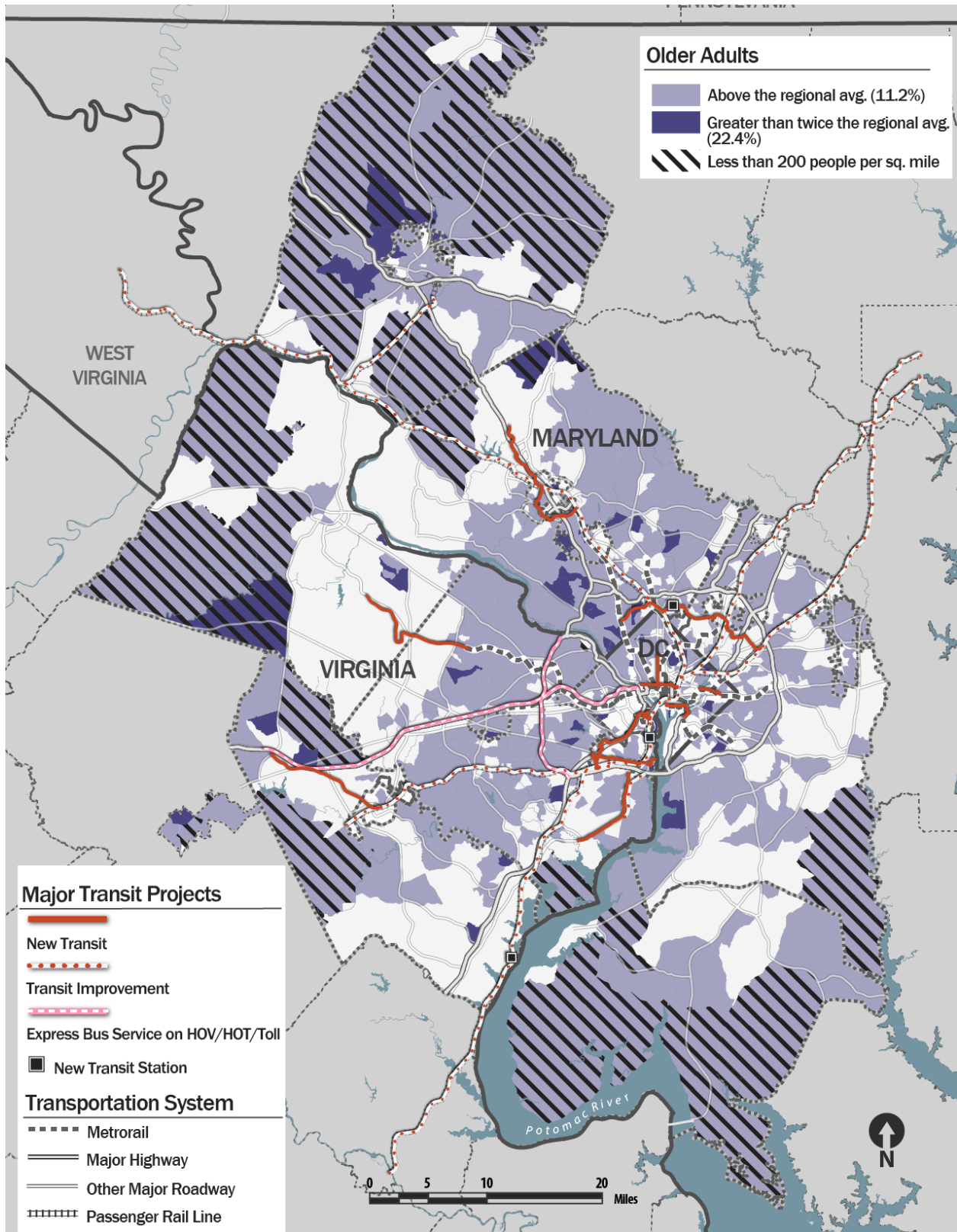
## Low-Income Population, 2016



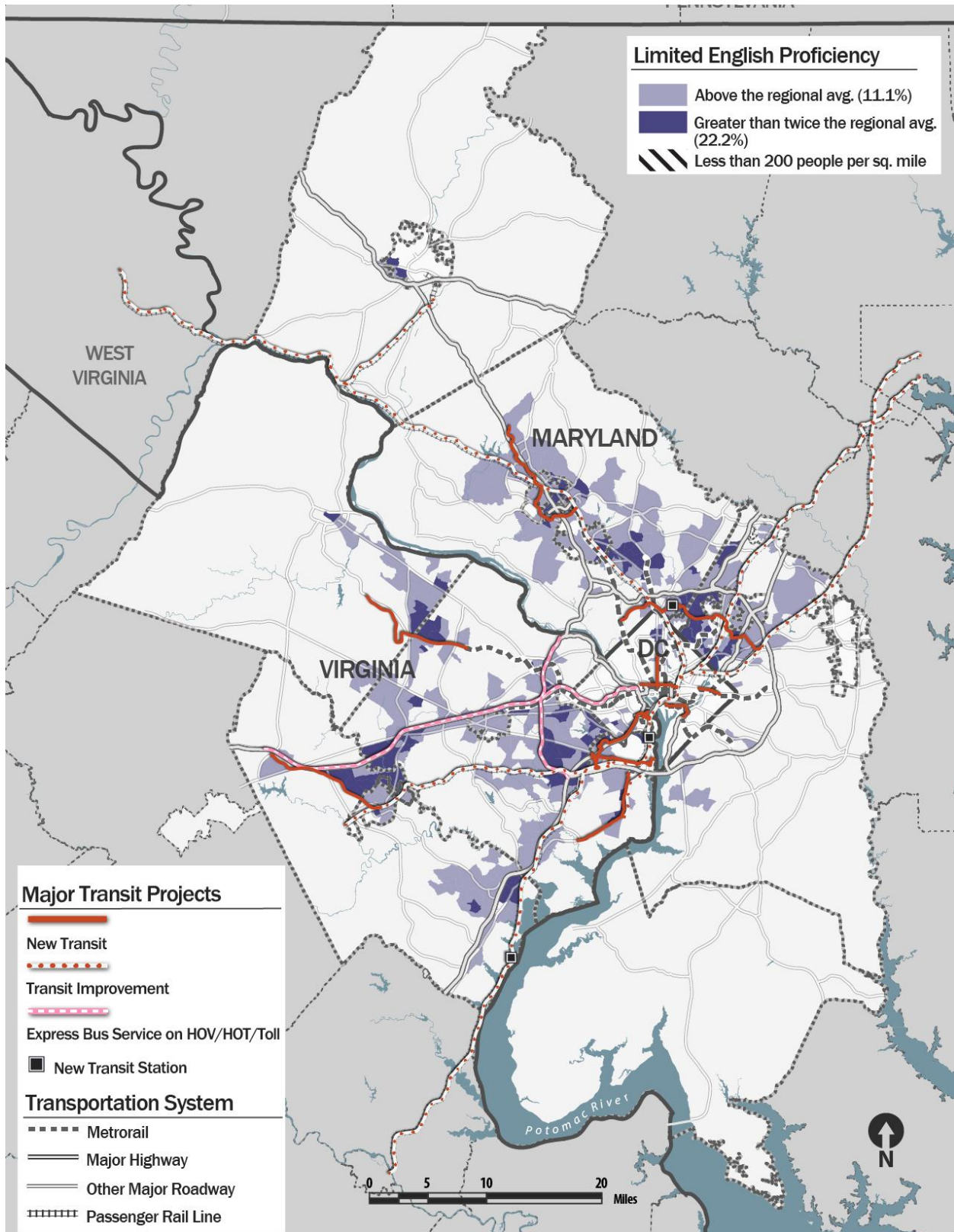
**People with Disabilities Population, 2016**



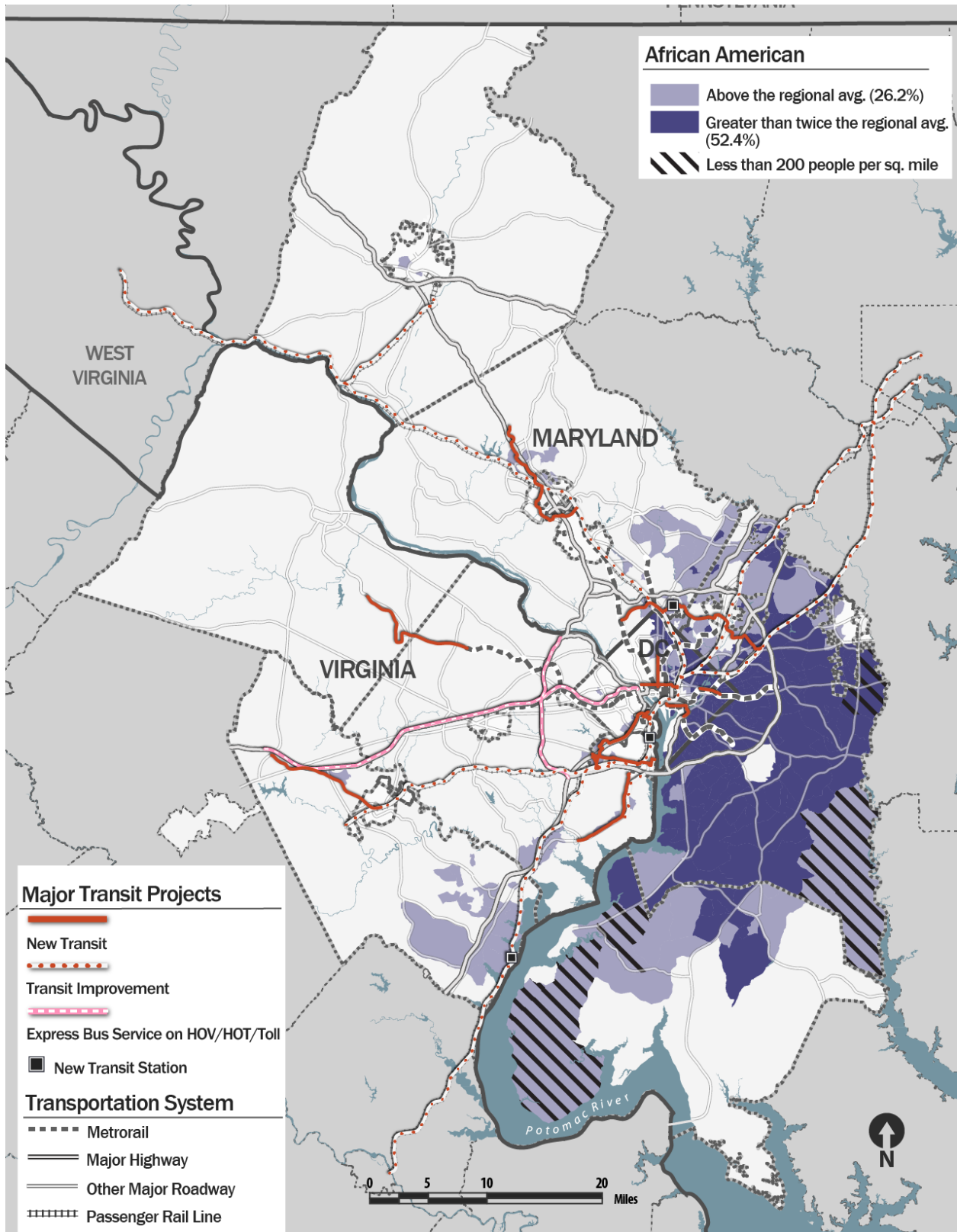
**Older Adult Population, 2016**



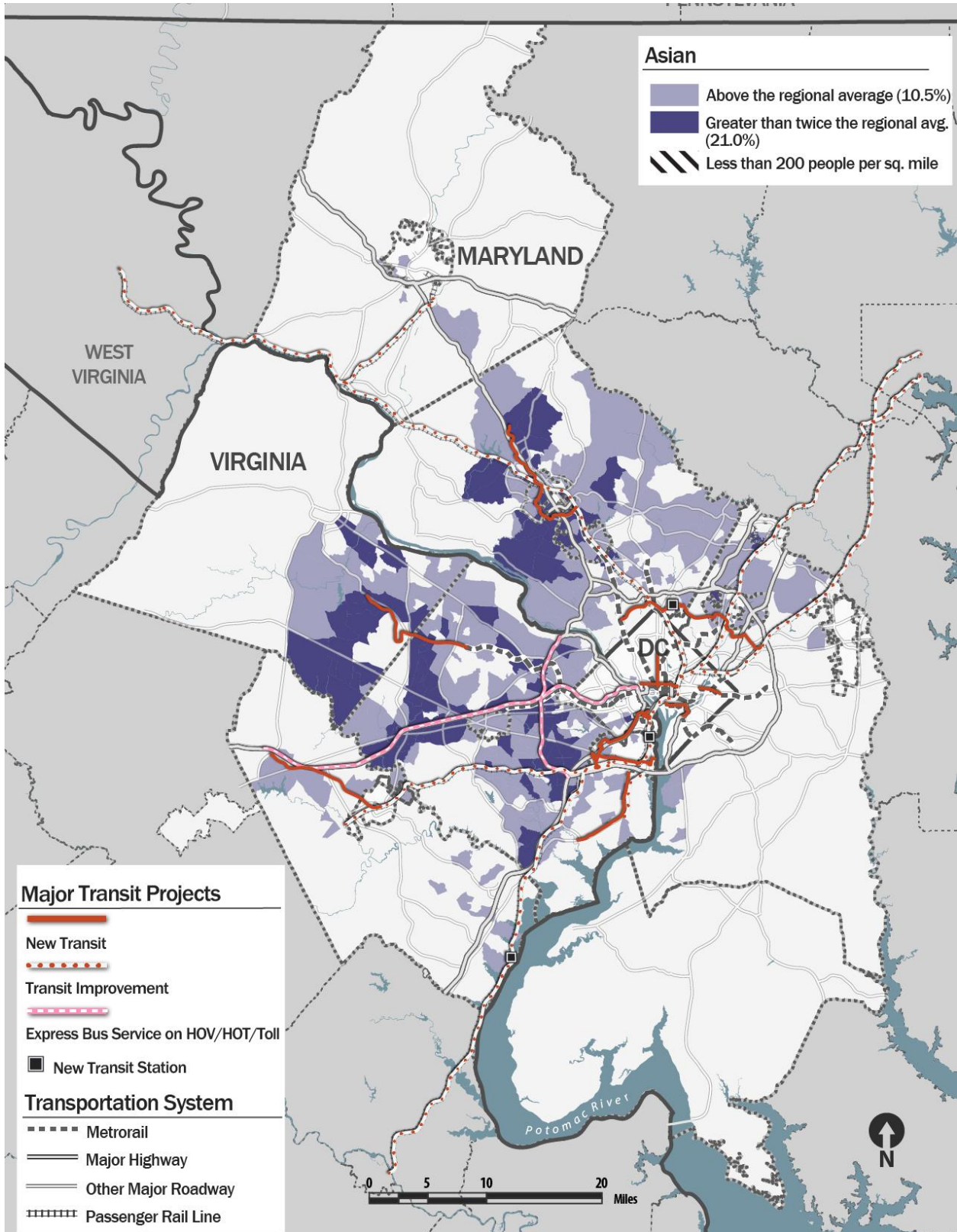
# Limited English Proficiency Population, 2016



# African American Population, 2016

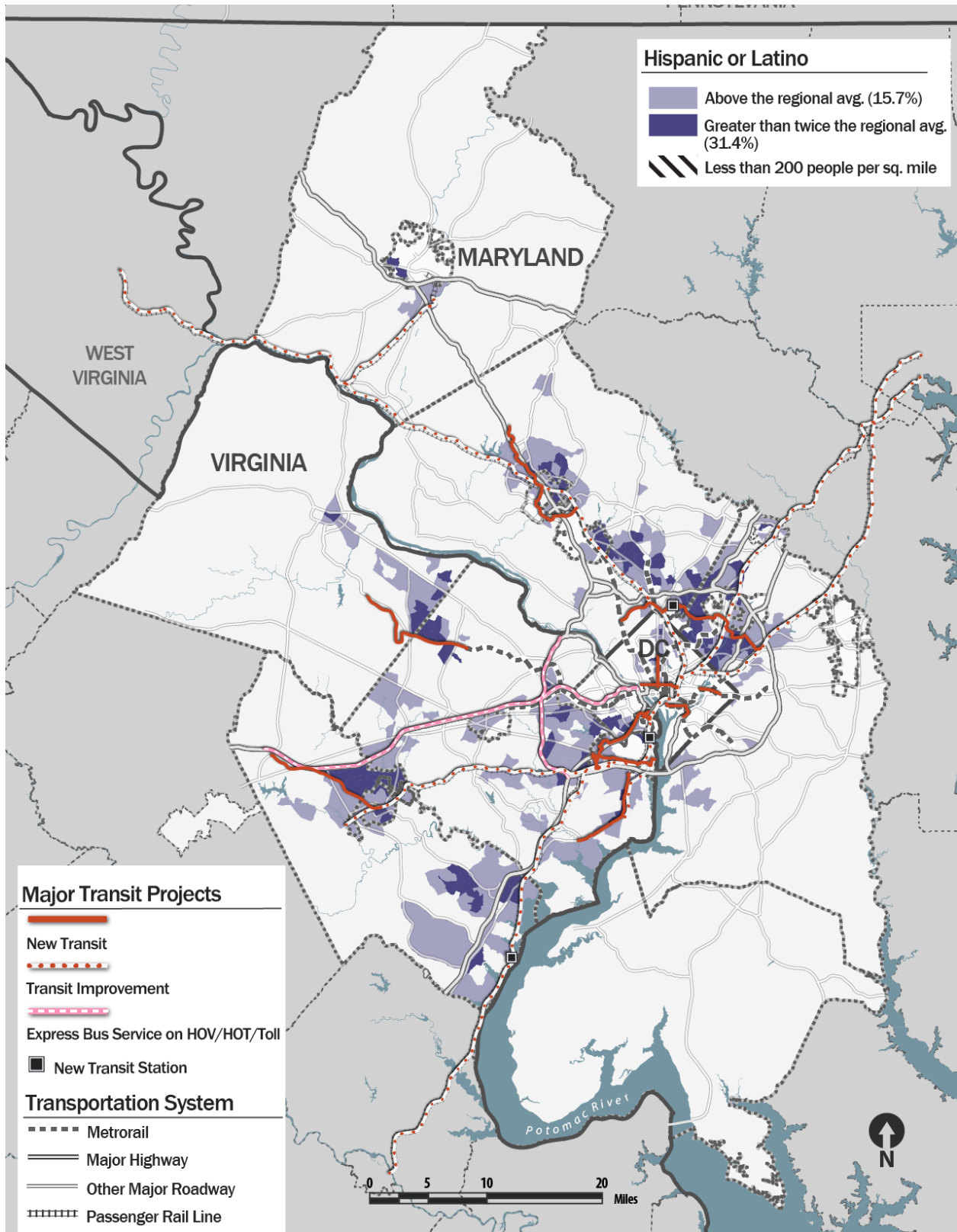


**Asian Population, 2016**





# Hispanic or Latino Population, 2016



# Impacts of the Distribution of State and Federal Funds for Public Transportation Purposes

A transportation investments impacts analysis was designed to determine whether the distribution of State and Federal funds, in the aggregate, for public transportation (also referred to as transit below) result in disparate impacts on the basis of race, color, or national origin. This analysis also examined how low-income populations may be impacted.

This investment impacts analysis uses the TPB's Financial Plan<sup>5</sup> for the 2014 Constrained Long-Range Transportation Plan (CLRP). Since this is the latest Financial Plan of record, this analysis does not change since the last Title VI Program submission in 2015. A new Financial Plan is under development for the next major update to the Long-Range Transportation Plan, called Visualize2045 and will be finalized after this Title VI Program will be submitted. This investment impacts analysis will be conducted with the new Financial Plan in time for COG's next Title VI Program submission.

The CLRP is the federally approved long-range transportation plan for the Washington region and includes State and Federal funds for public transportation reasonably expected to be available through 2040. By comparing the estimated percent of investments (of State and Federal public transportation funds) for minority and low-income groups to the general population, the analysis aims to determine whether or not there are any disparate impacts of these investments at the regional level.

The analysis is based on how different population groups that live in the region use the transportation system on a daily basis. Utilizing system usage statistics, benefits of the transportation investments in the region are determined to accrue to a given population group based on their use rates of the rail and bus systems. If plan investments are greater in a mode or system used more by one population group, a greater share the benefit will accrue to that group.

**This analysis finds no disparate impact in the distribution of funding for public transportation on the basis of race, color, national origin, or income status.** Two measures were considered to support this finding: 1) If the share of benefits from bus and rail investments for minority individuals and low-income earners are proportionate to these groups' share of the total population 2) If on a Per-capita basis, minority individuals will receive a proportionate share of the CLRP public transportation investments based on usage of the transit system.

The definitions, methodology and steps in the analysis and results are described in this summary.

## DEFINITIONS

The definitions used to define minority and low-income groups are slightly different than in the Demographic Profile of the region included in this Title VI Program. The difference exists due to transportation system usage data limitations. The following definitions were used to define minority and low-income for the purpose of this analysis:

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<sup>5</sup>Analysis of Financial Resources for the 2014 Financially Constrained-Long Range Transportation Plan (CLRP). Approved October 15, 2014.  
[www1.mwcog.org/clrp/resources/2014/2014CLRPFinancialAnalysis.pdf](http://www1.mwcog.org/clrp/resources/2014/2014CLRPFinancialAnalysis.pdf)

**Minority:** Minority populations include people who identify as one of the following census defined race/ethnic groups:

- Black or African American
- Asian
- Hispanic or Latino of any race
- American Indian
- Native Hawaiian or Pacific Islander
- Any combination of 2 or more of these groups

For this analysis all of those who identify as one or more of the groups listed above were included in a combined **Minority subgroup**. The remaining population, those who identify as non-Hispanic white, were included in a **Non-minority subgroup**.

**Low-income:** The TPB usually uses 1.5 times the federal poverty level to define the population that is considered to be low-income. However, for this analysis the **low-income subgroup** was defined as those earning less than \$30,000 per year. This was due to data restrictions in the data sources used to determine transportation system usage. The surveys that provided rail, bus, and highway system usage did not contain questions on the poverty status of respondents, rather they asked for income categories.

## METHODOLOGY

The Transportation Investment Impacts Analysis was completed as follows:

1. Regional population and system usage statistics were determined for two pairs of subgroups: Minority/Non-minority and Low-income/Non-low income.
  - a. Regional population figures were determined by using American Community Survey 2009-2013 5-year averages.
  - b. Transportation system usage statistics were determined using the following data sources:
    - i. Transit Rail Usage – 2012 Metrorail Passenger Survey, average daily trips
    - ii. Transit Bus Usage – 2008 Regional Bus Survey, average daily trips

*Note: transportation system usage data comes from different data sources that were collected during different periods of time. Since each data source represents the most recent collection of trip making data for these demographic groups, this analysis assumes that the percentage distribution of trips and vehicle miles of travel (VMT) found in each source are consistent with today. In addition, in order to combine rail and bus usage data into a single 'transit usage' figure by subgroup, the percent use by minority and low-income groups was normalized to 2014 transit trip counts.*

2. CLRP investments, including funds for operations, state of good repair, and system expansions through 2040, are divided into two modes:
  - a. Rail transit – Including funding for Metrorail, commuter rail, and light rail.
  - b. Bus transit – including funding for Metrobus and all local bus carriers.

*Note: Funding for paratransit, including MetroAccess, was excluded for this analysis.*

3. CLRP investments were then assigned by mode to population subgroups by multiplying the share of the subgroup's use of each mode by the total investment in that mode. The percent of investment in each of the subgroups was the compared to the subgroup's share of the region's population as a whole.
4. CLRP investments in bus and rail transit were added together creating a total transit investment estimate for each population subgroup. The percent of investment accruing benefits to each of the subgroups was the compared to the subgroup's share of the region's population as a whole.
5. Using the transit investments allocated to each population subgroup, per-capital investments for minority/non-minority individuals, and a per-household investment for low-income/not low-income were calculated. Benefits accruing to minority individuals and low-income earners were compared as a percentage to investment benefits accruing the region's non-minority and not low-income populations to determine whether or not there were any disparate impacts in the CLRP investments in public transportation.

## STEPS IN THE ANALYSIS AND RESULTS

This analysis goes through the following steps to test for a disparate impact on minority and low-income populations from State and Federal public transportation funding. First, system usage is identified for minority individuals and low-income households. Next, the overall (or aggregate) level of State and Federal investments is described based on the CLRP revenues through 2040. Steps 3 through 4 below examine funding by population subgroup for bus, rail, and total transit to test for disparate impacts. The final step takes into account another measure to test for disparate impacts: per-capita benefits.

### 1. Regional Population and System Usage Demographics

Minority individuals and low income earners account for a significantly smaller share of trips taken in the region relative to their respective populations. Some of this difference may be due to the fact that population estimates and the trip making data come from two datasets taken at separate times – population data comes from the 2009-2013 ACS estimates while trip making data come from the 2007/08 household travel survey.

**Table 1: Regional Population and Trip Making by Subgroup**

		Population		Avg. Daily Trips (all modes)	
		#	%	#	%
Minority Status (individuals)	Minority	2,828,790	55%	4224601	29%
	Non-Minority	2,332,122	45%	10573718	71%
	Total:	5,160,912	100%	14798319	100%
Low-Income Status (Households)	Low-Income	256,013	14%	724618	5%
	Not Low-Income	1,628,413	86%	14073701	95%
	Total:	1,884,426	100%	14798319	100%

Sources: 2009-2013 American Community Survey 5-Year Estimates; 2007-2008 COG Household Travel Survey

When comparing regional population characteristics to system usage, more differences in travel behavior become apparent. Minority individuals account for a higher percent of ridership on transit (60%) than their regional population (55%). The same goes for low-income earners who account for 28% of all transit trips but only 14% of the population.

**Table 2: Share of System Use by Subgroup**

Subgroup	% of Avg. Region			
	Daily Transit Ridership (Trips)	Rail Ridership	Bus Ridership	
Minority Status	Minority	60%	43%	79%
	Non-Minority	40%	57%	21%
	Total:	100%	100%	100%
Low-Income Status	Low-Income	28%	11%	47%
	Not Low-Income	72%	89%	53%
	Total:	100%	100%	100%

Sources: 2008 Regional Bus Survey conducted by COG; 2012 WMATA Metrorail Passenger Survey conducted by WMATA

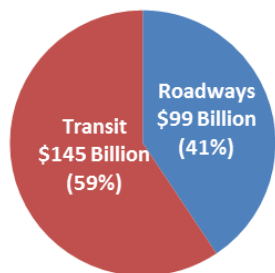
Breaking out rail and bus transit ridership separately shows that minority individuals and low-income earners are much more likely to be represented among bus ridership than their non-minority, not low-income counterparts, and less among rail ridership. Of all regional bus riders 79% are minority individuals and 47% are low-income, whereas on rail 43% are minority and 11% are low-income.

## 2. Transportation investments by Mode

In order to allocate investments to the different subgroups based on their use of each mode, CLRP investments had to be separated by mode. Over the next 40 years, \$244 billion is planned to be invested in operations, state of good repair, and expansion of the regional transportation system. Of that total, \$144 billion is planned in transit investments and \$99 billion is planned in highway investments. Of the transit funds, 62% (\$90.4 billion) is dedicated to rail improvements, 32% (\$46.8 billion) to bus, and 5% (\$7.5 billion) to paratransit. The paratransit funds were excluded from the remainder of this analysis because those funds are dedicated to specifically serve the needs of people with disabilities and the elderly, and because regional datasets do not contain demographic and system use rates for all paratransit operators.

**Chart 1: 2014 CLRP Investments By Mode**

Year of Expenditure Dollars (YOE \$)



Source: The 2014 Financially Constrained Long Range Transportation Plan for the National Capital Region (2014 CLRP)

### 3. Investments by Mode Assigned to Population Groups

To determine if there is a disparate impact on minority populations and low-income earners, proportions of funding by mode were assigned to minority/non-minority, and low-income/not low-income population subgroups based on public transportation system usage summarized in Table 2 (above). Benefits of the transportation investments in the region are determined to accrue to a given population group based on their use rates of the systems receiving investment.

**Table 3: CLRP Rail Transit Investments by Population Subgroup**

		% of Regional Rail Ridership (Trips)	Total CLRP Rail Funding (Millions of YOE \$)	% of Total CLRP Rail Funding	% of Regional Population
Minority Status	Minority	43%	\$38,930	43%	55%
	Non-Minority	57%	\$51,493	57%	45%
	Total:	100%	\$90,423	100%	100%
Low-Income Status	Low-Income	11%	\$9,973	11%	14%
	Not Low-Income	89%	\$80,450	89%	86%
	Total:	100%	\$90,423	100%	100%

Source: The 2014 CLRP; 2008 Regional Bus Survey conducted by COG; 2012 WMATA Metrorail Passenger Survey conducted by WMATA

Based on regional rail ridership of minority individuals and low-income earners, a disproportionately low share of the benefits of rail investments alone will accrue to both groups. Since 43% of rail riders are minority individuals, they will accrue 43% of the benefit of regional rail transit investments which is lower than their 55% share of the regional population. Similarly low-income earners will accrue 11% of the benefits of regional rail investments, compared to their 14% share of the population.

**Table 4: CLRP Bus Transit Investments by Population Subgroup**

		% of Regional Bus Ridership (Trips)	Total CLRP Bus Funding (Millions of YOE \$)	% of Total CLRP Bus Funding	% of Regional Population
Minority Status	Minority	79%	\$37,029	79%	55%
	Non-Minority	21%	\$9,870	21%	45%
	Total:	100%	\$46,899	100%	100%
Low-Income Status	Low-Income	47%	\$21,969	47%	14%
	Not Low-Income	53%	\$24,930	53%	86%
	Total:	100%	\$46,899	100%	100%

Source: The 2014 CLRP; 2008 Regional Bus Survey conducted by COG; 2012 WMATA Metrorail Passenger Survey

Since bus ridership rates are much higher for both minority individuals and low-income earners, investments in bus transit have a disproportionately high benefit for both population subgroups. Based on the bus system use rates, 79% of all bus investments will benefit minority individuals, and 47% will benefit low-income earners.

## ANALYSIS OF IMPACTS

### 1. Final Results: Investments Summed by Population Subgroup for all Public Transportation

When combining bus and rail investments into a total transit measure, the analysis shows the share of benefits from bus and rail investments for minority individuals and low-income earners are proportionate to these groups' share of the regional population. This indicates that there are no disparate impacts in public transportation investments on the basis of race, color, national origin, or income status.

**Table 5: CLRP Total Transit Investments by Population Subgroup**

		Total CLRP Transit Funding (Millions of YOE \$)	% of Total CLRP Transit Funding	% of Regional Population
Minority Status	Minority	\$75,959	55%	55%
	Non-Minority	\$61,363	45%	45%
	Total:	\$137,322	100%	100%
Low-Income Status	Low-Income	\$31,942	23%	14%
	Not Low-Income	\$105,380	77%	86%
	Total:	\$137,322	100%	100%

Source: The 2014 CLRP; 2008 Regional Bus Survey conducted by COG; 2012 WMATA Metrorail Passenger. Survey conducted by WMATA.

As table 5 shows, minority individuals make up 55% percent of the population and receive 55% of the benefits from transit investments. And disproportionately high benefits accrue to low-income earners when comparing total transit investments to their share of the population. Low-income earners make up 14% of the population and receive 23% of the benefits from transit investments.

### 2. Final Results: Analysis of Disparate Impacts of CLRP Per-Capita Benefits in Public Transportation

Using the total transit investments allocated to each population subgroup in Tables 5, 6, and 7 estimate per-capital investments for minority/non-minority individuals, and a per-household investment for low-income/not low-income earners. Investments are distributed on a per-capita and per-household basis so that benefits accruing to minority individuals and low-income earners can be compared as a percentage to investment benefits accruing the region's non-minority and not low-income populations.

**Table 6: Disparate Impacts Analysis of CLRP Transit Funding on Minority Residents, Per Capita**

Subgroup	Total Transit			
	Investments to Riders (Millions of YOE \$)	Regional Population	Per Capita Benefit	Per Capita Benefit Ratio: Minority to Non-Minority
Minority	\$75,959	2,828,790	\$26,852.178	<b>102%</b>
Non-Minority	\$61,363	2,332,122	\$26,311.911	-

Source: The 2014 CLRP; 2009-2013 American Community Survey 5-Year Estimates

**Table 7: Disparate Impacts Analysis of CLRP Transit Funding on Low-income Earners, Per Household**

Subgroup	Total Transit		Per Household Benefit	Per Household Benefit Ratio: Low-income to Not Low-income
	Investments to Riders (Millions of YOE \$)	Regional Population		
Low-Income	\$31,942	256,013	\$124,766.416	<b>193%</b>
Not Low-Income	\$105,380	1,628,413	\$64,713.272	

Source: The 2014 CLRP; 2009-2013 American Community Survey 5-Year Estimates

This analysis finds no disparate impact in the distribution of funding for public transportation on the basis of race, color, national origin, or income status. Per-capita, minority individuals will receive slightly more of the CLRP investments in public transportation based on usage of the transit system compared to non-minority individuals. This is represented by the per capita benefit ratio of 102% when comparing minority to non-minority per-capita benefits in the table 6. Per-household, low-income earners will receive nearly double the benefit compared to not low-income earners, indicated by the per-household ratio of 193% in Table 7.



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<sup>i</sup> Beginning with the 2008 ACS, the Census significantly revised the questions to determine disability. These changes affected the populations identified and it is not recommended to compare 2008 and newer figures to prior data, including 2000 Decennial. For more information, please see:

U.S. Census. "How Disability Data are Collected." American Community Survey.  
<https://www.census.gov/topics/health/disability/guidance/data-collection-ac.html>;

For detailed definitions of the six disability categories (Hearing, Vision, Cognitive, Ambulatory, Self-care, and Independent living difficulty) see: U.S. Census. 2016. "American Community Survey and Puerto Rico Community Survey; 2016 Definitions." Pg. 56-57. [https://www2.census.gov/programs-surveys/acs/tech\\_docs/subject\\_definitions/2016\\_ACSSubjectDefinitions.pdf](https://www2.census.gov/programs-surveys/acs/tech_docs/subject_definitions/2016_ACSSubjectDefinitions.pdf)

<sup>ii</sup> Shin, Hyon B. and Rosalind Bruno. October 2003. "Language Use and English-Speaking Ability: 2000." U.S. Census. Pg. 2. Accessed March 13, 2018. <http://www.census.gov/prod/2003pubs/c2kbr-29.pdf>.

<sup>iii</sup> 2010 Census Briefs. September 2011. "The Black Population: 2010." U.S. Census. Accessed March 13, 2018. <http://www.census.gov/prod/cen2010/briefs/c2010br-06.pdf>

<sup>iv</sup> 2010 Census Briefs. March 2012. "The Asian Population: 2010." U.S. Census. Accessed March 13, 2018. <http://www.census.gov/prod/cen2010/briefs/c2010br-11.pdf>

<sup>v</sup> 2010 Census Briefs. March 2011. "Overview of Race and Hispanic Origin: 2010." U.S. Census. Accessed March 13, 2018. <http://www.census.gov/prod/cen2010/briefs/c2010br-02.pdf>

# **Attachment A: Public Participation Plan**





# 2014 UPDATE PARTICIPATION PLAN

NATIONAL CAPITAL REGION  
TRANSPORTATION PLANNING BOARD  
Metropolitan Washington Council of Governments



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## **ADA and Limited English Proficiency (LEP)**

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I. PREFACE .....	1
II. BACKGROUND .....	2
III. PARTICIPATION POLICY .....	10
IV. PARTICIPATION STRATEGY .....	12
V. PARTICIPATION ACTIVITIES .....	15
VI. EVALUATION AND IMPLEMENTATION .....	23
APPENDIX A: EXISTING PARTICIPATION ACTIVITIES AND PROCEDURES .....	26
APPENDIX B: FEDERAL REGULATIONS .....	35
APPENDIX C: MISSION STATEMENTS FORTPB ADVISORY COMMITTEES.....	39
APPENDIX D: OPERATING PROCEDURES FOR THE TPB CITIZENS ADVISORY COMMITTEE .....	40
APPENDIX E: ACCOMMODATIONS POLICY .....	42





## I. PREFACE

This Participation Plan articulates the TPB's commitment to transparent communications and engagement with the public and with relevant public agencies to support the regional transportation planning process, including the development of the Constrained Long-Range Transportation Plan (CLRP) and the Transportation Improvement Program (TIP).

This plan provides an overall framework for participation in the TPB process. The Background describes the historic context for the TPB's ongoing participation and outreach activities. The Participation Policy sets the TPB's goals for participation and outreach, and identifies activities for involvement. The Participation Strategy identifies different audience groups for participation and details approaches for reaching each group. Appendix A: Existing Participation Activities and Procedures, details ongoing participation and outreach activities. Together, the Policy, Strategy, and Toolkit form the functional backbone of the Participation Plan.

## II. BACKGROUND



The National Capital Region Transportation Planning Board (TPB) is designated under federal law as the Metropolitan Planning Organization (MPO) for the Washington region. As an MPO, the TPB brings together key decision-makers to coordinate planning and funding for the region's transportation system. The TPB relies on advisory committees and participation from interested parties in order to make informed decisions.

This Participation Plan is required under federal laws and regulations pertaining to metropolitan planning. The plan builds on previous efforts designed to encourage participation in the TPB process and provide reasonable opportunities for citizens and other interested agencies to be involved with the metropolitan transportation planning process.

The activities and strategies described in this Participation Plan will be used to obtain comments on the region's Constrained Long-Range Plan (CLRP) and six-year Transportation Improvement Program (TIP), which includes projects that are funded by the Federal Transit Administration (including projects funded by the Urbanized Area Formula Program), the Federal Highway Administration, and which will satisfy the FTA's Section 5307 Program of Projects requirements.

As required by federal regulation, the plan has been developed in consultation with interested parties, including citizens, representatives of people with disabilities, users of public transportation and bicycle and pedestrian facilities, and affected public agencies. In addition, federal regulations require the plan to be released for a minimum public comment period of 45 calendar days before it is adopted by the TPB.

## TRANSPORTATION PLANNING BOARD

The TPB was created in 1965 by the region's local and state governments to respond to federal highway legislation in 1962 that required the establishment of a "continuing, comprehensive, and coordinated" transportation planning process in every urbanized area in the United States. The TPB's membership includes key transportation decision-makers in the metropolitan Washington region. The Board includes local officials— mayors, city council members, county board members, and others—as well as representatives from the state transportation agencies, the Washington Metropolitan Area Transit Authority (WMATA), and the state legislatures. The TPB also includes non-voting representatives from key federal agencies, the Metropolitan Washington Airports Authority, and the TPB's Private Providers Task Force.

The TPB became associated with the Metropolitan Washington Council of Governments (COG) in 1966. COG was established in 1957 by local cities and counties to deal with regional concerns including growth, housing, environment, public health and safety—as well as transportation. Although the TPB is an independent body, its staff is provided by COG's Department of Transportation Planning.

The TPB prepares plans and programs that the federal government must approve in order for federal-aid transportation funds to flow to the Washington region. In particular, federal law and regulations relating to the work of MPOs require the TPB to adopt a long-range transportation plan, which is known as the Constrained Long-Range Transportation Plan (CLRP) in the Washington region, and the six-year Transportation Improvement Program (TIP). The TPB must also ensure compliance with other federal laws and requirements, including federal air quality conformity requirements.

In addition to ensuring compliance with federal laws and requirements, the TPB performs many other functions, including acting as a regional forum for coordination of policy-making, and providing technical resources for transportation decision-making. The TPB receives input and guidance from advisory committees that include members of the public, special interest groups, and jurisdictional staff.

## PREVIOUS PUBLIC INVOLVEMENT PROCESS DOCUMENTS

This Participation Plan is the TPB's fourth officially approved process for public involvement. The Board first adopted a Public Involvement Process in 1994 to fulfill the requirements of the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991. The TPB amended that document in 1999 in response to the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21) of 1998. The 1999 Public Involvement Process included a policy statement and general requirements for public involvement in the TPB process. It also contained a list of 14 specific activities

designed to solicit participation and provide support for the policy statement and general requirements and criteria.

The 2005 federal transportation act, SAFETEA-LU (the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users), included the first federal requirement that MPOs must develop participation plans. Responding to that legislation, the TPB in 2007 adopted a Participation Plan, which provided a strategic framework for public engagement.

The TPB's 2014 Participation Plan is an update of the 2007 document. While retaining the structure of the 2007 plan, the new plan reflects recent enhancements in the TPB's public outreach activities and also responds to comments that the TPB received in the 2010 Federal Certification Review of the TPB process. Among other recommendations, that review suggested the TPB emphasize visualization techniques in its outreach and conduct regular evaluation of its participation activities.

## FEDERAL REQUIREMENTS FOR METROPOLITAN PLANNING

This Participation Plan is intended to fulfill the current federal requirements for a Participation Plan outlined in the federal transportation reauthorization legislation of 2005 (SAFETEA-LU) and further detailed in the Metropolitan Transportation Planning Regulations that were published in the Federal Register on February 14, 2007. The federal regulations are provided in Appendix B of this document. SAFETEA-LU's requirements regarding the Participation Plan were reaffirmed by the most recent federal transportation reauthorization bill, Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21), which was enacted in July 2012.

For the first time, SAFETEA-LU called for Metropolitan Planning Organizations, including the TPB, to develop a Participation Plan. The law stipulated that this plan will be developed in consultation with "interested parties."

In addition to requiring a Participation Plan, SAFETEA-LU expanded earlier versions of federal transportation law to include the following guidelines and requirements related to public participation:

- Broaden the definition of "interested parties" to be engaged in metropolitan transportation planning.
- Publish or make available for public view transportation plans and Transportation Improvement Program (TIP).
- Hold public meetings at convenient and accessible times and locations.
- Make information available in electronically accessible formats to the maximum extent possible.
- Employ visualization techniques to depict metropolitan transportation plans.

These guidelines and requirements are all addressed in this Participation Plan.

## NONDISCRIMINATION

This Participation Plan identifies and describes the TPB's policies and procedures for inclusive public participation and ensures access to the transportation planning process for low-income and minority populations.

COG and the TPB are committed to assuring that no person shall, on the grounds of race, color, national origin, or sex, 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, denied the benefits of, or be otherwise subjected to discrimination under any program or activity. COG further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities whether those programs and activities are federally funded or not. COG and TPB's nondiscrimination policies and practices apply to not only the population groups included under the Title VI of the Civil Rights Act of 1964 (people of all races, colors, national origin, and genders) but also to people with disabilities, those with low-incomes, persons with limited English proficiency, and people of all ages and ethnicities.

In July 2010, the COG Board of Directors adopted a "Title VI Plan to Ensure Nondiscrimination in all Programs and Activities," which was developed to document the efforts COG undertakes on a continual basis to ensure compliance with Title VI and related statutes regarding nondiscrimination and environmental justice. The Plan includes a Title VI Policy Statement (in box at right), Title VI Assurances, organization and compliance responsibilities, nondiscrimination complaint procedures. It also describes how the TPB ensures that Title VI requirements, including Environmental Justice considerations, are met.

Because COG acts as the administrative agent for the TPB, the Title VI Plan applies to the TPB as well. As a matter of long-standing TPB policy and a requirement of federal law, the regional transportation planning process must make special efforts to consider the concerns of traditionally underserved communities, including low-income and minority communities and people with disabilities.

### COG's Title VI Policy Statement to Ensure Nondiscrimination in All Programs & Activities

The Metropolitan Washington Council of Governments assures that no person shall, on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964 and Civil Rights Restoration Act of 1987, be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination under any program or activity. COG further assures every effort will be made to ensure nondiscrimination in all of its program and activities whether those programs and activities are federally funded or not. In the event COG distributes federal aid funds to another governmental entity, COG will include Title VI language in all written agreements and will monitor for compliance. COG's Title VI officer is responsible for initiating and monitoring Title VI activities, overseeing the preparation of required reports and overseeing other COG responsibilities as required by Title 23 Code of Federal Regulations (CFR) Part 200 and Title 49.

The following activities and procedures provide examples of key ways in which the TPB conducts outreach to traditionally underserved communities:

- ***Access for All (AFA) Advisory Committee.*** The TPB created the AFA in 2000 to advise the TPB on issues and concerns of low-income and minority communities, persons with disabilities and people with limited English proficiency (LEP). The committee, which has addressed myriad issues over the last 14 years, includes approximately 25 community leaders, as well as ex-officio representation from the major transportation agencies in the region. The AFA is chaired by a TPB member who makes regular reports to the TPB on AFA issues and concerns. More information is available about the AFA at: [www.mwcog.org/transportation/committee/afa](http://www.mwcog.org/transportation/committee/afa).
- ***Comments on CLRP and TIP updates.*** Each time the region's Constrained Long Range Transportation Plan (CLRP) and Transportation Improvement Program (TIP) are updated, the TPB solicits comments representing the concerns of traditionally disadvantaged populations. The TPB's mailing lists include hundreds of community groups that represent Title VI protected groups throughout the Washington Region. Press releases are also sent to newspapers published by and for Title VI protected groups. In addition, the AFA committee reviews maps of proposed major projects and comments on the CLRP. The AFA chair, a TPB member, presents those comments to Board. The comments are also documented in a memorandum.
- ***Analysis on the impacts of the CLRP.*** The TPB conducts an analysis of how the CLRP may impact low-income, minority and disabled populations. The AFA, reviews and comments on this analysis, which addresses Title VI and Environmental justice requirements and is conducted each time a major update to the CLRP is adopted to ensure that the CLRP does not disproportionately and adversely affect low-income, minority and disabled populations. The analysis is published on the CLRP website: <http://www.mwcog.org/clrp/performance/EJ>.

In addition to the examples cited above, the TPB seeks to incorporate the participation and viewpoints of all population groups into the full spectrum of public outreach activities that are described in this Participation Plan. For example, surveys and focus groups have deliberately sought out participation from low-income and LEP communities. Training programs, such as the Community Leadership Institute (described in the next section), have actively recruited participants representing disadvantaged communities. And public education programs, such as the Street Smart campaign to promote pedestrian and bicycle safety, provide information in a range of different languages. The participation enhancements described below demonstrate outreach and communication to all population groups which provide clear and concise information about the

transportation planning process so that the public is better able to comment and participate.

## PARTICIPATION ENHANCEMENTS IN RECENT YEARS

Since the approval of the last Participation Plan in 2007, the TPB has made substantial enhancements in its public outreach activities and practices. Notable highlights include:

- **Enhancement of the TPB's Community Leadership Institute (CLI).** Normally conducted twice a year, the CLI is a multi-day program that uses interactive group exercises and discussions to help participants better understand the TPB process and regional transportation planning issues. CLI participants discuss ways in which the interests of their local communities connect with the planning issues facing the entire region. The goal is to prepare participants to actively engage in TPB activities as well as inform their communities about transportation initiatives and programs. Since its inception in 2006, the CLI curriculum has been continually refined and made more interactive. In 2013, the program was expanded to three days. A session of CLI held in early 2014 engaged staff of local elected officials.
- **Launch of TPB Weekly Report,** an online publication designed to provide brief, timely summaries of recent TPB research, analysis, outreach and planning. *TPB Weekly Report* was launched in January 2012 and reaches several hundred TPB stakeholders, reporters, and interested members of the general public. ([www.mwcog.org/tpbweeklyreport](http://www.mwcog.org/tpbweeklyreport))
- **Launch of the National Capital Region Transportation Planning Information Hub,** a website that serves as a one-stop shop for information on transportation planning activities underway throughout the region. The Hub includes information on the planning processes of the TPB's member jurisdictions and agencies, high-profile projects under construction or planned in the region, and links to key documents and resources, including a directory with contact information for numerous local, state, and regional governments and transportation agencies. The Hub is designed to help the public engage with planning processes at many levels throughout the region. The Hub was launched in 2013. ([www.transportationplanninghub.org](http://www.transportationplanninghub.org)).
- **Development of social media presence,** including the launch of an official Facebook page and Twitter account. Both platforms are used to announce meetings, events, public comment periods, the release of key publications, and other relevant information. Beginning in 2013, staff began providing live updates of monthly Board meetings via Twitter.  
*Twitter* - <https://twitter.com/#!/NatCapRegTPB>  
*Facebook* - <https://www.facebook.com/NatCapRegTPB>
- **Use of deliberative forums,** public engagement events that employ quantitative tools (e.g., keypad polling) and qualitative methods (e.g., facilitated groups discussions) to engage participants in discussions about particular planning issues and to solicit informed feedback. Through



deliberative forums, people come together to learn and talk about problems and challenges, and to explore potential solutions. TPB staff have used deliberative forums on several occasions since 2011.

- **Public opinion research**, including the use of interactive web-based surveys. For the development of the Regional Transportation Priorities Plan in 2013, the TPB used MetroQuest public engagement software, which conveyed large amounts of complex information in an attractive, visual interface, and allowed staff to solicit input through a variety of input devices.

These enhancements have been added to the TPB's existing array of public outreach activities and products, which are described in Appendix A: Existing Participation Activities and Procedures. Taken together, these activities are designed to inform and engage a range of constituencies with different levels of interest and involvement in the TPB process.

## ADDRESSING CONTINUING CHALLENGES

While noting the TPB's recent public participation improvements, this Participation Plan acknowledges and addresses the continuing challenges that confront the transportation planning process in the Washington region.

- **Expectations for public participation in the TPB process.** Given the fact that project-level planning usually occurs at the state and local levels, the TPB's plans and processes are often not the appropriate or most effective venues for public involvement. The TPB must work to align expectations for public involvement with the actual decision-making process. These activities should seek to build public knowledge about transportation decision making to encourage meaningful public involvement at various stages of that process.
- **The pace of the TPB's annual planning cycle.** Although federal law requires updates only every four years, the TPB updates the Constrained Long-Range Transportation Plan (CLRP) and the Transportation Improvement Program (TIP) annually to incorporate project submissions from the state departments of transportation and local jurisdictions. The specific practice by the TPB and the region's implementing agencies of treating the CLRP and TIP as "living documents" has implications for public involvement strategies. The TPB and TPB staff recognize that this continuous update cycle for regional plans can make it difficult for members of the public and other constituencies to understand when public comment is being solicited and for what purposes. To a large degree, public participation tools and activities must encourage citizen involvement on an ongoing basis.
- **Limited resources.** The demand for public involvement and outreach will always be greater than the TPB's available resources. This Participation Plan recognizes that the TPB must be strategic in designing a public participation program focused on high-payoff activities, particularly those that will encourage public engagement and education beyond the immediate reach of the TPB.

- ***Special needs of traditionally underserved communities.*** As a matter of long-standing TPB policy and a requirement of federal law, the regional transportation planning process makes special efforts to consider the concerns of traditionally underserved communities, including low-income and minority communities and people with disabilities. To ensure that these concerns are heard, the TPB established the Access for All Advisory Committee (AFA) in 2001. This Participation Plan seeks to maintain and enhance the TPB's outreach to these communities.

### III. PARTICIPATION POLICY



#### POLICY STATEMENT

It is the policy of the TPB to provide public access and involvement under a true collaborative planning process in which the interests of all stakeholders— public and private—are reflected and considered. Accordingly, it is the TPB's intent to make both its policy and technical process inclusive of and accessible to all stakeholders. The TPB notes in structuring this Participation Plan that many additional opportunities for access and involvement exist at the state and local jurisdictional levels through local, subregional, and state sponsored activities associated with transportation planning in the Washington region.

#### POLICY GOALS

The TPB believes that public input into its process is valuable and makes its products better. Regional transportation planning cannot, and should not, be based simply upon technical analysis. The qualitative information derived from citizen involvement is essential to good decision-making.

The Policy Statement provides a philosophy around which to build a regional transportation participation program that will accomplish the following goals:

- ***Communicate effectively with appropriate audiences.*** The TPB will disseminate information about programs and projects through a variety of conduits. Information will be presented in a manner that is clear and tailored to each of the TPB's constituencies.

- ***Provide clear and open access to information and participation opportunities.*** The TPB will work to improve access to technical and planning documents and, where appropriate, tailor these documents to be accessible to more constituencies. Opportunities for participation in TPB meetings and in committee meetings will be clearly defined and provided for at each meeting.
- ***Gather input from diverse perspectives.*** The TPB will continue to encourage participation from diverse constituencies and to provide forums for discussion about transportation issues that are responsive to the interests of different constituencies.
- ***Respond meaningfully to public comment and feedback.*** The TPB will provide information on how comments will be considered in the planning process, including the development of the CLRP and TIP, and acknowledge that comments were received and considered.
- ***Promote a regional perspective.*** The TPB will communicate how regional transportation planning plays a vital role in coordinating planning activities on many levels.

## IV. PARTICIPATION STRATEGY



The key method for the implementation of this Participation Plan is the identification of different types of constituencies who possess varying levels of knowledge about and interest in transportation and the TPB process. The Participation Strategy provides a framework for tailoring public involvement tools and activities to serve the diverse needs of these constituencies.

### CONSTITUENCIES

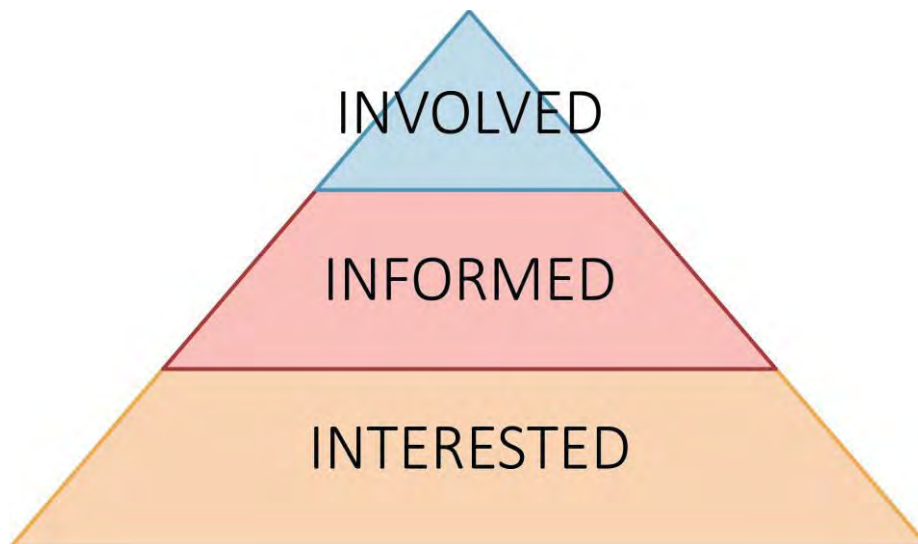
The TPB has defined the following three broad types of constituencies around which to develop future participation activities. In general, these three constituencies are grouped according to varying levels of engagement in regional transportation planning process and awareness of regional transportation issues.

- **The Involved Public** is both knowledgeable about transportation policy issues in general, as well as the TPB's role in the regional transportation planning process. These individuals and organizations already actively participate in the TPB process and have a fairly extensive understanding of regional transportation issues and policy. Among others, this category includes the TPB's Citizens Advisory Committee (CAC) and the Access for All Advisory Committee (AFA).
- **The Informed Public** has some knowledge of transportation policy issues, but is not familiar with the TPB's role in the regional transportation planning process. They also may not be fully aware of the regional context underlying the transportation challenges experienced throughout the

region. This middle tier often includes community leaders and opinion leaders who work at the local level.

- **The Interested Public** has an inherent interest in transportation challenges, but possesses little direct knowledge of transportation policy issues. This group, which is the largest of the three, includes the “general public,” but it may also include community leaders or even elected officials who have limited exposure to transportation planning at any level.

These three constituency groups were developed with federal public participation regulations in mind. The federal regulations require that MPOs define a process for providing interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process. The regulations define these parties as: citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties.



Each of these different types of constituencies includes a wide spectrum of members, including individuals, interest groups, community leaders, and elected officials. The TPB also recognizes that each of these constituent groups include people from minority communities, people with limited English proficiency, people with low-incomes, and people from a variety of ages, including youth and the elderly. Staff remains aware of the need to engage these populations through outreach and participation.

## SERVING DIFFERENT CONSTITUENCIES

This Participation Strategy recognizes that transportation planning can be very complex and technical, and many individuals will never have enough time and interest to develop a full understanding of the TPB process. Therefore, the strategy seeks to identify tools that will be appropriate for gathering the input and opinions of people with varying amounts of available time and interest.

### GOALS FOR SERVING THE “INVOLVED PUBLIC”

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- Recognize and support the vital contributions of individuals and groups who are already active in the TPB process.
- Utilize the expertise and commitment of involved individuals and groups to inform the TPB’s decision-making.
- Support these individuals and groups in their efforts to disseminate information about regional transportation planning to their communities.

### GOALS FOR SERVING THE “INFORMED PUBLIC”

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- Provide information and knowledge about regional transportation issues that will empower members of the Informed Public to positively affect transportation decision-making at the local and state levels.
- Utilize the Informed Public and community leaders as conduits to disseminate information about regional transportation issues at the grassroots level.
- Encourage the Informed Public to get involved in the regional transportation planning process at the TPB.
- Provide opportunities for cross-jurisdictional networking.

### GOALS FOR SERVING THE “INTERESTED PUBLIC”

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- Make available basic information on regional transportation and land-use challenges to create a more informed public.
- Increase the capacity of interested individuals to understand transportation and land-use issues so that some of them might become “informed” and even “involved.”
- Understand that most members of the general public may not have the time or inclination to become more engaged in transportation planning activities. Therefore, outreach activities for interested citizens should focus on basic issues, not planning processes or institutions.

## V. PARTICIPATION ACTIVITIES



It is the policy of the TPB to carry out the following participation activities in support of the above policy statement and policy goals. In some cases, the way activities are carried out must be tailored to the needs of one or more of the constituencies identified in the Participation Strategy. The differing needs of each of the constituencies are a result of varying levels of engagement in the regional transportation planning process and awareness of regional transportation issues.

### PUBLIC COMMENT

One of the most basic ways for the public to participate in the TPB process is to comment directly on the TPB's planning activities and planning products, including federally required plans and programs, other major plans or policy documents, technical reports, and more.

### KEY ELEMENTS

#### PUBLIC COMMENT PERIODS

The TPB will provide formal windows of time during which the public can review and comment on items on which the Board will formally act by way of a vote. The length of these comment periods and the specific procedures followed will vary based on the type of item under consideration. A 30-day public comment period will be provided for federally required plans and



programs and other major regional plans and policy documents. Other Action Items due to come before the TPB will be provided six days in advance of the TPB meeting for review.

In some cases, the TPB will provide written responses to comments received prior to TPB action, and provide additional opportunities for comment if the final version of plans, programs, or other major policy documents differ significantly from the last version made available for public comment.

For more detailed public comment period procedures, please see Appendix A: Existing Participation Activities and Procedures.

## ONGOING OPPORTUNITIES TO COMMENT

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The TPB will provide ongoing opportunities for the public to comment on its work through the COG/TPB website, by email, by postal mail, or by phone. For details about these avenues for providing comment, please see Appendix A: Existing Participation Activities and Procedures.

## OPEN PUBLIC MEETINGS

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The TPB will invite members of the public to participate in the review of technical work programs and analysis through attendance at meetings of the TPB Technical Committee and other TPB subcommittees, and at regular monthly meetings of the TPB. In addition to the opportunities provided through participation in these meetings, concerns and issues on such technical work can be raised formally with the TPB either through the Citizens Advisory Committee (CAC) or during the public comment period provided at each TPB meeting.

The TPB will also provide at least one formal public meeting during the development process for the six-year Transportation Improvement Program (TIP).

Meetings of the TPB and its subcommittees will occur at the MWCOG offices located at 777 N. Capitol St NE, Washington DC, 20002. These facilities are ADA-compliant, include assisted hearing technology, and are accessible by fixed-route transit.

## SERVING DIFFERENT CONSTITUENCIES

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- **Involved Public:** Provide information on how comments will be considered in the planning process and acknowledge that comments have been received.
- **Informed Public:** Encourage informed individuals who are not typically heard at the TPB to participate in public comment processes, especially the public comment period preceding every TPB meeting.

- **Interested Public:** Solicit input through opinion surveys or focus groups.

## COMMITTEES

The TPB is served by numerous technical and advisory committees. The Citizens Advisory Committee (CAC) and Access for All Advisory Committee (AFA) are intended to promote public involvement and represent the opinion of a variety of communities and interests. The public are also invited to attend other technical and advisory committees of the TPB.

### KEY COMMITTEES

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#### CITIZENS ADVISORY COMMITTEE (CAC)

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The TPB will maintain and support the Citizens Advisory Committee (CAC), with the participation of individual citizens and representatives of environmental, business, and civic interests concerned with regional transportation matters as well as representatives of minority, low-income, and disabled groups.

The CAC's mission, detailed in Appendix C, is to promote public involvement in transportation planning, and to provide independent, region-oriented citizen advice to the TPB.

#### ACCESS FOR ALL ADVISORY COMMITTEE (AFA)

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The TPB will maintain the Access for All Advisory Committee (AFA), which advises the TPB on transportation issues, programs, policies, and services that are important to low-income communities, minority communities, and people with disabilities. Participants in the AFA include individuals and organizations that represent traditionally unrepresented populations. The AFA mission statement can be found in Appendix C: Mission Statements for TPB Advisory Committees.

### SERVING DIFFERENT CONSTITUENCIES

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- **Involved Public:** Encourage a broad membership on the CAC and AFA so that a variety of interests are represented.
- **Informed Public:** Ensure that the CAC and AFA reflect new and fresh perspectives by recruiting informed community leaders or informed members of the general public to become committee members. Provide individualized support to new CAC and AFA members who may need help in understanding the TPB process.
- **Interested Public:** Encourage members of the CAC and AFA to strive to consider the interests of people who have little expertise or knowledge of the regional transportation planning process, and ensure that meetings remain open to the public.

## DOCUMENTS, REPORTS, AND PUBLICATIONS

The various documents, reports, and publications the TPB produces provide policy and technical information that the public need in order to make more informed contributions to the TPB process.

The TPB will make these plans and policy documents available to the public at meetings of the TPB and its subcommittees, on the COG/TPB website, in person or by mail upon request, and at other appropriate locations and public meetings around the region.

### KEY ELEMENTS

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#### PLANS AND POLICY DOCUMENTS

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The TPB is responsible for producing a number of regional plans and policy documents both to reflect and to guide regional transportation decision-making. These include the region's Constrained Long-Range Transportation Plan (CLRP), the six-year Transportation Improvement Program (TIP), and the Regional Transportation Priorities Plan.

#### TECHNICAL REPORTS

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The TPB produces a number of technical reports that are published on a regular basis, including the Unified Planning Work Program, the Air Quality Conformity Assessment, reports on travel monitoring, evaluations of the Commuter Connections programs, and documentation related to the TPB travel forecasting model. These documents are provided for decision-making and technical advisory committees and are available for review by persons interested in these topics.

#### PERIODICAL PUBLICATIONS

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The TPB will publish and distribute periodical publications, including weekly and monthly newsletters, the TPB annual report, and other reports, guidebooks, and brochures to inform as broad a regional audience as possible of the activities of the TPB and other regional transportation issues.

#### VISUALIZATION TECHNIQUES

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The TPB will utilize appropriate visualization techniques in all plans and policy documents, technical reports, and periodical publications to more effectively communicate key ideas with desired audiences. Such techniques may range from use of simple pictures and graphics to more sophisticated computer-generated visual information. Of particular use in documents, reports, and

publications are explanatory diagrams, strategic photo selection, and stylized mapping.

## SERVING DIFFERENT CONSTITUENCIES

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- **Involved Public:** Provide information about pertinent TPB policy and research and periodically assess whether the information needs of this group are being met through the TPB's publications.
- **Informed Public:** Develop simple and compelling documents that help informed citizens better understand the connections between regional challenges, TPB planning work and decision-making, and the local issues in which they are already involved. Steps should also be taken to provide, update, and incorporate definitional glossaries as part of all formats, where appropriate, and to provide information through pictures and graphics as well as text.
- **Interested Public:** Develop brochures on regional transportation and land use challenges with easily understood text and extensive graphic imagery. Steps should also be taken to provide, update, and incorporate definitional glossaries as part of all formats.

## WEB AND SOCIAL MEDIA

A growing share of the public now seek and consume information online and via social media. The TPB will seek to maintain its online and social media presence in a way that provides easy access to the policy and technical information and resources that the public need in order to make more informed contributions to the TPB process.

## KEY ELEMENTS

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### WEBSITES

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The TPB will maintain and expand existing websites to provide comprehensive information on TPB activities and regional transportation planning issues. The TPB's portfolio of websites includes the Transportation section of the COG/TPB website (including the Transportation homepage, "What's Happening in Transportation"), a website explaining and detailing the region's Constrained Long-Range Transportation Plan (CLRP), and the Transportation Planning Information Hub.

### ONLINE MEETING CALENDAR

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The TPB will maintain an online meeting calendar that links to agendas and meeting materials for the TPB board meeting and committee meetings. The TPB will announce public meetings and share materials via email to individuals

who have subscribed to receive them. Emails will be distributed in HTML and accessible text formats.

## SOCIAL MEDIA

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The TPB will maintain a social media presence (Facebook and Twitter) to announce meetings, events, public comment periods, the release of key publications, and other relevant information.

## VISUALIZATION TECHNIQUES

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The TPB will utilize appropriate visualization techniques in all web and social media materials. Such techniques may range from use of simple pictures and graphics to more sophisticated computer-generated visual information, including interactive mapping tools.

## SERVING DIFFERENT CONSTITUENCIES

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- **Involved Public:** Provide information about pertinent TPB policy and research via the COG/TPB website and social media, and periodically assess whether the information needs of the Involved Public are being met through these avenues.
- **Informed Public:** Develop simple and compelling web material that help informed individuals better understand the connections between regional challenges, TPB planning work and decision-making, and the local issues in which they are already involved. TPB staff will take steps to provide, update, and incorporate definitional glossaries as part of all formats, where appropriate, and to provide information through pictures and graphics as well as text.
- **Interested Public:** TPB web and social media efforts represent the easiest opportunity to reach the largest audience. Information about regional transportation issues will be provided in interesting, clear and compelling formats.

## OUTREACH AND TRAINING

Other outreach and training efforts can encourage more effective participation in the TPB process and in local and state planning activities that contribute to regional planning.

## KEY ELEMENTS

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### TARGETED OUTREACH

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The TPB will conduct and participate in public forums, meetings, and information sessions across the region to provide information to area residents

and obtain comment on key regional transportation issues. When appropriate, TPB staff will incorporate interactive techniques and use appropriate visualization tools to more fully engage participants. These tools are described in greater detail in Appendix A: Existing Participation Activities and Procedures.

The TPB will seek participation by TPB members and staff in meetings of citizen, business, environmental, and other organizations interested in regional transportation matters, including people from minority communities, with limited English proficiency, with low-incomes, and from a variety of age groups.

The TPB will maintain active communication and consultation with the COG Board of Directors and other interested COG committees.

## TRAINING WORKSHOPS

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The TPB will develop and conduct training workshops, such as the TPB's Community Leadership Institute (CLI), to engage members of the informed and interested public who have not been extensively involved in the regional transportation planning process. When appropriate, TPB staff will incorporate interactive techniques, such as polling, surveys, and collaborative map-making, and use appropriate visualization tools to more fully engage workshop participants. These techniques and tools are described in greater detail in Appendix A: Existing Participation Activities and Procedures.

## MASS MEDIA

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The TPB will publicize special TPB meetings, forums, and workshops prominently in appropriate newspapers, websites, and on radio and TV. TPB staff will work with COG's Office of Public Affairs to seek mass media coverage of issues before the TPB.

## ENVIRONMENTAL CONSULTATION

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The TPB will conduct environmental consultation activities to engage with affected land-use management, natural resources, environmental protection, conservation, and historic preservation state and local agencies regarding the development of the CLRP. Environmental consultation seeks to identify potential activities to moderate, reduce, or avoid the environmental impacts of the CLRP as a whole, rather than at the project level.

## SERVING DIFFERENT CONSTITUENCIES

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- **Involved Public:** Encourage citizens who are already involved to attend public meetings and share their knowledge with their peers.
- **Informed Public:** Hold more public forums and provide more training opportunities designed to educate the informed public, solicit input from

them, and encourage them to become involved in the TPB process and regional decision-making. Use community leaders and other members of the Informed Public to help organize additional public forums and document the feedback received at public meetings so that it is meaningful and useful for decision makers at the TPB and in other decision-making bodies.

- **Interested Public:** Be sensitive to the needs of interested individuals who have limited knowledge and engage them as effectively as possible. Provide written and other visual information at meetings describing key issues and explaining acronyms. Seek to engage citizens and organizations on their “own turf.”

## VI. EVALUATION AND IMPLEMENTATION



Each year, TPB staff will conduct an evaluation that looks at the public participation activities of the past year and identifies new activities for the year ahead. Development of the annual evaluation will include a series of focus-group style meetings with the Citizens Advisory Committee (CAC), Access for All Advisory Committee (AFA), other key stakeholders, and internal COG/TPB staff.

This evaluation will be shared with the TPB and the public, as well as posted to the TPB's website. It will address a series of questions that, for comparative purposes, will be repeated in future years.

The evaluation will address the following topics:

- **Assessment of activities.** Did public involvement and public information activities over the past year achieve their intended purposes? How could they have been improved?
- **Future activities.** Given the TPB work program activities that have been planned for the year ahead, what public participation activities should be planned? What new public outreach initiatives should be undertaken that may not be directly related to the TPB work program?
- **Recurring activities.** How can we enhance public involvement activities that are conducted on a recurring cycle, such as the Community Leadership Institute (CLI) and meetings of the Citizens Advisory Committee (CAC)? Would it make sense to discontinue or alter recurring activities? Are the information needs of key constituencies being met through the TPB's publications?



- ***Reaching previously uninvolved resident and groups.*** What public involvement activities should TPB staff conduct to reach constituencies that may not typically be part of the regional transportation planning process?

The evaluation report will include a summary of TPB publications, reports, and newsletters, as well as an inventory of news media coverage of the TPB and TPB-related activities.

Discussions with stakeholders will occur in the fall, and the evaluation will be completed by December, in time to inform the annual development of the Public Involvement Program Element of the Unified Planning Work Program (UPWP), which includes drafting early in the calendar year and approval in early spring.

# Appendices

The appendices for the Public Participation Plan are available at:  
[http://www.mwcog.org/store/item.asp?PUBLICATION\\_ID=493](http://www.mwcog.org/store/item.asp?PUBLICATION_ID=493)

## **Attachment B: Language Assistance Plan**



# LANGUAGE ASSISTANCE PLAN

Accommodating Individuals with Limited English Proficiency (LEP) in All Programs and Activities

March 2018

**LANGUAGE ASSISTANCE PLAN: ACCOMMODATING INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY (LEP) IN ALL PROGRAMS AND ACTIVITIES**

March 14, 2018

**ABOUT COG**

The Metropolitan Washington Council of Governments (COG) is an independent, nonprofit association that brings area leaders together to address major regional issues in the District of Columbia, suburban Maryland, and Northern Virginia. COG's membership is comprised of 300 elected officials from 24 local governments, the Maryland and Virginia state legislatures, and U.S. Congress.

**CREDITS**

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**ACCOMMODATIONS POLICY**

Alternative formats of this document are available upon request. Visit [www.mwcog.org/accommodations](http://www.mwcog.org/accommodations) or call (202) 962-3300 or (202) 962-3213 (TDD).

**TITLE VI NONDISCRIMINATION POLICY**

The Metropolitan Washington Council of Governments (COG) fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations prohibiting discrimination in all programs and activities. For more information, to file a Title VI related complaint, or to obtain information in another language, visit [www.mwcog.org/nondiscrimination](http://www.mwcog.org/nondiscrimination) or call (202) 962-3300.

El Consejo de Gobiernos del Área Metropolitana de Washington (COG) cumple con el Título VI de la Ley sobre los Derechos Civiles de 1964 y otras leyes y reglamentos en todos sus programas y actividades. Para obtener más información, someter un pleito relacionado al Título VI, u obtener información en otro idioma, visite [www.mwcog.org/nondiscrimination](http://www.mwcog.org/nondiscrimination) o llame al (202) 962-3300.

# TABLE OF CONTENTS

<b>EXECUTIVE SUMMARY</b>	<b>1</b>
<b>I. INTRODUCTION</b>	<b>3</b>
Relationship between COG and the TPB	3
The National Capital Region Transportation Planning Board	3
U.S. Department of Transportation (DOT) Requirements and Guidance on Language Access	5
The TPB's proactive approach to public involvement	6
<b>II. DETERMINING REASONABLE ACCESS: FOUR-FACTOR ANALYSIS</b>	<b>8</b>
Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.	8
Factor 2: The frequency with which LEP persons come into contact with the program.	12
Factor 3: The nature and importance of the program, activity or service provided by the program to people's lives.	12
Factor 4: Resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.	12
<b>III. PROVIDING LANGUAGE SERVICES</b>	<b>13</b>
Written language assistance	13
Training staff	14
Providing notice to LEP persons	14
<b>IV. MONITORING, EVALUATING AND UPDATING THE LANGUAGE ASSISTANCE PLAN</b>	<b>16</b>

## **FIGURES AND TABLES**

<b>Figure 1: The TPB Planning Area</b>	<b>4</b>
<b>Figure 2: Languages Other Than English Most Often Spoken at Home</b>	<b>9</b>
<b>Figure 3: Languages other than English Spoken in the Metropolitan Washington Region</b>	<b>10</b>
<b>Figure 4: Distribution of Limited English Speaking Population by Census Tract</b>	<b>11</b>



# EXECUTIVE SUMMARY

The Metropolitan Washington Council of Governments (COG) is committed to ensuring meaningful access to its programs and activities by persons who are limited English proficient (LEP). A “four-factor” analysis, developed by the federal government, is used to help determine how to ensure reasonable and meaningful access to COG activities, including:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.
2. The frequency with which LEP persons come into contact with the program.
3. The nature and importance of the program, activity or service provided by the program to people’s lives.
4. The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.

For the results of the four-factor analysis performed by COG, refer to Section II, which discusses and describes the LEP population(s) which are served directly by some COG programs, particularly the TPB. Most of the LEP persons who come in contact with COG and its programs do so at Board or Committee meetings which are open to the public or as applicants for employment with COG. COG has provided for Language Assistance services. Please refer to the adopted COG Annual Budget for the specified amounts allocated to Language Assistance. (The budget reflects the requirements made of COG for such services.)

COG’s Accommodations Policy states that translation services are available upon request for meetings that are open to the public, as well as for certain documents and publications. Refer to COG’s Accommodations Policy for procedure and timeframes for submitting such requests. COG’s Accommodations Policy is translated into Spanish, French, Korean, Chinese (Mandarin), Vietnamese, and Amharic, and posted on the COG website. Further, the COG website can be translated into 52 different languages.

In addition to posting COG’s Accommodations Policy online, and including a notice about accommodations on the committee webpages, COG includes the following language in its significant meeting announcements and agendas to notify the LEP population(s) of the availability of language assistance:

Reasonable accommodations are provided upon request, including alternative formats of meeting materials. Visit [www.mwcog.org/accommodations](http://www.mwcog.org/accommodations) or call (202) 962-3300 or (202) 962-3213 (TDD).

In major COG publications the following text is included to notify the LEP population(s) of the availability of alternative formats of the document:

Alternative formats of this document are available upon request. Visit [www.mwcog.org/accommodations](http://www.mwcog.org/accommodations) or call (202) 962-3300 or (202) 962-3213 (TDD).

COG developed its Accommodations Policy to guide staff and outline how COG will provide certain services to accommodate people with special needs, including LEP. Staff having contact with the public will be trained by their supervisor regarding their obligations to provide meaningful access to information and services for LEP persons. Additionally, COG regularly provides diversity training for all of its employees.

This plan is periodically reviewed and updated. Refer to Section IV - Monitoring and Updating the Language Assistance Plan for additional information.

# I. INTRODUCTION

## Relationship between COG and the TPB

The Metropolitan Washington Council of Governments (COG) was established in 1957 by local cities and counties to deal with regional concerns including growth, housing, environment, public health and safety - as well as transportation. COG is an independent, nonprofit association. It is supported by financial contributions from its participating local governments, federal and state grants and contracts, and donations from foundations and the private sector. Policies are set by the full membership acting through its board of directors, which meets monthly to discuss area issues.

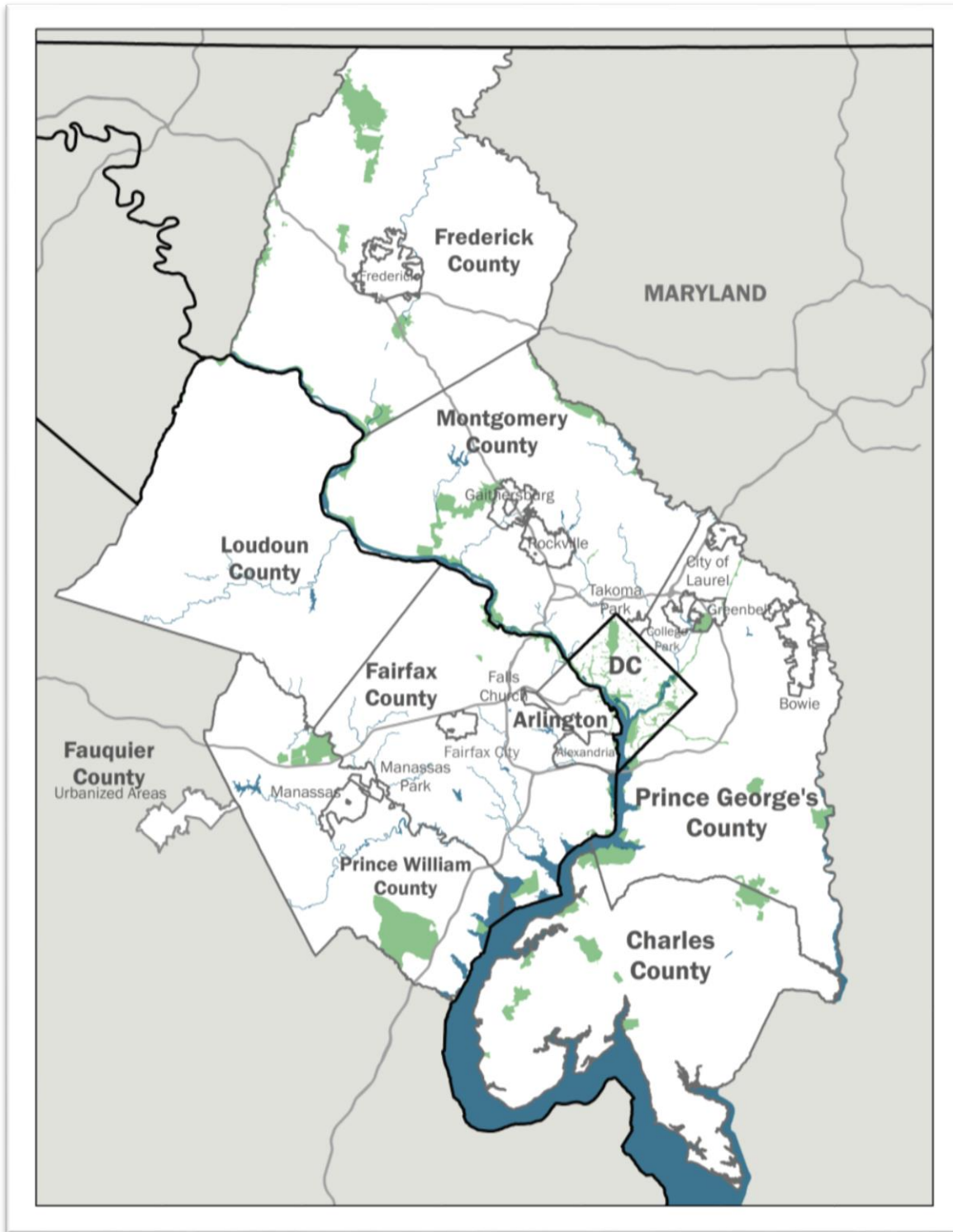
COG serves as the administrative agent for the National Capital Region Transportation Planning Board (TPB) under an agreement with the Transportation Departments of Maryland, Virginia, and the District of Columbia. The TPB was created in 1965 by the region's local and state governments to respond to federal highway legislation in 1962 that required the establishment of a "continuing, comprehensive and coordinated" transportation planning process in every urbanized area in the United States. The TPB is designated as this region's Metropolitan Planning Organization (MPO) by the governors of Virginia and Maryland and the mayor of Washington based upon an agreement among the local governments. Although the TPB is an independent body, its staff is provided by COG's Department of Transportation Planning. COG administers a Unified Planning Work Program (UPWP) in conjunction with the TPB in accordance with the requirements of the MAP-21, the Moving Ahead for Progress in the 21st Century Act (P.L. 112-141).

## The National Capital Region Transportation Planning Board

The National Capital Region Transportation Planning Board is the official Metropolitan Planning Organization for transportation planning in the metropolitan Washington region, and serves as the transportation policy committee for the Metropolitan Washington Council of Governments. As the MPO for the region, the TPB carries out several important federal planning requirements, including the development of transportation plans and programs and analyzing the plans for compliance with federal regulations. The TPB Bylaws state: "the TPB shall be responsible for the development of policies of regional significance ... for the effective implementation of [the sections] of the United States Code concerning a metropolitan transportation planning process".

The TPB plans for an area that covers approximately 3,500 square miles and includes over 5.4 million people and over 3.3 million jobs. The TPB planning area is shown in Figure 1 below and includes the District of Columbia, Suburban Maryland (Frederick County, Montgomery County, Prince George's County, and Charles County, plus the cities of Bowie, College Park, Frederick, Gaithersburg, Greenbelt, Laurel, Rockville and Takoma Park), and Northern Virginia (Arlington County, City of Alexandria, Fairfax County, Loudoun County, Prince William County, and the urbanized area of Fauquier County, plus the cities of Fairfax, Falls Church, Manassas and Manassas Park).

**Figure 1: The TPB Planning Area**



# U.S. Department of Transportation (DOT) Requirements and Guidance on Language Access

## FEDERAL TRANSIT ADMINISTRATION REQUIREMENTS FOR LANGUAGE ACCESS

In October 2012, FTA issued Circular C 4702.1B Title VI Requirements and Guidelines for Federal Transit Administration Recipients which requires that recipients of Federal funds create a Language Assistance plan and provide meaningful language access to persons who are limited English proficient (LEP).

“Consistent with Title VI of the Civil Rights Act of 1964, DOT’s implementing regulations, and Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency” (65 FR 50121, Aug. 11, 2000), recipients shall take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities for individuals who are limited-English proficient (LEP).”(chap. III-6)<sup>1</sup>

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be Limited English Proficient or “LEP.”

The COG/TPB Language Assistance Plan responds to the requirements in the Title VI Circular and provides the required elements of a Language Assistance Plan as described on page III-8 in the Circular. Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency

In Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency” (65 FR 50121) requires that Federal agencies develop guidance on how recipients should, consistent with the DOJ LEP Guidance and Title VI of the Civil Rights Act of 1964, as amended, assess and address the needs of otherwise eligible limited English proficient (LEP) persons seeking access to the programs and activities of recipients.<sup>2</sup>

The U.S. DOT provided further guidance on how transportation agencies should address this Executive order in its policy guidance, summarized below.

## U.S. DEPARTMENT OF TRANSPORTATION GUIDANCE TO RECIPIENTS ON SPECIAL LANGUAGE SERVICES TO LIMITED ENGLISH PROFICIENT (LEP) BENEFICIARIES:

The U.S. Department of Transportation, Office of the Secretary, issued guidance to recipients of Federal transportation aid in 2001 as to the requirement to provide language access to limited English populations.

The guidance states that, “Title VI and its regulations require recipients to take reasonable steps to ensure ‘meaningful’ access to DOT recipients’ programs and activities. The key to providing

<sup>1</sup> U.S. Department of Transportation. Title VI Requirements and Guidelines For Federal Transit Administration Recipients. FTA C 4701.1B. October 1, 2012 [http://www.fta.dot.gov/legislation\_law/12349\_14792.html]

<sup>2</sup> http://www.gpo.gov/fdsys/pkg/FR-2000-08-16/pdf/00-20938.pdf

meaningful access to LEP persons is to ensure that recipients and LEP beneficiaries can communicate effectively and act appropriately based on that communication. Thus DOT recipients should take reasonable steps to ensure that LEP persons are given adequate information, and are able to participate effectively in recipient programs and activities, where appropriate.”<sup>3</sup>

This Language Assistance Plan was developed to demonstrate the commitment of COG and the TPB to ensure meaningful access, as described in the Executive Order and the U.S. DOT guidance, to all programs and activities by LEP persons.

## The TPB’S PROACTIVE APPROACH TO PUBLIC INVOLVEMENT

In order to ensure that the TPB’s planning process identifies the needs of transportation-disadvantaged population groups, the TPB has developed a proactive approach to public involvement.

TPB staff held an interactive dialogue with members of the public during development of the TPB Participation Plan, which was adopted in December 2007 and updated in September 2014. The central concept of the Participation Plan is that there are three constituencies for the TPB, each having a different level of knowledge and familiarity with the TPB and the transportation decision-making process:

The **Involved** public consists of a relatively small group of people who are familiar with the TPB and participate in its processes through professional roles, membership on a TPB committee, or as a commenter on TPB plans or at meetings.

The **Informed** public consists of people who are engaged in civic issues and have a general understanding of transportation issues – these people are often referred to as “community leaders” by virtue of their status as information conduits to larger citizen groups.

The **Interested** public is the largest group, consisting of everyone who has an interest in transportation in the region simply by the role it plays in their daily lives.

The TPB Participation Plan<sup>4</sup> is based upon the fundamental premise that in order to most effectively use its resources the TPB must tailor its outreach to these three different groups. The TPB works in a number of ways to engage traditionally disadvantaged communities, including the LEP community, in these three constituency groups.

The **TPB Access for All (AFA) Advisory Committee**<sup>5</sup> was specifically created by the TPB to proactively address Title VI, Environmental Justice and involve minority communities, low-income communities and persons with disabilities, including LEP communities, in the transportation planning process. The AFA was established in 2001 to advise the TPB on transportation issues, programs, policies, and services that are important to minority communities, low-income communities, and people with disabilities. The mission of this committee is to identify concerns for these traditionally

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<sup>3</sup> <http://www.justice.gov/crt/about/cor/lep/dotlep.php>

<sup>4</sup> <https://www.mwcog.org/tpb-participation-plan/>

<sup>5</sup> <https://www.mwcog.org/tpbafa/>

transportation disadvantaged communities, and to determine whether and how these issues might be addressed within the TPB process. AFA membership includes elected officials, transportation planners, community-based organizations, local advocacy groups, and interested citizens. Its diverse membership covers all three constituency groups identified in the TPB Participation Plan. The AFA has identified needs for improved access to transit information and the TPB has helped with such improvements through coordination with the Washington Metropolitan Area Transit Authority (WMATA).

## II. DETERMINING REASONABLE ACCESS: FOUR-FACTOR ANALYSIS

In accordance with Title VI of the Civil Rights Act and the U.S. Department of Transportation Circular FTA C 4702.1B “Title VI Requirements and Guidelines for Federal Transit Administration Recipients,” recipients are required to take “reasonable steps to ensure meaningful access to their programs and activities by LEP persons.” The guidance recommends that the following four-factor analysis be used to help determine how to ensure reasonable and meaningful access to COG and TPB activities:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.
2. The frequency with which LEP persons come into contact with the program.
3. The nature and importance of the program, activity, or service provided by the program to people’s lives.
4. The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.

### **Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.**

#### LANGUAGES SPOKEN IN THE REGION

The U.S. Census Bureau’s American Community Survey (ACS) 2012-2016 5-year averages provide the best, most current source of information on those with limited English skills. The ACS asks what language is spoken at home and if English is spoken less than “very well”. Data from the ACS shows that 30% of the region’s population speaks a language other than English at home and where 11% of the region’s population speaks English less than “very well”. The languages other than English most often spoken at home are Spanish, Other Indo-European languages, Other and unspecified languages, Chinese, and Other Asian and Pacific Island languages, as shown in Figure 3.<sup>6</sup>

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<sup>6</sup> Determinations to identify a specific language is primarily due to the size of the population within the geographic area, in this case, the TPB Planning Area. As a result, three aggregate categories of like-languages are included (Other Indo-European languages, Other and unspecified languages, and Other Asian and Pacific Island languages) and may separate out an individual language if and when it’s population is significant large enough.

Other Indo-European languages is defined as including Haitian, Italian, Portuguese, German, Yiddish, Greek, Russian, Polish, Serbo-Croatian, Ukrainian or other Slavic languages, Armenian, Persian, Gujarati, Hindi, Urdu, Punjabi, Bengali, Nepali, Telugu, Tamil, and Malayalam.

Other and unspecified languages is defined as including Navajo, Other Native languages of North America, Hebrew, Amharic, Somali, or other Afro-Asiatic languages, Yoruba or other languages of Western African, Swahili or other languages of Central, Eastern, and Southern Africa, and Other and unspecified languages.

Other Asian and Pacific Island languages is defined as including Japanese, Hmong, Khmer, Thai, Lao, Other languages of Asia, Tagalog, Ilocano, Samoan, Hawaiian, or other Austronesian languages.

Detailed information on languages, including definitions, can be found at U.S. Census: <https://www.census.gov/topics/population/language-use/about.html>

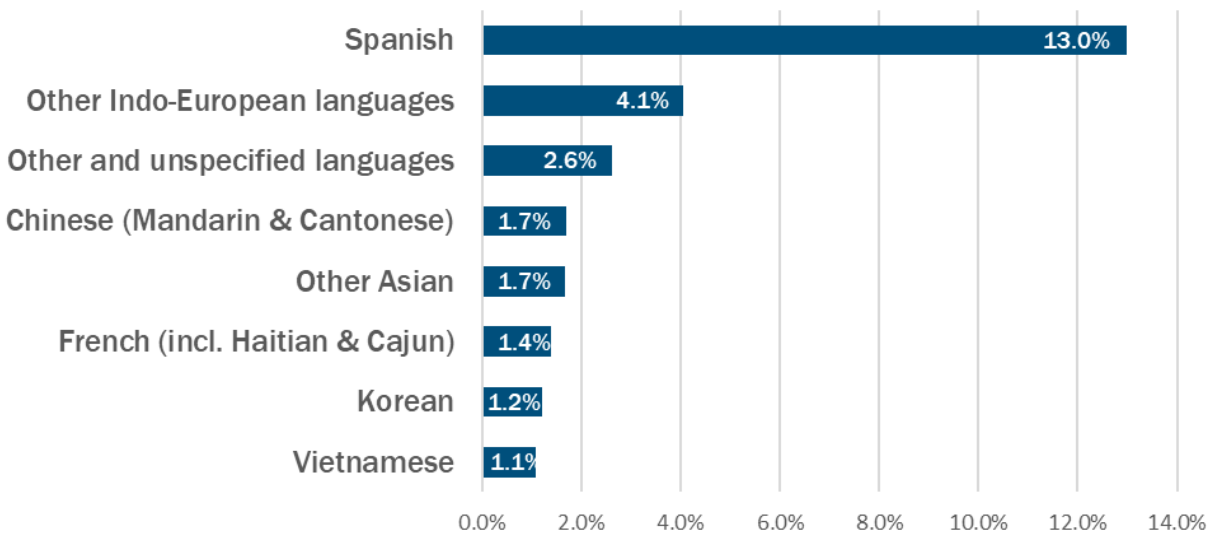


With approximately 657,000 residents speaking Spanish at home, it is by far the most commonly spoken non-English language in the region. Based on this information, it is most likely that special language services provided would need to accommodate people who speak Spanish. However, non-English speaking groups in the region are not only diverse; they are also geographically dispersed throughout the region, as shown in Figure 3. Therefore, regional information about LEP language access may not be as useful as information from a smaller geographic area and it is necessary for transportation planning staff to understand the demographic profile of the communities they operate in within the region.

## HOW LEP PERSONS INTERACT WITH COG AND THE TPB

COG and the TPB do not provide direct transportation services to the region’s residents, but rather serve as forums for regional stakeholders, decision makers, and residents to participate in planning and policy setting. Direct public transportation services include Metrorail, Metrobus, MetroAccess and local transit providers. The TPB’s Access for All Advisory Committee includes representatives of limited English-speaking communities and advises the TPB on language access issues related to transportation. LEP persons are invited to participate in public meetings and committees, comment on work being completed, and participate in region-wide surveys and outreach efforts under COG and TPB. Materials are translated upon request so that they are available to those with limited English ability.

**Figure 2: Languages Other Than English Most Often Spoken at Home**



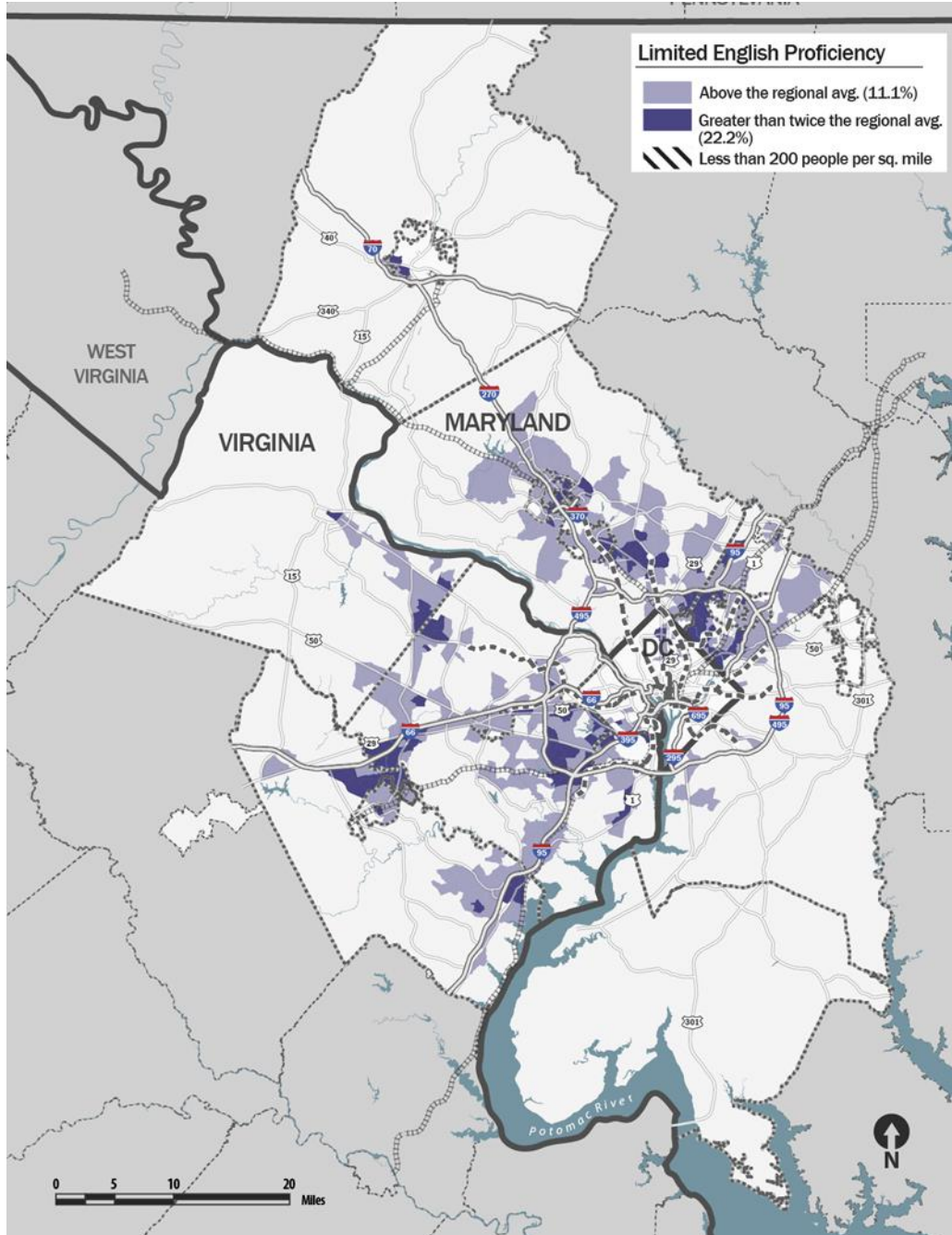
Source: U.S. Census Bureau; American Community Survey, 2012-2016 American Community Survey 5-Year Averages, Table S1601 (B16007); This figure includes all jurisdictions in the TPB’s planning area.

**Figure 3: Languages other than English Spoken in the Metropolitan Washington Region**

<b>Languages Spoken at home</b>	<b>Total</b>	<b>Percentage</b>
Spanish	657,133	13.0%
Other Indo-European languages	205,588	4.1%
Other and unspecified languages	132,529	2.6%
Chinese (incl. Mandarin, Cantonese)	85,704	1.7%
Other Asian and Pacific Island languages	84,743	1.7%
French, Haitian, or Cajun	70,555	1.4%
Korean	61,763	1.2%
Vietnamese	54,321	1.1%
Arabic	46,615	0.9%
Tagalog	41,412	0.8%
Russian, Polish, or other Slavic languages	34,293	0.7%
German or other West Germanic languages	23,311	0.5%

Source: U.S. Census Bureau; American Community Survey, 2012-2016 American Community Survey 5-Year Averages, Table C16001; This figure includes all jurisdictions in the TPB's planning area.

**Figure 4: Distribution of Limited English Speaking Population by Census Tract**



Source: U.S. Census Bureau; American Community Survey, 2012-2016 American Community Survey 5-Year Averages.

## **Factor 2: The frequency with which LEP persons come into contact with the program.**

Since COG and the TPB are not direct service providers, the frequency of LEP persons interacting with agency programs is quite low. Although all committee materials, publications, and public documents are made available in other languages upon request, there are very few requests submitted in a given year. Issues pertaining to LEP persons are discussed at quarterly meetings of the TPB's Access for All (AFA) Advisory Committee, but those who represent LEP population groups normally participate in English.

## **Factor 3: The nature and importance of the program, activity or service provided by the program to people's lives.**

The activities that COG and the TPB engage in are not essential for LEP persons to go about their daily lives in the same way as direct service providers, such as Metrobus, Metrorail and local bus services. These activities include mostly policy level work and coordination between decision makers that represent the jurisdictions in the region. However, in order address the needs of all of the region's residents, participation from all population groups is encouraged. When conducting studies and surveys, and when public comment is welcome, LEP persons are often specifically sought out to participate in order to gather a diversity of opinions.

## **Factor 4: Resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.**

COG and the TPB have reviewed resources available and costs for language assistance based on past requests and expenditures. The result of this analysis shows that approximately \$10,000 per year is available for language assistance, and that the costs have not exceeded \$10,000 per year, as shown below. Resources available:

- In-house staff that speak Spanish and can provide phone assistance and translate short notices or phrases;
- An administrative budget for foreign language interpreters, document and website translation (approximately \$10,000 per year);
- Free website translation through Google Translate.

Costs:

- Translation of key documents and websites (costs in the past have ranged from \$1,000 to \$5,000 per year);
- Translation of notices and ads (In-house staff);
- Limited support for answering phone calls and interpreting at meetings (in-house staff); and
- Language interpreters for meetings or focus groups (based on past requests, this has ranged from \$2,500 to \$5,000 per year).

### III. PROVIDING LANGUAGE SERVICES

The Accommodations Policy<sup>7</sup>, included below, describes how language access is provided by COG and the TPB. The policy states that translation services are available upon request for meetings that are open to the public. The policy is published on the COG website at [www.mwcog.org/accommodations](http://www.mwcog.org/accommodations) along with translations of the policy in Spanish, French, Korean, Vietnamese, Amharic and Chinese.

The following is a list of some of the COG and TPB efforts made to provide language access:

- Advertise public comment periods in Spanish language news publications.
- Provide survey forms and web applications in multiple languages.
- Provide Spanish-speaking facilitators at forums and outreach effects.
- Hire bilingual staff members.
- Google Translator is available on all COG webpages.
- Provide Spanish versions of key web pages.

The Commuter Connections program employs one full-time Spanish speaking employee that is available for their call center and assists staff with in person contact and written communication in Spanish. Additionally, there is designated Spanish speaking staff in each COG department to handle calls from Spanish speakers.

The Commuter Connections program also periodically advertises their program via radio spots. These radio ads are broadcast in both English and Spanish.

#### Written language assistance

Key documents will be translated upon request. Staff arrange for the translation of materials through coordination with the Office of Communications and Human Resources staff who maintain a list of qualified companies that provide translation services.

The website for the Metropolitan Washington Council of Governments, including the Department of Transportation Planning subsection of that website<sup>8</sup>, can be translated into over 52 different languages. Staff incorporated Google Translate translation capability into the development of this website as a cost-efficient means of making sure that the information contained on the website is accessible to LEP stakeholders and the interested non-English speaking public.

At certain times during our planning process it is required to publish notifications of TPB activities in local newspapers (e.g. announcement of the opportunity to comment on air quality conformity determination). When this is required, a notification is published in several newspapers, including a notification written in Spanish for the Spanish-language news publications.

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<sup>7</sup> <https://www.mwcog.org/accommodations>

<sup>8</sup> <https://www.mwcog.org/transportation>

Outreach strategies for the annual Street Smart pedestrian and bicyclist safety campaign<sup>9</sup> that is coordinated by the TPB include radio, video, newspaper and transit advertising. These advertising efforts are focused on educating motorists, pedestrians and bicyclists to improve safety. Advertising materials are produced in English and Spanish.

Additionally, the Commuter Connections website<sup>10</sup> is provided in Spanish, to accommodate Spanish speaking customers' participation in ridesharing and other Commuter Connections programs.

## Training staff

Most COG staff members are not in public contact positions; however, those employees that do engage with the public receive direct training from their supervisor regarding their obligations to provide meaningful access to information and services for LEP persons.

COG developed an Accommodations Policy to guide staff and outline how COG will provide certain services to accommodate people with special needs. Additionally, COG regularly provides diversity training for all of their employees.

In an effort to continuously improve the COG's overall compliance posture, nondiscrimination and LEP-related training will be coordinated with the U.S. Department of Transportation, the Virginia Department of Transportation (VDOT), the Maryland Department of Transportation (MDOT) and the District Department of Transportation (DDOT) and made available to COG staff on an ongoing basis to ensure up to date knowledge of Title VI, other nondiscrimination statutes and LEP guidance.

## Providing notice to LEP persons

COG's Accommodations Policy<sup>11</sup> is posted online and states that translation services are available upon request for meetings that are open to the public. It is expressed that requests for such services are appreciated seven business days in advance of a meeting to process the requests

COG includes the following language in its significant meeting announcements and agendas to notify the LEP population(s) of the availability of language assistance:

Reasonable accommodations are provided upon request, including alternative formats of meeting materials. Visit [www.mwcog.org/accommodations](http://www.mwcog.org/accommodations) or call (202) 962-3300 or (202) 962-3213 (TDD).

In major COG publications the following text is included to notify the LEP population(s) of the availability of alternative formats of the document:

Alternative formats of this document are available upon request. Visit [www.mwcog.org/accommodations](http://www.mwcog.org/accommodations) or call (202) 962-3300 or (202) 962-3213 (TDD).

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<sup>9</sup> <http://www.bestreetsmart.net>

<sup>10</sup> <http://www.commuterconnections.org>

<sup>11</sup> <https://www.mwcog.org/accommodations>

The COG website includes a link to the Accommodations Policy and the Google Translate option on each webpage.

At certain times during the TPB planning process it is required to publish notifications of COG activities in local newspapers (e.g. announcement of the opportunity to comment on air quality conformity determination). When this is required, a notification is published in several newspapers, including a notification written in Spanish for the Spanish-language news publications.

## **IV. MONITORING, EVALUATING AND UPDATING THE LANGUAGE ASSISTANCE PLAN**

The Language Assistance Plan as part of the Metropolitan Washington Council of Governments Title VI Plan will be reviewed annually by Title VI coordinators on the COG staff. This annual review will also include a review of whether existing assistance is meeting the needs of LEP persons, and whether new documents, programs, services, and activities need to be made accessible for LEP individuals. Such guidance will also be based on consideration of the frequency of encounters with LEP language groups and the availability of resources.

The TPB Access for All (AFA) Advisory Committee annually reviews the significant changes to the long-range plan and provides input to the TPB regarding the transportation-related concerns of the people they represent, including LEP persons, people with disabilities, older adults, and economically disadvantaged populations. The AFA will also review significant changes to the Language Assistance Plan and provide feedback on which TPB activities are of most importance to LEP persons. The AFA reviewed COG's Accommodations policy in October 2014, and draft translations of the policy in Spanish, French, Korean, Vietnamese, Amharic and Chinese.

Additionally, as new data is made available on the demographics of the region and the resulting transportation needs (e.g. U.S. Census Data), this Language Assistance Plan will be reviewed and updated to respond to the needs of the region's growing and changing population.







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