



San Diego Association of Governments

TITLE VI PROGRAM PLAN For the Federal Highway Administration

Updated December 2025



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Executive Summary

Title VI of the Civil Rights Act of 1964 (42 USC § 2000d, hereinafter Title VI) prohibits discrimination based upon race, color, and national origin. Specifically, 42 USC § 2000d provides that “[n]o person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” The San Diego Association of Governments (SANDAG) is a recipient of federal assistance from the Federal Highway Administration (FHWA).

In addition to Title VI, other nondiscrimination authorities also apply to SANDAG’s programs and activities (23 CFR 200.5(p)):

- Federal-Aid Highway Act of 1973 - nondiscrimination on the basis of sex (23 U.S.C. § 324 et seq.)
- Section 504 of the Rehabilitation Act of 1973, as amended - nondiscrimination on the basis of disability (29 U.S.C. § 794 et seq.; 49 CFR Part 27)
- Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. 12131-12134; 28 CFR Part 35)
- The Age Discrimination Act of 1975, as amended - discrimination on the basis of age (42 U.S.C. § 6101 et seq.)

The SANDAG Chief Executive Officer is ultimately responsible for assuring full compliance with these requirements and has directed that nondiscrimination is required of all agency employees, contractors, and agents. In addition, this document establishes the Director of the Business and Workforce Compliance office (BWC) as the Title VI Coordinator, who is designated with the authority to ensure compliance with this policy.

This document serves as the Title VI Implementation Plan for SANDAG. It is intended to be a living document and will be reviewed and updated on a regular basis.

Glossary of Terms

CalEnviroScreen: A mapping tool that helps identify California communities most affected by pollution, and where communities are especially vulnerable to pollution's effects.

Code of Federal Regulations (CFR): The codification of the general and permanent rules published in the Federal Register by the departments and agencies of the Federal Government. A searchable, electronic version is available at <https://www.ecfr.gov/>.

Community Based Organization (CBO): A local, nonprofit, non-governmental organization representing the interests of a particular population within the community.

Discrimination: An act (or action) whether intentional or unintentional, through which a person in the United States, solely because of race, color, religion, or national origin, has been otherwise subjected to unequal treatment under any program or activity receiving financial assistance from the Federal Highway Administration under title 23 USC.

Federal financial assistance includes:

- Grants and loans of Federal funds;
- The grant or donation of Federal property and interests in property;
- The detail of Federal personnel;
- The sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and
- Any Federal agreement, arrangement, or other contract which has as one of its purposes the provision of assistance.

Limited English Proficiency (LEP): Persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English; LEP designation includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.

Metropolitan Planning Organization (MPO): An organization created and designated to carry out the metropolitan transportation planning process.

Program or activity: All of the operations a department, agency, special purpose district, or other instrumentality of a State or of a local government, any part of which is extended Federal financial assistance or the entity of such State or local government that distributes such assistance.

Recipient: Any state, territory, possession, the District of Columbia, Puerto Rico, or any political subdivision, or instrumentality thereof, or any public or private agency, institution, or organization, or other entity, or any individual, in any State, territory, possession, the District of Columbia, or Puerto Rico, to whom Federal assistance is extended, either directly or through another recipient, for any program. Recipient includes any successor, assignee, or transferee thereof. The term recipient does not include any ultimate beneficiary under any such program.

Regional Transportation Plan (RTP): A long-range plan for transportation, land use, housing, and the environmental needs developed by a Metropolitan Planning Organization and updated every four years. It provides a roadmap for how the region will develop over the next 25 years and how the region will invest in transportation infrastructure that provides more convenient and safe choices for getting around.

Subrecipient: An entity that receives a subaward from a pass-through entity to carry out part of a federal award. For example, if SANDAG receives a federal award through the California Department of Transportation (Caltrans), then Caltrans would be the primary recipient and SANDAG would be a subrecipient to Caltrans.

United States Code (USC): The official codification of the general and permanent federal statutes of the United States.

Vital Document: A document that contains information that is critical for accessing or obtaining information, services, and/or benefits, or is required by law.

1. Introduction

Title VI of the Civil Rights Act of 1964 prohibits recipients of federal financial assistance from discriminating on the basis upon race, color, and national origin in their programs and activities. Specifically, 42 USC § 2000d provides that:

No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

If an entity accepts federal financial assistance, then it must comply with the requirements of Title VI. Congress further expanded these requirements with the Civil Rights Restoration Act of 1987, which clarified the definition of “programs and activities” such that Title VI applies to all of a recipient entities’ programs or activities—whether they are federally-assisted or not.

Title VI also prohibits discrimination against persons who have a limited ability to speak and/or write and understand English—Limited English Proficiency (LEP) persons. The failure of a recipient of federal financial assistance to provide meaningful access to LEP persons can constitute national origin discrimination under Title VI. Meaningful access typically means that recipients must collect data and information on the LEP communities they serve, balance the practicality and costs of providing language assistance, and then carry out policies to address those needs. Typically, these policies involve the provision of oral interpretation services and the written translation of vital documents. SANDAG’s LEP policies and procedures can be found in its Language Access Plan (LAP), which is accessible on the SANDAG [Language Assistance](#) web page.

SANDAG is a recipient of federal financial assistance from the FHWA, and therefore, Title VI applies to all of SANDAG’s program and activities. In addition, SANDAG receives FHWA funding as a subrecipient from a primary recipient, the California Department of Transportation (Caltrans). The United States Department of Justice (DOJ) regulations require that state primary recipients of continuing federal programs ensure that subrecipients comply with Title VI. 28 CFR § 42.410. Caltrans implemented its subrecipient Title VI requirements in its [Local Assistance Procedures Manual](#) (LAPM), which incorporates state requirements found in the FHWA Title VI regulations at 23 CFR § 200.9.

As part of these requirements, Caltrans requires that subrecipients create a Title VI Implementation Plan (Plan). The Plan must be made available to the public and address all of the elements noted in Section 9.2.3 of the LAPM. Caltrans requires that subrecipients update the plan annually or as needed when changes occur.

A. FHWA Title VI Authorities

The FHWA Title VI Program is governed by the aforementioned authorities, and, where appropriate, the civil rights provisions of other Federal statutes to the extent that they prohibit discrimination on the grounds of race, color, sex, or national origin in programs receiving Federal financial assistance of the type subject to Title VI itself, per 23 CFR § 200.5(p):

- Title 42 USC § 2000d, as amended - the codified Title VI statute
- 49 CFR Part 21 - the U.S. Department of Transportation (USDOT) implementing regulations for Title VI
- 23 CFR Part 200 - the FHWA Title VI regulations

- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601-4655) (49 CFR part 25; Pub. L. 91-646)
- Title VIII of the Civil Rights Act of 1968, amended 1974 (42 U.S.C. 3601-3619)
- 23 U.S.C. 109(h)
- Section 162 (a) of the Federal-Aid Highway Act of 1973 (23 USC 324) - including discrimination on the basis of sex in the FHWA Title VI Program at 23 CFR 200.5(p)
- Subsequent Federal-Aid Highway Acts and related statutes and guidance

Taken together, these requirements define SANDAG's Title VI nondiscrimination program for FHWA, which protects against discrimination on the basis of race, color, national origin, and sex.

B. About SANDAG

SANDAG is the regional planning agency as well as the technical and informational resource for the San Diego, California, area's 18 incorporated cities and the county government, which collectively make up the association of governments. A Board of Directors comprising elected officials from each of the 19 member agencies governs SANDAG. Advisory representatives from Imperial County, the U.S. Department of Defense, California Department of Transportation (Caltrans), San Diego Unified Port District, San Diego County Water Authority, Metropolitan Transit System (MTS), North San Diego County Transit District (NCTD), Southern California Tribal Chairmen's Association (SCTCA), San Diego Regional Airport Authority, and Mexico supplement the voting members. The agency's planning boundary is the jurisdictional limits of the County of San Diego. SANDAG also partners with agencies in Mexico and throughout Southern California.

SANDAG was created in 1966 as a Comprehensive Planning Organization (CPO) under a state-authorized joint powers agreement. The governor of California designated the CPO as the metropolitan planning organization (MPO) for the region in 1970. In 1972, the CPO was established as a joint powers authority. It adopted its current name in 1980 to better reflect its purpose. In 1987, SANDAG added the responsibilities of administering the region's voter-approved half-cent sales tax for regional transportation projects – TransNet. In 2003, Senate Bill (SB) 1703 changed SANDAG's structure from a joint powers authority to a state-created regional governmental agency, which made it a permanent (rather than voluntary) association of local governments with increased responsibilities and powers. SB 1703 consolidated MTS's and NCTD's transportation planning and development functions into SANDAG so those activities would occur multimodally. The roles and responsibilities of SANDAG, MTS, and NCTD are outlined in a master memorandum of understanding executed in 2004. SANDAG is responsible for transit planning, development, and construction, whereas MTS and NCTD are responsible for transit operations. MTS and NCTD also manage small construction projects with SANDAG's assistance, and SANDAG is responsible for establishing the regional fare policy.

2. Staffing and Organization

A. SANDAG Title VI Coordinator

The SANDAG Chief Executive Officer is ultimately responsible for ensuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related statutes and has directed that nondiscrimination is required of all agency employees, contractors, and agents.

The Director of the BWC has been designated as the SANDAG Title VI Coordinator (Coordinator). This position is situated within the Business and Workforce Compliance Division, under the Department of Administration. The coordinator has easy access to the head of the agency, as shown in the following organization chart (Table 1).

Table 1: Structure of Title VI Administration

SANDAG Board of Directors
Chief Executive Officer
Senior Director, Administration and Public Affairs
Director, Public Affairs
Director (Title VI Coordinator), Business and Workforce Compliance

The Title VI Coordinator is identified in Board Policy No. 009 and disseminated to the public on the SANDAG public website. The identification and responsibilities of the Title VI Coordinator are additionally disseminated to employees through the agency's internal intranet and training.

B. BWC Office Roles and Responsibilities

The Title VI Coordinator's responsibilities include, but are not limited to, activities such as:

- Developing Title VI plans and reports
- Developing procedures for the prompt processing and disposition of complaints, including, where appropriate, compiling a complaint log, investigating complaints, and reporting to Caltrans
- Developing procedures for the collection and analysis of statistical data
- Developing a program to conduct Title VI reviews of program areas
- Conducting Title VI assessments of pertinent program areas
- Developing and delivering Title VI training to staff
- Developing Title VI information for dissemination to the public
- Establishing procedures for resolving deficiency status and reducing to writing the remedial action agreed to be necessary

BWC is staffed with personnel trained and experienced in Title VI and associated civil rights laws and regulations to support the Title VI coordinator. The staff responsibilities include activities such as:

- Coordinating inter-office communications and meetings within SANDAG
- Reviewing and drafting Title VI information for the public, in coordination with the SANDAG Office of General Counsel and Department of Public Affairs
- Providing technical support to the Title VI Coordinator and other offices regarding the collection of statistical data on race, color, national origin, and language
- Assisting with the delivery of internal and external training
- Assisting with the provision of FHWA and Caltrans reports on Title VI
- Coordinating the payment and management of contractors that provide Title VI services to carry out SANDAG's Title VI Program

C. Other SANDAG Office Roles and Responsibilities

Title VI Liaisons

Title VI applies to all of a recipient's programs and activities, and SANDAG has therefore adopted an interdisciplinary approach to affecting compliance through collaboration. So, while the BWC office and Title VI Coordinator are responsible for setting overall Title VI policies, conducting reviews, and reporting, SANDAG has integrated Title VI into each major program area by identifying Title VI Liaisons (Liaisons) within those offices. Liaisons are identified as those personnel who have (1) significant subject matter expertise and experience in their respective offices and (2) the time and resources necessary to contribute. The duties of the Liaisons include, but are not limited to:

- Serving as the primary point of contact for Title VI matters within their program office and between their program office and BWC
- Coordinating with BWC on the delivery of Title VI workshops and training sessions
- Ensuring that any potential Title VI complaints within their program offices are forwarded to BWC for processing
- Coordinating with BWC and their program offices to ensure data and information are shared for Title VI reporting
- Assisting BWC with Title VI reviews of their program offices
- Ensuring that any tracking forms for public involvement and LEP (if applicable) are completed by their office
- Attending meetings requested by BWC to coordinate with Liaisons.

BWC schedules regular meetings with all Liaisons, no fewer than one every six months, to coordinate on carrying out SANDAG's Title VI policies, provide technical assistance, and to identify emerging issues.

Major Program Offices

SANDAG is comprised of four major program offices with significant Title VI roles and responsibilities.

Regional Planning

The Regional Planning Department (Planning) is responsible for coordinating, drafting, and publishing the Regional Plan and a wide range of programs and projects related to climate, data analysis, environmental compliance, intergovernmental coordination, integrated transportation, mobility, strategic partnerships, sustainable communities, and technology.

Planning staff also manage and coordinate demographic analyses for regional planning, programs, and projects; and developing and implementing plans and policies that advance environmental justice.

Planning staff frequently assist the BWC office with the review and update of Board policies related to planning activities, analyses, and other reports related to Title VI. BWC staff provide direct training and technical support for Planning's data collection and analysis on a variety of issues. Regular recurrent training on Title VI and language assistance requirements is provided for all planning staff.

Public Affairs

The Department of Public Affairs is responsible for disseminating information and providing opportunities for members of the public to participate in decision-making activities through government relations and outreach activities. It is also responsible for the development of a wide range of informational materials, including documents, visual communications, and web content, as well as social media engagement, and marketing. They are charged with ensuring that all members of the public can access information and participate in decision-making activities, regardless of race, color, or national origin.

BWC staff coordinate with Public Affairs regarding the provision of translation and interpretation services for public meetings and in the distribution of documents. These services are tracked and reported annually in SANDAG's Accomplishments and Goals Report to FHWA/Caltrans.

Data Science

The Data Science Department is responsible for collecting, analyzing, and organizing demographic data on an ongoing basis to better understand the populations being served by SANDAG's activities and inform the delivery of SANDAG services. In addition, the office promotes best practices in the use and distribution of open data for the public and "big" data for internal and external use.

Data Science staff provide guidance and support to SANDAG staff to analyze the benefits and burdens of a wide array of policies, programs, and projects and ensure such activities do not have discriminatory effects on populations protected by civil rights laws and regulations. They develop charts and maps to illustrate data findings and help regional stakeholders and the public to transform data into intelligent actions to attain the greatest economic and social benefits.

BWC staff communicate with project managers and data staff to ensure that SANDAG's data collection and analyses meet federal, state, and local requirements. BWC staff also maintain and share additional data acquired during development of Title VI and language assistance inquiries.

Engineering and Construction

Engineering and Construction staff lead and manage active transportation programs, corridor studies, and capital projects, through the design, and construction phases of project development. They provide insight and best practice-based recommendations and engineering technical assistance to SANDAG leadership, elected officials, outside organizations, stakeholders, and the public.

Engineering and construction programs must be implemented in compliance with federal and local civil rights laws and regulations to ensure projects do not impose discriminatory burdens on protected populations, or, if they do, that SANDAG minimizes or avoids those burdens to the extent feasible.

3. Title VI Assurances

As a recipient of federal financial assistance from the FHWA, SANDAG must submit a signed Title VI assurance with every application for federal financial assistance stating that, as a condition of award, SANDAG will comply with the requirements of Title VI. 49 CFR 21.7(a). The USDOT implemented its standard Title VI assurances for recipients of the USDOT and all Operating Administrations, such as the FHWA, in DOT Order 1050.2A. SANDAG submits its Title VI Assurances as part of its annual Certifications and Assurances submission to the USDOT, FHWA and FTA. SANDAG collects Title VI Assurances from subrecipients prior to passing through FTA or FHWA funds.

In addition, SANDAG ensures that it inserts the appropriate attachments from DOT Order 1050.2A into all contracts, agreements, and other instruments as directed by the Order.

4. Review Procedures

When a primary recipient extends federal financial assistance to a subrecipient, the subrecipient must provide documentation and reports regarding their compliance with Title VI, per 49 CFR 21.9(b). As a subrecipient of federal financial assistance through Caltrans, SANDAG follows the Caltrans LAPM, which provides that subrecipients must conduct internal reviews of their program areas, as well as external Title VI reviews of sub-awardees.

A. Internal Reviews

Generally

The Title VI Coordinator is the lead in selecting and conducting compliance reviews of SANDAG's internal program areas, in coordination with the senior executive staff. In the first quarter of the federal fiscal year, the Title VI Coordinator will select programs and/or projects to review in the next calendar year, which will be recorded in the SANDAG Accomplishments and Goals Report.

SANDAG uses a risk-based approach to selecting areas to review. The criteria include, but are not limited to:

- The probability and magnitude of potential effects on the public;
- The amount of time passed since the last review;
- The receipt of public comments, complaints, or other information to suggest potential Title VI concerns;

- An identified need for guidance, training, and process improvements regarding Title VI and federal requirements;
- The schedules and availability of key personnel; and,
- The time and resources necessary to complete reviews throughout the year.

The scope of any given review will be tailored to the subject matter, such that the conclusion of the process will offer a reasonable assurance that the program or project is in compliance with Title VI. At a minimum, program areas will be reviewed using a *desk audit* method. Desk audits entail a review of policies and procedures, in addition to questionnaires and interviews with key personnel. Where applicable, reviews will also include a *field audit*, which entails sampling quantitative and qualitative evidence to demonstrate the implementation of policies and procedures in practice.

Review Process

The review process begins with a Kickoff Meeting (Kickoff) between the Title VI Coordinator and the Title VI Liaison in the relevant program office. At the Kickoff, the Coordinator and Liaison will determine:

1. The research questions and goals of the review
2. The scope of Title VI requirements and program area coverage
3. Timeframes
4. Key personnel needed
5. Documentation needed

In addition, the Title VI Coordinator will address any questions or need for additional Title VI training at the meeting. When complete, the Title VI Coordinator will codify the results of the Kickoff with a Title VI Review Plan document and share it with the Liaison.

The Title VI Coordinator will conduct the review expeditiously and transparently, in accordance with the Review Plan. At the conclusion of the review, the Title VI Coordinator will create a draft Review Report and share a copy with the program office Title VI Liaison. The Review Report shall contain sufficient information to support any potential deficiencies found during the review. The Liaison will coordinate with their program office and identify any factual errors in the draft Review Report. The Liaison and Title VI Coordinator will resolve any errors and, once complete, the Coordinator will send a final report to the corresponding Director/Senior Director.

If the Review Report identifies deficiencies, the Liaison will work with the Title VI Coordinator to resolve the issues, if possible, within 90 days from the date the Review Report was issued, unless another time period is established by the Coordinator. When all deficiencies are resolved, the Title VI Coordinator will close out the review and notify the Liaison.

B. Subrecipient Reviews

As of this Plan update, SANDAG does not have any subrecipients of FHWA funds. If SANDAG passes through FHWA funds to one or more sub-awardees in the future, it will update its Plan to address subrecipient review procedures.

5. Data Collection, Reporting, and Analysis

SANDAG collects and analyzes a variety of data related to Title VI to help ensure nondiscrimination for all the people it serves. For example, as a Metropolitan Planning Organization, SANDAG is responsible for the creation of the Regional Transportation Plan (RTP). Updated every four years, the RTP provides a roadmap for how the region will develop over the next 25 years and how SANDAG and its partners will invest in transportation infrastructure that provides more convenient and safe choices for getting around. To develop the RTP, SANDAG uses data from the U.S. Census, as well as state and local sources to identify communities by demography and analyze the data to ensure compliance with Title VI.

The SANDAG Data, Research, Economics, Analytics, and Modeling team collects and provides up-to-date data, analysis, and Geographic Information Systems (GIS) services, to help project managers assess the demographic impacts of a wide range of programs and projects. This team codifies data sources from external sources as well as collects data from internal sources that are crucial to SANDAG's planning, environmental, and project delivery processes.

In addition, SANDAG provides data support to the two transit agencies in the San Diego area – the San Diego Metropolitan Transit System (MTS) and the North County Transit District (NCTD) – with several initiatives. SANDAG coordinates the on-board rider survey for the two agencies and collaborates with planning and other staff at the agencies to support demographic analyses for joint projects.

Some recent examples of data collection and analysis at SANDAG include efforts such as those noted in Table 2:

Table 2: Examples of Data Collection/Analysis

Product	Data Sources	Outcome of Data Analysis
Language Assistance Plan update	<ul style="list-style-type: none">• U.S. Census• Dept. of Education English Learner• Local court data• GIS mapping and analysis	Identification of languages spoken in SANDAG region, distribution of LEP populations
Specialized Transportation Grant Programs	<ul style="list-style-type: none">• U.S. Census• GIS mapping and analysis	Affected populations by distribution of grant awards
Otay Mesa East Project Demographic Analysis White Paper	<ul style="list-style-type: none">• U.S. Census• CalEnviroScreen• Smart Border Coalition• SANDAG Border Survey• GIS mapping and analysis	Draft analysis of demographic impacts for the Project, with recommendations for compliance with civil rights laws and other authorities
2025 Regional Transportation Plan	<ul style="list-style-type: none">• U.S. Census• GIS mapping and analysis• Qualitative data from public and CBO partners	Evaluation of affected populations compared to long-term programming efforts in Regional Plan

SANDAG also collects and provides data and data/mapping services to the public, which offers an additional layer of transparency regarding SANDAG's data collection, reporting, and analysis processes. SANDAG develops annual demographic estimates of population and housing characteristics for small geographic areas and produces sophisticated long-range growth forecasts of population, housing, employment, income, and land use in the San Diego region.

In addition, SANDAG provides an array of data products and tools through its [Open Data Portal](#), where the public can explore, visualize, and download publicly accessible data for the San Diego region. Topic areas and sources include Sustainable Development Goals (SDG) data, Census estimates and forecasts, a parcel lookup tool, highway traffic data, the regional GIS Data Clearinghouse, SB 743 VMT web maps, and more.

As the Regional Census Data Center for the San Diego region, SANDAG keeps and provides access to a complete inventory of data released from the U.S. Census Bureau. SANDAG also works with the Census Bureau, local agencies, and the public on all census-related issues in the region, and provides access to downloadable GIS data and maps, as well as free interactive map applications and services.

6. Title VI Training

SANDAG provides formal Title VI training to all staff every two years and as needed. Presentation slides and narrated recorded video from this training are available year-round on SANDAG's internal employee intranet (SharePoint). Trainings focused on specific elements of Title VI compliance, such as providing language assistance and processes for conducting demographic analyses, are also posted on the SharePoint site and updates are regularly presented for appropriate staff. In addition, SANDAG provides Title VI training to external subrecipients, and potential subrecipients, as necessary.

7. Complaint Procedures

Any person who believes that they, or any specific class of persons, have been subjected to discrimination based on race, color, or national origin may file a Title VI complaint with SANDAG. As a recipient of federal financial assistance, SANDAG is required to create Title VI complaint procedures, per 49 CFR 21.11(b) and as a subrecipient to Caltrans per 23 CFR 200.9(b)(3). FHWA provided additional guidance to recipients on complaint processing in its [Questions and Answers for Complaints Alleging Violations of Title VI of the Civil Rights Act of 1964](#). That guidance provides that all potential Title VI complaints must be forwarded first through primary recipients (if the entity is a subrecipient) and then to FHWA. FHWA's Office of Civil Rights is solely responsible for all decisions regarding whether a complaint should be accepted, as well as investigations and final dispositions. The Caltrans LAPM provides that complaints must be forwarded to Caltrans within one business day of receipt.

SANDAG's [Board Policy No. 009](#) – Discrimination Complaint Procedures (Appendix A), describes SANDAG's procedures for receiving, investigating, and tracking all discrimination complaints, including for Title VI. The procedures for filing a complaint and the complaint form are available on SANDAG's public website. When complaints are received, SANDAG will record them in its FHWA Title VI Complaint Log and in SANDAG's Discrimination Complaint Tracking Log. Complaints may be filed by postal mail, electronic mail, or persons may contact SANDAG by phone at:

Title VI Coordinator – Business and Workforce Compliance
San Diego Association of Governments
1011 Union Street, Suite 400
San Diego, CA 92101
Phone: 619.699.6956
TTY: 711
businessandworkforcecompliance@sandag.org

Alternatively, complaints may be filed directly with FHWA at:

Federal Highway Administration
U.S. Department of Transportation - Office of Civil Rights
1200 New Jersey Avenue, SE
8th Floor E81-105
Washington, DC 20590
Phone: 202.366.0693
CivilRights.FHWA@dot.gov and FHWA.TitleVIcomplaints@dot.gov

8. Review of SANDAG Directives

SANDAG will review its new and existing policies and procedures for compliance with Title VI. The Title VI Coordinator will work with the Executive Team leads from other offices to route, review, and approve, policy documents that could potentially impact the public based on race, color, or national origin. Such policies include, but are not limited to:

- Board Policy updates
- General contractor notices
- Standard operating procedures
- Website updates
- Regional Transportation Plan

9. Compliance and Enforcement

SANDAG will correct internal and external deficiencies whenever a compliance review, report, complaint, or any other information indicates a possible failure to comply with Title VI. When a deficiency is identified, the Coordinator will send a written notice to the appropriate program office or subrecipient informing them of the deficiency, recommended corrective actions, and the timeframe for resolving the deficiencies. The office or subrecipient will have 90 calendar days to correct deficiencies included in the written notice, unless a reasonable time extension is approved by the Coordinator. The Coordinator will offer the office or subrecipient ongoing training and technical assistance to resolve deficiencies wherever possible.

10. Dissemination of Title VI Information

Generally

SANDAG strives to ensure that the people it serves understand their rights under Title VI. SANDAG achieves this in a variety of ways. First, SANDAG posts its [nondiscrimination policy statement](#) on its [Title VI](#) web page, posters in various shared spaces in the workplace, Board and committee agendas, and in other media. SANDAG also supplies printed Title VI brochures in SANDAG's reception areas for public meetings as well as at remote meeting locations (Appendix B). SANDAG provides these notices in English and Spanish. SANDAG's Title VI notices describe its commitment to nondiscrimination, the right of the public to file complaints, and includes references to where people can find more information.

Board Policies

SANDAG's Board is vested with the authority to adopt policies governing its operations. These board policies represent the policies and procedures set by the Board for SANDAG to carry out its business, and SANDAG posts these documents on [SANDAG.org](#), its public website. SANDAG evaluates and updates its board policies at least every three years. Several such policies are directly related to Title VI and the dissemination of information.

11. Limited English Proficiency

Title VI prohibits discrimination on the basis of a person's national origin. In 1974, the U.S. Supreme Court in *Lau v. Nichols* held that recipients must take reasonable steps to provide LEP persons with a meaningful opportunity to participate in their programs and activities. The failure to provide meaningful access can constitute national origin discrimination—thereby violating Title VI. The [DOT-issued guidance](#) in 2005 that details how recipients should use data and information to assess the needs of LEP persons they serve and balance those needs with the importance of the programs and activities and resources needed. The guidance also describes how recipients should provide for interpretation (the act of listening to something in one language and orally translating it into another language) and translation (the replacement of a written text from one language into an equivalent written text in another language). Regarding translation, the guidance recommends that recipients create policies for what documents are “vital documents,” when they must be translated for the public, and in what languages.

Therefore, SANDAG developed a [Language Assistance Plan](#) (LAP) to ensure that persons with LEP are provided, free of charge, meaningful access to SANDAG's programs, services, and information. To create and update the LAP, SANDAG engaged in extensive data gathering and analysis to ensure that SANDAG commits sufficient resources to the necessary language groups in SANDAG's service area. The plan provides information about how SANDAG:

- Identifies LEP populations
- Provides notice of the availability of language assistance and how to request it
- Provides ad hoc and ongoing services such as translations and interpretations in common situations
- Engages LEP persons in public meetings
- Trains staff to be compliant with the requirement
- Monitors and updates the plan

The LAP is available on the SANDAG public website and is updated periodically with the latest data to ensure SANDAG sets its policies based on reliable information, incorporates community feedback, and is consistent with applicable laws, regulations, and guidance.

12. Accomplishments and Goals Report

As a part of its Title VI reporting and recordkeeping requirements from 49 CFR 21.9(b) and per the LAPM as a subrecipient to Caltrans, SANDAG creates an annual report to document its accomplishments for the year and its goals for the upcoming year (Report). BWC creates the Report each year and submits it to the SANDAG Chief Executive Officer for informational purposes. SANDAG keeps a record of past reports and makes them available to federal and state agencies upon request. The Report typically documents matters such as:

- SANDAG policy changes that affect Title VI
- Internal and external Title VI and related training
- Internal and subrecipient reviews
- Data collection and analysis
- A log of Title VI complaints
- Progress toward the completion of corrective action plans from federal and state agencies
- LEP service logs
- Organizational and staffing changes
- Notable public outreach efforts

In addition, SANDAG provides Caltrans with quarterly Title VI reports. These quarterly reports contain data on SANDAG's public outreach and LEP translation/interpretation service requests on joint Caltrans/SANDAG projects.

Appendix A:

Discrimination Complaint Procedures

DISCRIMINATION COMPLAINT PROCEDURES

This policy is intended to establish a procedure under which complaints alleging discrimination in SANDAG's provision of services or SANDAG activities can be made by persons who are not employees of SANDAG.

Background

It is SANDAG policy to comply with state and federal laws and regulations including the Americans with Disabilities Act of 1990 (ADA), the Civil Rights Act of 1964 (Title VI and VII) and other federal and state discrimination laws. SANDAG prohibits discrimination by its employees, contractors, and consultants and in its programs, activities and facilities. SANDAG does not discriminate on the basis of race, color, sex (including pregnancy, childbirth, breastfeeding or related medical conditions), creed, religion, national origin, age, marital status, ancestry, medical condition, disability, military or veteran status, low-income status, English language proficiency, genetic information, gender identity or expression, sexual orientation or any other category protected by federal, state or local law in conducting government business. Persons who believe they have been subjected to discrimination or have been denied access to services or accommodations as required by law, have the right to use this grievance procedure.

The procedures below are the same for complaints of any type of prohibited discrimination.

Procedures

1. Applicability

This complaint procedure is applicable to all persons who are not employees of SANDAG. This includes, but is not limited to, visitors to SANDAG, members of the public, Board, committee, and working group members, vendors, or any other person transacting business with SANDAG or using SANDAG's services who believe that they have been subjected to discrimination by SANDAG employees, contractors, or consultants. In general, it is designed to address disputes, including but not limited to the following:

- 1.1 Disagreements regarding a requested service, accommodation, or modification of a SANDAG practice or requirement;
- 1.2 Inaccessibility of a program, publication, or activity; and
- 1.3 Harassment or discrimination prohibited by California or federal law.

2. Identification of Compliance Officer, ADA Coordinator and Title VI Coordinator

The Director of Diversity and Equity is the Compliance Officer and ADA Coordinator for this policy and Title VI Coordinator required by FHWA regulations (collectively referred to throughout as “Compliance Officer”) and is responsible for administering this complaint procedure as well as ensuring compliance with applicable laws. The Compliance Officer can be reached at: SANDAG, 401 B Street, Suite 800, San Diego, California 92101; (619) 699-1900.

3. Preliminary Review Process

- 3.1 Informal Resolution - Prior to initiating the formal complaint procedure set forth below, and as a prerequisite to it, the complaining party shall contact the Compliance Officer for assistance in resolving the matter informally as soon as is reasonably practicable, generally within approximately fifteen (15) calendar days of the time the grievant became aware of the SANDAG act or omission that is the subject of the complaint. If the Compliance Officer is not successful in quickly achieving a satisfactory resolution (that is, generally within approximately thirty [30] calendar days), the Compliance Officer will take the steps described in subparagraph 3.2.
- 3.2 Review Panel - The Compliance Officer will convene an ad hoc review panel to review the issue(s) raised. The panel will consist of the following (or their designees): the Compliance Officer, a member of the management staff, a Deputy Chief Executive Officer, and (depending upon the issues) such other personnel as may be appropriate. This panel will review the request, investigate and attempt to resolve the issues within approximately thirty (30) calendar days of the request for or initiation of a second review. No formal report need be issued by the panel, but the panel will document the outcome of its review in a letter to the complaining party. If the complaining party is not satisfied with the panel's disposition of the matter, the complaining party may file a formal complaint in accordance with the procedure described below.

4. Formal Complaint

If the procedure set forth above for preliminary review does not yield a successful resolution, then the complaining party may file a formal complaint in the following manner:

- 4.1 When To File a Formal Complaint – Formal Complaints must be in writing and must be filed within ten (10) calendar days of the complaining party's receipt of notice of the end of the preliminary review process described above.

What To File - A complaint must be in writing and include the information requested in the attached Discrimination Complaint Forms. Complainant also must attach a copy of the letter from the Review Panel setting forth the outcome of the preliminary review procedure described above.

- 4.2 Where To File Complaint - The complaint shall be filed with the Compliance Officer at SANDAG, 401 B Street, Suite 800, San Diego, California 92101; Fax number (619) 699-1995; TTY (619) 699-1904.

Notice of Receipt - Upon receipt of the complaint, the Compliance Officer will review the complaint for timeliness and appropriateness for this grievance procedure, and will provide the complaining party with written notice acknowledging its receipt.

- 4.3 Investigation - The Compliance Officer or his or her designee shall promptly initiate an investigation. In undertaking the investigation, the Compliance Officer may interview, consult with, and/or request a written response to the issues raised in the complaint from any individual the Compliance Officer believes to have relevant information, including staff and members of the public. The Compliance Office also may hold an informal hearing at their discretion.
- 4.4 Representation - The complaining party and any party against whom the grievance is directed shall have the right to have a representative. The party shall indicate whether they are to be assisted by a representative and, if so, the name of that representative. For purposes of this procedure, the representative may be an attorney so long as the Office of General Counsel is present during proceedings.
- 4.5 Findings And Notification - Upon completion of the investigation, the Compliance Officer will prepare and transmit to the complaining party, and to any party against whom the complaint is directed, a final report containing a summary of the investigation, written findings and a proposed disposition. This transmission will be expected within forty-five (45) calendar days of the filing of the formal complaint. The deadline may be extended by the SANDAG Chief Executive Officer for good cause. The final report shall also be provided, where appropriate, to any person whose authority will be needed to carry out the proposed disposition or to determine whether any personnel action is appropriate.
- 4.6 Final Disposition - The disposition proposed by the Compliance Officer shall be put into effect promptly. The complaining party or any party against whom the complaint or the proposed disposition is directed may appeal. The appeal to the Chief Executive Officer (as set forth below) will not suspend the implementation of the disposition proposed by the Compliance Officer, except in those circumstances where the Chief Executive Officer decides that good cause exists making the suspension of implementation appropriate.

5. Urgent Matters

Whenever the application of any of the time deadlines or procedures set forth in this complaint procedure creates a problem due to the nature of the complaint, the urgency of the matter, or the proximity of the upcoming event, the Compliance Officer will, at the request of the complaining party, determine whether an appropriate expedited procedure can be fashioned.

6. Remedies

Possible remedies under this complaint procedure include corrective steps, actions to reverse the effects of discrimination or to end harassment, and measures to provide a reasonable accommodation or proper ongoing treatment. As stated above, a copy of the Compliance Officer's report may, where appropriate, be sent to appropriate persons to determine whether any personnel action should be pursued.

Appeal

- 6.1 Within ten (10) calendar days of the issuance of the final report, the complaining party or any party against whom the complaint is directed may appeal to the Chief Executive Officer the Compliance Officer's determination.
- 6.2 An appeal is taken by filing a written request for review with the SANDAG Chief Executive Officer, 401 B Street, Suite 800, San Diego, California 92101; Fax number (619) 699-1995; TTY (619) 699-1904.
- 6.3 The written request for review must specify the particular substantive and or procedural basis for the appeal, and must be made on grounds other than general dissatisfaction with the proposed disposition. Furthermore, the appeal must be directed only to issues raised in the formal complaint as filed or to procedural errors in the conduct of the complaint procedure itself, and not to new issues.
- 6.4 The review by the Chief Executive Officer or their designee normally shall be limited to the following considerations: Were the proper facts and criteria brought to bear on the decision? Were improper or extraneous facts or criteria brought to bear on the decision that substantially affected the decision to the detriment of the complaining party? Were there any procedural irregularities that substantially affected the outcome of the matter to the detriment of the complaining party? Given proper facts, criteria, and procedure, was the decision one that a person in the position of the decision-maker might reasonably have made?
- 6.5 A copy of the Chief Executive Officer or their designee's written decision will be expected within thirty (30) calendar days of the filing of the appeal and shall be sent to the parties, the Compliance Officer, and, if appropriate, to persons whose authority will be needed to carry out the disposition. The deadline may be extended by the Chief Executive Officer for good cause. The decision of the Chief Executive Officer or their designee on the appeal is final.

7. Title VI Complaints

SANDAG operates programs without regard to race, color, and national origin in compliance with Title VI of the Civil Rights Act. In order to comply with 49 CFR Section 21.9(b), recipients and subrecipients of Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) funding such as SANDAG are required to develop procedures for investigating and tracking Title VI complaints and to make the procedures for filing a complaint available to members of the public upon request. This policy contains the procedures that members of the public should follow in order to request additional information regarding SANDAG's nondiscrimination obligations or file a discrimination complaint against SANDAG. Any person who believes himself or herself or any specific class of persons to be subjected to discrimination prohibited by Title VI also may file a written complaint with the FTA or FHWA. A complaint should be filed no later than 180 days after the date of the alleged discrimination, unless the time for filing is extended by FTA or FHWA. Title VI complaints regarding federally funded programs at SANDAG can be sent to the applicable funding agency below:

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

Federal Highway Administration
Attention: Office of Civil Rights
1200 New Jersey Avenue, SE
8th Floor E81-105
Washington, DC 20590

8. Confidentiality

SANDAG will take reasonable measures to protect the privacy of the complaining party and those individuals who may be the subject of a complaint. SANDAG cannot guaranty privacy, however, particularly if disclosure is necessary for a complete investigation or is required by law.

Adopted June 2003
Amended November 2004
Amended January 2010
Amended February 2012
Amended October 2013
Amended January 2017
Amended November 2022

Discrimination Complaint Form

Instructions: If you believe SANDAG has engaged in discrimination against one or more persons, please fill out this form completely in black ink or type. Sign and return to the address on page 2. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

Complainant: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

Telephone: Home: _____ Business: _____

Person Discriminated Against: (if other than the complainant)

Address: _____

City: _____ State: _____ ZIP Code: _____

Telephone: Home: _____ Business: _____

When did the discrimination occur?

Date: _____

Describe the alleged acts of discrimination providing the name(s) where possible of the responsible individuals (use space on page 3 if necessary). Include the category upon which you believe the discrimination was based (race, color, disability, medical condition, etc.):

Has a complaint been filed with another bureau of the Department of Justice or any other Federal, State, or local civil rights agency or court?

Yes: _____ No: _____

If Yes:

Agency or Court: _____

Contact Person: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

Telephone: _____

Date Filed: _____

Additional space for answers:

Signature: _____

Date: _____

Return to:
Compliance Officer – Office of Diversity and Equity
SANDAG
401 B Street, Suite 800
San Diego, CA 92101
Phone: (619) 699-1900; Fax: (619) 699-1995
TTY: (619) 699-1904
OfficeofDiversityandEquity@sandag.org

Free Language Assistance | Ayuda gratuita con el idioma | Libreng Tulong sa Wika
Hỗ trợ ngôn ngữ miễn phí | 免费语言协助 | 免費語言協助 | مساعدة لغوية مجانية | 무료 언어 지원
كمك زبان رایگان | 無料の言語支援 | Бесплатная языковая помощь | Assistência linguística gratuita
मुफ्त भाषा सहायता | Assistance linguistique gratuite | ជំនួយភាសាឥតគិតថ្លៃ | ఉచిత భాషా సహాయం
ການຊ່ວຍເຫຼືອດ້ານພາສາຟຣີ | Kaalmada Luqadda ee Bilaashka ah | Безкоштовна мовна допомога
SANDAG.org/LanguageAssistance | 619.699.1900

SANDAG Notice of Non-Discrimination | Aviso de no discriminación de SANDAG
Abiso sa Hindi Pandiskrimina ng SANDAG | Thông cáo Không phân biệt đối xử của
SANDAG | SANDAG 非歧视通知 | SANDAG: إشعار عدم التمييز

Appendix B: Know Your Rights Brochure

TITLE VI

YOUR RIGHTS UNDER TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

About Title VI of the Civil Rights Act

Title VI of the Civil Rights Act of 1964 is the federal law that protects individuals and groups from discrimination on the basis of their race, color, and national origin in programs and activities that receive federal financial assistance. This also includes other civil rights provisions of federal statutes and related authorities to the extent that they prohibit discrimination based on race, color, and national origin in programs and activities receiving federal financial aid.

Pursuant to Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and other federal, state, and local nondiscrimination authorities, it is the policy of the San Diego Association of Governments (SANDAG) that discrimination on the grounds of race, color, sex (including pregnancy, childbirth, breastfeeding or related medical conditions), creed, religion, national origin, age, marital status, ancestry, medical condition, disability, military or veteran status, low-income status, English language proficiency, genetic information, gender identity or expression, sexual orientation, or any other category protected by federal, state or local law in conducting government business shall not occur in connection with programs or activities receiving federal financial assistance.

In operating federally assisted programs, Title VI prohibits SANDAG from discriminating either directly or through contractual or other means by:

- Denying programs, services, financial aids, or other benefits.
- Providing different programs, services, financial aids, or other benefits, or providing them in a manner different from that provided to others.
- Segregating or separately treating individuals or groups in any matter related to the receipt of any program, service, financial aids, or benefit.
- Denying person(s) the opportunity to participate as a member of a planning, advisory, or similar body on a discriminatory basis.
- Denying person(s) the opportunity to participate in the program through the provision of services or affording the opportunity to do so differently from those afforded others.

Discrimination Defined

Discrimination is an act (action or inaction), through which a person or group, solely because of a protected characteristic, has been subjected to unequal treatment, under any program or activity receiving federal financial assistance.

Limited English Proficiency

Persons who do not speak English as their primary language and have a limited ability to read, speak, write, or understand English may be considered to have Limited English Proficiency (LEP). These individuals may be entitled to language assistance with respect to a particular type of service, benefit, or encounter. More information can be found on the SANDAG website at [SANDAG.org/languageassistance](https://www.sandag.org/languageassistance). Anyone requiring assistance may contact SANDAG at languageassistance@sandag.org.

As part of their Title VI responsibilities, recipients of federal financial assistance such as SANDAG must take reasonable steps to ensure that persons with LEP have meaningful access to the programs, services, and activities of those entities. This means that SANDAG will create solutions to address the needs of this population of individuals for whom English is not their primary language.

Filing a Complaint

Who Can File a Complaint

A complaint may be filed by any individual or group who believes they, or any specific class of persons, have been subjected to discrimination or retaliation based on the categories previously listed. The complaint may be filed by the affected party or a representative and must be received in writing.

How to File a Complaint

You may submit a complaint in accordance with the procedures in SANDAG Board Policy No. 009, which can be found at [SANDAG.org/nondiscrimination](https://www.sandag.org/nondiscrimination), or obtained from SANDAG using the contact information in this notice.

Retaliation

SANDAG is prohibited from retaliating against any person because they reported an unlawful policy or practice, or made charges, testified, or participated in any complaint action. The identity of complainants will be kept confidential except to the extent necessary to carry out the purposes of SANDAG's complaint process.

CONTACT INFORMATION

Submit questions, concerns, or complaints about Title VI-related to SANDAG programs, services, and/or activities to:

Business and Workforce Compliance

San Diego Association of Governments

1011 Union Street, Suite 400, San Diego, CA 92101

Voice phone: 619.699.1900

TTY: 711

Email:

businessandworkforcecompliance@sandag.org

Web: [SANDAG.org/titlevi](https://www.sandag.org/titlevi)



Free Language Assistance | Ayuda gratuita con el idioma | Libreng Tulong sa Wika

Hỗ trợ ngôn ngữ miễn phí | 免费语言协助 | 免費語言協助 | مساعدة لغوية مجانية | 무료 언어 지원 | کمک زبان رایگان

無料の言語支援 | Бесплатная языковая помощь | Assistência linguística gratuita | मुफ्त भाषा सहायता

Assistance linguistique gratuite | ផ្លូវការសាគតតិកត្តា | ఉచిత భాషా సహాయం | ການຊ່ວຍເຫຼືອດ້ານພາສາພຣີ

Kaalmada Luqadda ee Bilaashka ah | Безкоштовна мовна допомога

[SANDAG.org/languageassistance](https://www.sandag.org/languageassistance) | 619.699.1900



Appendix C:

Public Participation Plan Policy

**PUBLIC PARTICIPATION PLAN POLICY****Purpose**

This policy establishes a process for obtaining input from and providing information to the public concerning agency programs, projects, and program funding in order to ensure the public is informed and has the opportunity to provide SANDAG with input so plans can reflect the public's desire. SANDAG will review and update its Public Participation Plan and this policy periodically as required by law, but no less often than every five years. Various federal and state laws and regulations require that an agency such as SANDAG conduct and establish a Public Participation Plan to ensure that the public is involved and that community concerns are addressed. For example, planning of mass transit capital projects, development of short-range service policies and plans, and fare policy and structure changes to public transportation require public participation. The California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) also have public information components that require an agency such as SANDAG to conduct public participation programs to ensure that the public is involved and that community concerns are addressed.

A significant component of the SANDAG mission is a strong commitment to public participation and involvement to include all residents and stakeholders in the regional planning process. SANDAG recognizes that the public has a right to expect the business of SANDAG to be conducted with efficiency, fairness, impartiality, and integrity. SANDAG's work carries with it an obligation to the public interest. SANDAG officials and employees are expected to have high standards of honesty and professionalism, as well as a straightforward and transparent communication approach, in order to promote and maintain public confidence and trust.

This policy is consistent with the requirements of Section 450.316(a)(1)(x) of Title 23 in the Code of Federal Regulations and Public Utility Code Section 132360.1, which reads as follows:

(c) The agency shall engage in a public collaborative planning process; recommendations from that process shall be made available and considered for integration into the plan. A procedure to carry out this process including a method of addressing and responding to recommendations from the public shall be adopted.

Social Equity and Environmental Justice

Ensuring the meaningful involvement of low income, minority, disabled, senior, and other traditionally underrepresented communities is a key component of SANDAG public participation activities. SANDAG policies, procedures, and programs are consistent with federal and state environmental justice laws, regulations, and requirements, Title VI, related nondiscrimination requirements, and reflect the principles of social equity and environmental justice. Social equity means ensuring that all people are treated fairly and are given equal opportunity to participate in the planning and decision-making process, with an emphasis on ensuring that traditionally disadvantaged groups are not left behind. Environmental justice means ensuring that plans, policies, and actions do not disproportionately affect low income and minority communities.

Data Collection

SANDAG collects and uses racial and ethnic data showing the extent to which members of minority groups are beneficiaries of programs receiving Federal financial assistance through SANDAG programs and projects. The agency uses the data to confirm that populations protected by Title VI are not subject to discrimination or disparate impacts by SANDAG.

Title VI Training

SANDAG provides training on Title VI, social equity, and environmental justice matters to its employees near the time of hire. Updates to Title VI training are provided periodically thereafter on an as-needed basis.

Complaint Process and Title VI Compliance Officer Contact Information

SANDAG does not discriminate on the basis of race, color, sex, creed, religion, national origin, age, marital status, ancestry, medical condition, disability, veteran status, or sexual orientation in conducting government business. Persons who believe they have been subjected to discrimination or have been denied access to services or accommodations required by law, have the right to use the discrimination complaint procedures in Board Policy No. 009. The SANDAG Office of General Counsel is the Title VI Compliance Officer for this policy and is responsible for administering this complaint procedure, as well as ensuring compliance with applicable laws. The Compliance Officer can be reached at: SANDAG, 401 B Street, Suite 800, San Diego, California 92101; (619) 699-1900.

Scope of Public Participation Efforts

The policy addresses public participation policies and public information efforts in the following areas:

- A. Overall Public Participation Plan
- B. Short Range Program – Regional Transportation Improvement Program
- C. Development Planning
- D. Design and Construction
- E. Fare Changes
- F. Short Range Transit Planning
- G. Native American Consultation

A. Overall Public Participation Plan -- *Unless otherwise noted or required, the Public Participation Plan provides SANDAG general policies for public participation for major planning initiatives such as the Regional Plan, Regional Short Range Transit Plan, and other planning and programming projects, including any tailored public involvement plans associated with them.*

1. The SANDAG Public Participation Plan is designed to inform and involve the region's residents in the decision-making process on issues such as growth, transportation, environmental management, housing, open space, air quality, energy, fiscal management, economic development, and public safety.

2. The Public Participation Plan seeks to involve all citizens, including but not limited to low income households, limited English proficient individuals, Hispanic, African American, Asian, Native American, senior, and other communities, persons with disabilities, as well as community and civic organizations, public agencies, business groups and associations, environmental organizations, and other stakeholders.
3. SANDAG Board meetings provide the public forum and decision point for significant regional issues. SANDAG Directors usually hold one or two Board meetings each month: a Board Policy Meeting the second Friday of each month and a Board Business Meeting the fourth Friday of each month. Meetings held at the SANDAG office are accessible by public transit. During these meetings, Directors adopt plans, allocate transportation funds, approve transit construction plans, approve transit fare changes, and establish policies and develop programs that are used by local governments as well as other public and private organizations.
4. The SANDAG Public Participation/Involvement Program shall comply with the Americans with Disabilities Act (ADA). SANDAG shall hold public meetings in buildings, rooms, or locations that are accessible to persons with disabilities. SANDAG shall provide public meeting information in alternate formats and shall provide special accommodations at public meetings with three business days notice.
5. The SANDAG Public Participation Plan is carried out as an integrated work element of the agency's Overall Work Program and Budget and as part of other programming, development, and implementation processes such as the Regional Plan, Regional Short Range Transit Plan, Regional Transportation Improvement Program, Environmental Impact Reports, transit capital project development, project construction, transit fare changes, corridor studies, and other projects.
6. SANDAG shall proactively seek and promote public participation in SANDAG workshops and public hearings, as well as participation and attendance at committees, working groups, and task forces. SANDAG shall follow local, state, and federal guidelines for posting public meeting and hearing notices. Depending upon the specific project, SANDAG shall endeavor to hold meetings at times that can attract as many participants as possible, including evenings and weekends and at locations in communities throughout the region. SANDAG shall endeavor to hold these meetings in locations that are accessible by public transit.
7. SANDAG shall inform the public in a timely manner about regional issues, actions, and pending decisions through a number of efforts. As needed or required, SANDAG shall post public notices in newspapers of general circulation for publication of legal notices. Other publication and distribution efforts can include mail distribution to residents, agencies, and city/county governments, the SANDAG website, email lists, text messaging, the SANDAG social media channels, and Region – the SANDAG monthly electronic newsletter. As needed, SANDAG also shall distribute press releases and media alerts to local, regional, and Mexico border area print and broadcast media.
8. SANDAG shall regularly inform local print, online, and broadcast media about SANDAG decisions, events, research, and other issues. SANDAG shall regularly

distribute press releases to news services, Daily Transcript, East County Californian, El Latino, La Prensa, Los Angeles Times, San Diego Business Journal, San Diego Metropolitan, San Diego Union-Tribune, San Diego Voice & Viewpoint, The Star News, and numerous community newspapers. SANDAG shall also distribute information to local and Mexico radio and television stations.

9. SANDAG shall use its website and social media channels to provide the public with useful and timely information, including: project updates and construction information; meeting schedules and agendas; plans and environmental documents; reports and other publications; demographic profiles and data downloads; and interactive database and mapping applications.
10. As appropriate and as required by local, state, and federal guidelines, SANDAG shall translate into Spanish, and other languages, publications, announcements, and web content. In addition, numerous staff members are bilingual Spanish-English speakers and participate in public outreach and conduct presentations in Spanish. Translators shall be hired as outlined in the SANDAG Language Assistance Plan and as required by local, state, and federal guidelines to provide services in Spanish and other languages as appropriate.
11. SANDAG conducts periodic public opinion surveys as part of the outreach and citizen participation component of the SANDAG work program. These surveys shall be designed to include the San Diego region's residents in the regional planning process and to keep SANDAG officials aware of issues that are of concern to the people who live here.
12. SANDAG will endeavor to respond to general comments received by phone, fax, letter, or email within five (5) business days of receipt. Comments shall be routed to the SANDAG staff person who is responsible for that issue. Comments may be responded to in writing (email or letter) or may be resolved with the initial phone call. Some comments may need to be resolved by another agency or jurisdiction so the customer is referred to the appropriate entity. When a comment is submitted as part of a public review process (e.g., a plan or environmental report) the comment and response is logged into a database. Comments, concerns, and responses received as part of a public review process shall be included in the final plan or report. Comments received via SANDAG social media channels will be addressed as stated in the SANDAG Social Media Policy.

B. Short Range Program – Regional Transportation Improvement Program (RTIP) –
document updated every two years outlining major transportation projects to be implemented during a five-year period.

1. SANDAG shall follow the latest federal and state regulations regarding participation by interested parties.
2. As the document that implements the long range plan, the RTIP shall be incorporated as part of the Board-adopted public involvement process established for the Regional Plan, including participating in public outreach efforts, providing adequate public notice (legal notice publications), employing visualization techniques, and holding

public meetings at convenient and accessible locations.

3. SANDAG shall respond to any significant public input or comment received during the development of the biennial update and/or during the amendment cycle as part of its report to the Board or Transportation Committee (as appropriate).
4. The biennial RTIP update will be noticed in newspapers of general circulation, including in alternate languages, and a public hearing shall be held prior to final adoption by the Board of Directors.
5. During the amendment cycle, SANDAG will provide a draft of the amendment to all interested parties for a 15-day comment period.

C. Development Planning – *Planning, environmental, preliminary engineering activities on major capital projects.*

1. SANDAG shall follow current federal and state regulations regarding public involvement processes and procedures. SANDAG shall develop public involvement programs tailored to meet specific project needs which address the unique challenges presented by each project. Programs shall be developed using the joint Federal Highway Administration and Federal Transit Administration (FHWA/FTA) guidelines titled “Public Involvement Techniques for Transportation Decision-Making.”
2. The public involvement program shall set objectives, identify people to be reached, develop public involvement strategy, and define specific outreach techniques.
3. The public involvement program shall be developed so that critical community concerns and technical issues are identified in the study. The issues need to address the engineering, environmental, economic, and financial analyses that respond effectively to community needs and preferences and satisfy local, state, and federal environmental clearance requirements.
4. To facilitate community participation, lists of individuals, agencies, and organizations shall be developed for distribution of agency materials. These lists will include persons who have indicated an interest in transportation planning projects during previous public information efforts and/or focused on the specific project. Project information will be distributed to the persons on this list in conjunction with public meetings and workshops, to solicit comments and recommendations.
5. Environmental documents shall be prepared in accordance with California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA), as appropriate, and in coordination and consultation with various federal, state, and local agencies, and with elected officials, community leaders, organizations, and other individuals from the neighborhoods and communities potentially affected by the proposed action. Coordination and public involvement shall be achieved through a variety of means, such as formal public hearings and meetings, circulation of draft documents, mailings, focus group meetings, workshops, and individual/group contacts.

6. Formal scoping meetings, public hearings, and/or other meetings during the comment period and environmental document certification shall be held in accordance with the requisite environmental document. As required, meetings shall be announced in the Federal Register, local publications, and on the SANDAG website. Persons and organizations on the project mailing list and social media channels also will be notified. SANDAG shall endeavor to hold public meetings in locations accessible by public transit.
7. SANDAG shall prepare and distribute appropriate notices and communications to comply with CEQA and NEPA requirements.
8. A public information program shall be developed to inform the community of factors related to the project. The information program may include briefings for the news media, informational meetings, presentations to include community and professional associations and educational institutions, business groups and associations, environmental organizations, outreach via social media, and other public forums.
9. A project working group may be organized to review and comment on the project to build understanding and identify support for feasible alternatives. This group may consist of various elected officials/staff, community and neighborhood organizations, business organizations, property owners, and other stakeholders and interested parties. This group would be formed to provide comment and guidance regarding technical issues, review study alternatives and evaluation results, and provide community input regarding the alternatives. This iterative process would allow for identified issues and concerns to receive follow-up responses. Meeting summaries of project working group activities shall be produced. Meeting notices, agendas, and/or other information shall be posted to the SANDAG website.
10. Other public input opportunities include SANDAG Board of Directors meetings and meetings of SANDAG policy committees: Executive, Transportation, Regional Planning, Borders, and Public Safety. Other opportunities for public participation are at working group meetings, general public meetings, and presentations to planning and community groups.

D. Design and Construction – *Design and construction of capital projects.*

1. For all capital improvement projects with significant community impacts, SANDAG shall provide opportunities for members of the public to provide input and express concerns. SANDAG also shall implement a program designed to inform the public of progress, as well as safety and community impacts in the event of construction.
2. SANDAG shall hold publicly noticed meetings at key stages of project development and implementation in the area(s) being impacted. The location of the meetings shall depend upon the geographic location of the project. Meetings concerning projects exclusively within the North County Transit District (NCTD) service area shall be held in North County locations, and if appropriate, at SANDAG offices. Meetings concerning projects exclusively within the Metropolitan Transit System (MTS) service area shall be held in MTS service areas affected, and if appropriate, at SANDAG offices. Meetings concerning all other projects shall be held at SANDAG offices or other

locations specified in SANDAG agendas. SANDAG, MTS, and NCTD offices are accessible by public transit. SANDAG shall endeavor to hold off-site public meetings at locations accessible by public transit.

3. SANDAG shall solicit input from the representatives of interest groups of the local population, such as community groups, planning groups, business groups and associations, business improvement districts, environmental organizations, neighborhood associations, limited English proficient populations, and senior and disabled riders. These stakeholders will be consulted during the design and construction of capital projects.
4. SANDAG shall work to advise the public regarding actual and perceived disruption during construction of capital projects by distributing informational, educational, and public information materials, and by using other traditional community relations tools.
5. SANDAG shall endeavor to meet citizen concerns as they arise and attempt to resolve those concerns.
6. For all projects requiring environmental review under CEQA and NEPA, such as major capital improvement projects, SANDAG shall provide opportunities for members of the public to provide input and comply with all related legal requirements.
 - 6.1 SANDAG shall solicit input from the representatives of interest groups of the local population, such as community groups, planning groups, business groups and associations, and neighborhood associations.
 - 6.2 SANDAG shall incorporate public input into project planning and development where practical and feasible.
 - 6.3 SANDAG shall hold a public hearing to seek public comment whenever required under CEQA and/or NEPA.
 - 6.3.1 Published notifications for such hearings shall be published in newspapers of general circulation for publication of legal notices. Notices also may be published in regional, community, or Spanish-language newspapers to reach the affected area.
 - 6.3.2 Any item subject to a public hearing will be listed and described in the Board's published agenda, which shall be posted at least 72 hours in advance of the meeting at the Board's meeting place and on the SANDAG website.
 - 6.3.3 Public hearings shall be conducted by SANDAG at the published date, time, and place. The public hearing will allow for interested parties to be heard. The Board also will consider any written comments that were forwarded to the Board prior to the hearing.

E. Fare Changes

1. SANDAG has adopted Board Policy No. 029 to provide policy guidance for fare changes. This section of this policy is designed to inform and involve public transit riders, stakeholders, and the general public about proposed changes in transit fares. It is not intended to apply to transit route changes within the purview of the transit operators.
 - 1.1 Consistent with Board Policy No. 004, SANDAG staff shall hold one or more public meetings to provide the public an opportunity to comment on proposed fare changes. A minimum of two public meetings shall be held prior to the first reading of any proposed fare change that affects services operating in both the MTS and NCTD service areas. At least one public meeting shall be held in the MTS service area, and at least one public meeting shall be held in the NCTD service area. If one or more public meetings are conducted by a public meeting officer pursuant to Board Policy No. 004, at least one of the public meetings shall be held with a starting time no earlier than 6 p.m. A public meeting for proposed fare changes that do not affect the entire region may be held exclusively within the general geographic area that is being affected by the fare change. Such public meeting shall be held at a time convenient for users and potential users of the affected service. Public meetings at which formal public testimony will be taken shall be held at locations that are accessible by users of public transit. An official transcriber or other means of recording all public input received shall be utilized at all public hearings, meetings, workshops or open-houses at which formal public testimony is taken. A record of the input received shall be provided to the Transportation Committee or Board of Directors at the time of the first and second readings of amendments to the fare ordinance for the purpose of adjusting fare prices.
 - 1.2 Public comments on proposed fare changes also shall be accepted at the SANDAG Board or Transportation Committee meeting before any final action is taken.
 - 1.3 *Take One*, Rider Alerts, or other public notices in both English and Spanish will be posted on all affected public transit vehicles within the affected area at least 15 calendar days prior to the public hearing and will include a description of the proposed fare change, the date, time, intent and location of the public meeting, and the deadline for written, email, and phone comments from the public. The notices will be posted to the SANDAG and Transit Agency website(s).
 - 1.4 Print notice of public meetings at which formal public testimony will be taken will be provided at least 15 calendar days prior to the public meeting date in newspapers of general circulation in the affected area(s), including appropriate minority and community publications. Public notices will be printed in Spanish in Spanish-language newspapers. Such public meeting notices will include a description of proposed fare changes, the date, time,

intent, and location of the public meeting(s), and the deadline for written, email, and phone comments from the public.

- 1.5 An open phone line will be made available to take public comments at least 15 calendar days prior to adoption of fare changes.
- 1.6 A Transportation Committee and/or Board report (as appropriate) will be completed and available for public review at least 72 hours prior to the public meeting at which the fare changes are proposed for adoption and posted to the SANDAG website(s).
2. After a fare change is approved by SANDAG:
 - 2.1. The public will be notified via news release(s)
 - 2.2. *Take One*, Rider Alerts, or other public notices in both English and Spanish will be posted on all affected transit vehicles at least 15 calendar days prior to changes going into effect and posted to the SANDAG and Transit Agency website(s).
3. SANDAG shall follow federal Title VI and environmental justice requirements when implementing transit fare changes.
 - 3.1. Residential, employment, and transportation patterns of low-income, limited English speaking, and minority populations shall be identified so that their needs can be identified and addressed, and the benefits and burdens of transportation investments can be fairly distributed. SANDAG shall endeavor to involve the affected communities in evaluating the benefits and burdens of transportation investments.
 - 3.2. SANDAG shall evaluate and - where necessary - improve the public involvement processes to eliminate participation barriers and engage minority and low-income populations in transportation decision making.

F. Short Range Transit Planning

1. Public information and involvement programs for the Regional Short Range Transit Plan and the Coordinated Human Resources and Public Transit Transportation Plan shall be the responsibility of SANDAG.
2. Public information and involvement programs for transit service changes will fall under adopted policies of MTS and NCTD.

G. Native American Consultation

1. SANDAG shall establish and adhere to government-to-government relationships when interacting with Tribal Governments, acknowledging these tribes as unique and separate governments within the United States.

2. SANDAG shall recognize and respect important California Native American rights, sites, traditions, and practices.
3. SANDAG engages in “consultation” with Tribal Governments prior to making decisions, taking actions, or implementing programs that may impact their communities.
4. To facilitate effective consultation with Tribal Governments, SANDAG has established a Tribal Government Liaison. The Liaison shall serve as an initial contact for Tribal Governments and communicates with tribal governments regarding SANDAG activities.
 - 4.1. “Consultation” is the active, affirmative process of: (1) identifying and seeking input from appropriate American Indian government bodies, community groups, and individuals; and (2) considering their interests as a necessary and integral part of the decision-making process.

Adopted November 2004

Amended March 2005

Amended January 2006

Amended December 2007

Amended December 2008

Amended January 2010

Amended November 2012

Amended September 2017

Amended February 2018

Appendix D: Title VI Review Plan Form

Title VI Review Plan

Purpose of the Review:

Scope of Review

- Study period length (e.g. 12 months of actions)
- Topics / actions / laws / regulations covered
- Geographic area

Expected Results:

Key Personnel:	Title, Office:	Roles:	Time Needed:

Data and Information Collection

- Internal / External
- Data Types and Sources

Data Needed	Source & Format of Data	Method to Collect

Data Analysis

Review Schedule

Activity	People/Contacts	Dates