



# **Seattle** Office for Civil Rights

## City of Seattle Title VI Plan

**Updated on February 3, 2023**

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## Introduction

As a recipient of federal funds for city programs, services, and facilities, the City of Seattle is required to comply with various non-discrimination laws and regulations, including Title VI of the Civil Rights Act of 1964 (“Title VI”). Title VI forbids discrimination against anyone in the United States on the basis of race, color, or national origin in the programs and activities of an agency receiving federal financial assistance. In addition to Title VI, other non-discrimination statutes that afford legal protection are: Section 162 (a) of the Federal-Aid Highway Act of 1973 (23 USC 324) (sex), Age Discrimination Act of 1975 (age), and Section 504 of the Rehabilitation Act of 1973/Americans with Disabilities Act of 1990 (disability). Together, these requirements define an over-arching Title VI Program.

Title VI and the additional nondiscrimination requirements apply to all City of Seattle departments even if only one city department or program was to receive federal funds. The Civil Rights Restoration Act of 1987 defined the word “program” to clarify that discrimination is prohibited throughout an entire agency if any part of the agency receives federal funds.

The City of Seattle is committed to achieving full compliance and expects every manager, supervisor, employee, and sub-recipient of federal-aid funds administered by the City of Seattle to be aware of and apply the intent and requirements of Title VI and related non-discrimination statutes in performing assigned duties. In accordance with federal, state, and local non-discrimination laws and regulations,

The City of Seattle is committed to:

- Prohibiting discrimination in programs, services, employment, and contracting;
- Providing accommodations for people with disabilities to have an equal access to participate in and benefit from City programs, services, and activities;
- Offering meaningful access to information, programs, and services in their preferred language;
- Promoting a workplace that provides equal employment opportunities for all and is free of discrimination, harassment, and retaliation;
- Providing reasonable accommodations for qualified employees with disabilities;
- Identifying and addressing disproportionate and adverse human health and environmental, social, and economic impacts of programs, services, or activities for minority and low-income populations;
- Applying the [Racial Equity Toolkit](#) to promote full and fair participation in public decision-making; and
- Increasing women and minority-owned business (WMBE) participation in contracting and purchasing.

The City of Seattle has placed compliance and monitoring responsibility with the Seattle Office for Civil Rights (SOCR). SOCR is responsible for administering the citywide Title VI Plan. The Title VI Coordinator is responsible for implementing, monitoring, and ensuring the compliance with Title VI regulations and the overall administration of the Title VI Program Plan including the citywide Title VI notice (notice),

City of Seattle Title VI Implementation Plan – February 2023

Environmental Justice (EJ), Limited English Proficiency (LEP), and Equal Employment Opportunity (EEO) requirements under the Title VI Plan.

For more information, please contact:

Michael Chin, Title VI Coordinator  
810 Third Ave, Suite 750  
Seattle WA 98104  
[TitleVI@seattle.gov](mailto:TitleVI@seattle.gov)  
(206) 684-4500

The City of Seattle is committed to the compliance and monitoring of all aspects of the Citywide Title VI Plan. By signing below, I reaffirm the City's efforts to reach out to the LEP community to ensure that they are a part of the City's democratic processes. This is a step I gladly take, as inclusion and fairness are an integral part of *this City*.



\_\_\_\_\_  
Derrick Wheeler-Smith  
Interim Director, Seattle Office for Civil Rights

2/3/2023

\_\_\_\_\_  
Date

## Section 1. Policy Statement, Authorities, and Citations

### A. City of Seattle Non-Discrimination Policy

The City of Seattle (City) operates its programs, services, employment, contracting, and activities without regard to race, color, national origin, disability, sex, age, in accordance with Title VI of the Civil Rights Act of 1964, Title II of the Americans with Disabilities Act of 1990, and applicable federal and local laws.

Additionally, the City prohibits discrimination in providing programs, services, or activities based on sexual orientation, gender identity, creed, religion, ancestry, citizenship or immigration status, political ideology, parental status, marital status, honorably discharged veteran or military status, participation in a Section 8 program, an individual's actual, potential, perceived, or alleged pregnancy outcomes, and breastfeeding in public. The City assures that no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any City sponsored program or activity. The City further assures every effort will be made to ensure nondiscrimination in all its programs and activities, including programs and activities that do not receive federal financial aid.

If the City distributes federal aid funds to another entity, the City will include Title VI language in all written agreements and will monitor for compliance. The Director of the Seattle Office for Civil Rights is responsible for initiating and monitoring Title VI activities, preparing required reports and other City responsibilities as required by 23 Code of Federal Regulation (CFR) Part 200 and 49 CFR Part 21.

[City of Seattle Non-Discrimination Poster in English, Spanish, Chinese, Vietnamese, Somali, and Amharic](#)

### B. Authorities

The City of Seattle policies and procedures are governed by local, state, and federal laws, regulations, and executive orders. Title VI requirements include, but are not limited to:

**Title VI of the 1964 Civil Rights Act** (42 United States Code (U.S.C.) 2000d et seq.) is a federal law that protects all persons in the U.S. from discrimination on the basis of race, color, or national origin in federally assisted programs and activities. Since other non-discrimination authorities have expanded the scope and range of Title VI application and reach, reference to Title VI includes other provisions of federal statutes and related authorities to the extent that they prohibit discrimination in programs and activities receiving federal financial assistance.

**The Uniform Act of 1970** (42 U.S.C. 4601 et seq.) prohibits unfair and inequitable treatment of persons displaced or whose property will be acquired as a result of federally assisted programs or activities.

The **Civil Rights Restoration Act of 1987** (Pub. L. 100-259) further clarifies the intent of Title VI to cover all programs and activities of entities, not just those programs and activities that are federally funded.

Coverage includes all programs or activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are Federally assisted or not (Public Law 100-259 [S. 557] March 22, 1988).

**Section 504 of the Rehabilitation Act of 1973** (29 U.S.C. 794) and the **Americans with Disabilities Act of 1991** (42 USC § 12101 et seq.) prohibits discrimination based on a handicap/disability. This is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, school, transportation, and all public and private places that are open to the general public. The purpose of this law is to make sure people with disabilities have the same rights and opportunities as everyone else. The ADA has five titles that relate to different areas of public life.

The **Age Discrimination Act of 1975** (42 U.S.C. 6101 et seq.) prohibits discrimination based on age.

Executive Order 12898, Federal Actions to Address **Environmental Justice in Minority Populations and Low-Income Populations (EJ)**, addresses disproportionate adverse environmental, social, and economic impacts that may exist in communities, specifically minority and low-income populations. EJ seeks to avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects on minority populations and low-income populations, and to ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.

Executive Order 13166, **Improving Access to Services for Persons with Limited English Proficiency (LEP)**, addresses access to services for persons whose primary language is not English and who have limited ability to read, write, speak, or understand English by providing meaningful access to programs, information, and services by any entity receiving Federal funding.

### C. Additional Citations

23 C.F.R. § 200.9 (a) (1) requires **Title VI assurances** from the City of Seattle that no person in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity for which the recipient receives federal assistance from the U.S. Department of Transportation (USDOT)

49 CFR Part 21, the U.S. Department of Transportation's **Implementing Regulations of Title VI** of the Civil Rights Act of 1964.

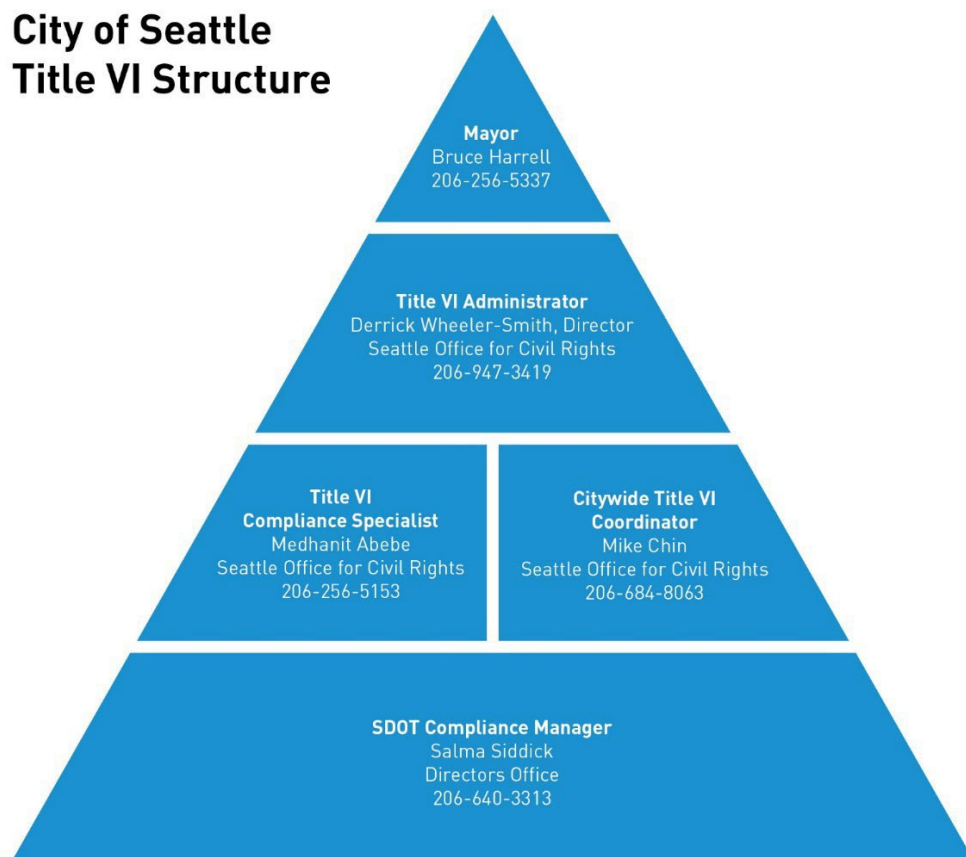
DOT Order 1050.2A requires Seattle Department of Transportation to include certain language into contracts to ensure **non-discrimination is being implemented on a contractual level**.

## Section 2. Overview, Organizational Chart, Roles, and Structure

### A. Overview

In 2020, the City’s Title VI Plan set out a new organizational structure that created a designated role for compliance. Central, citywide efforts are led and coordinated through the Seattle Office for Civil Rights (SOCR). The Title VI Coordinator is responsible for coordinating and implementing Title VI requirements across all City departments, ensuring compliance, conducting annual training, and providing technical assistance to City departments and Title VI information to the public. The Title VI Compliance Specialist is responsible for handling Title VI complaints from the public which includes assessing complaints, initiating investigations, facilitating resolutions, and completing investigations. The SDOT Title VI Compliance Manager monitors compliance, provides staff training on Title VI, and fulfills reporting requirements. The Title VI Coordinator, SDOT Title VI Compliance Manager, and Title VI program liaisons meet regularly to review Title VI compliance and alert the Title VI Administrator of any issues.

### B. Title VI Structure



### C. Roles and Responsibilities

The **Mayor of Seattle** is responsible for ensuring the implementation of the City’s Title VI program. In agreement with 23 C.F.R. § 200.9 (b), the Mayor has established and staffed the Seattle Office for Civil Rights (SOCR) to fulfill and implement all federal civil rights requirements.

The **Director** of the SOCR serves as the Title VI Administrator, is responsible for the overall management and implementation of the Title VI program on behalf of the Mayor. The day-to-day administration of the program lies with the Title VI Coordinator and the Title VI Specialist. The Title VI Coordinator reports directly to the Director and has access and interaction with the Seattle Department of Transportation (SDOT) and Washington State Department of Transportation (WSDOT) on all matters pertaining to the Title VI program. Organizationally and functionally, the citywide Title VI Program is a part of SOCR’s Civil Rights Enforcement Division.

#### **Citywide Title VI Program**

The Citywide Title VI Program is responsible for the administration of the City’s Title VI program in coordination with SDOT’s Office of Equity and Economic Inclusion. Internally, the Program is responsible for statewide guidance, technical assistance, and training on Title VI, as well as the development and implementation of SDOT’s FHWA corrective action plan items, special emphasis areas (e.g., a FHWA/FTA placed emphasis on any special program), language assistance policy for Limited English Proficiency (LEP), and Environmental Justice (EJ). Externally, the citywide Title VI Program provides guidance, technical assistance and training to local public agency managers, contractors, and other sub-recipients, as well as monitors these entities for compliance with federal guidelines.

#### **Title VI Coordinator**

The **Title VI Coordinator** works to ensure there is a demonstrated commitment to enforce citywide Title VI and is responsible for overall program implementation. Specifically, the position has the authority and responsibility to implement the citywide Title VI program by:

- a) **Program Administration** – Administer the Title VI program and coordinate implementation of the plan. Work with SDOT Title VI Compliance Manager and Title VI program liaisons to ensure compliance with the assurances, policy, and program objectives. Perform Title VI program reviews to assess and update administrative procedures, staffing, and resources; provide recommendations as required to the Title VI Administrator and the Mayor.
- b) **Data Collection** – Periodically review the statistical data gathering process performed by SDOT Title VI Compliance Manager and Title VI Program Area Liaisons to ensure sufficiency of data for meeting the requirements of the Title VI program administration.
- c) **Training Programs** – Conduct or facilitate training programs on Title VI current and new regulations for City employees and facilitate Title VI training for appropriate staff, contractors, and subrecipients.
- d) **Title VI Plan Update** – Review and update the Title VI Plan prepared by SDOT Title VI Compliance Manager. Present updated plan to the Title VI Administrator and the Mayor for approval.



- e) Federally Required Reporting – Periodically conduct reviews of the City's Title VI Program to assess for Title VI compliance and work with the Title VI Program Area Liaisons annually to assure their effectiveness in compliance with Title VI provisions. This includes review of departmental reporting to federal agencies as required. Coordinate efforts with the SDOT Title VI Compliance Manager and Title VI Program Area Liaisons to ensure that the requirements of Title VI are met.
- f) Public Dissemination – Work with City staff to develop and disseminate Title VI program information to City employees and subrecipients, including contractors, subcontractors, consultants, and subconsultants and beneficiaries, as well as the public. Public dissemination may include:
  - Postings of official statements, inclusion of Title VI language in contracts or other agreements, website postings, and annual publication of the City's Title VI Policy Statement in newspaper(s) having a general circulation, and informational brochures.
  - Public service announcements or notices of proposed projects, hearings, meetings, or formation of public advisory boards, are posted in newspapers or other media reaching the affected community.
  - Full utilization of available minority publications or media and, where appropriate, provide written or verbal information in languages other than English. See Exhibit 1 for the City's Title VI Notice to the Public.
- g) Maintain Legislative and Procedural Information – Federal laws, rules and regulations, the current City of Seattle Title VI Plan, and other resource information pertaining to the implementation and administration of the City's Title VI program. This will be maintained and updated regularly and be made available to other agencies, or the public as requested or required.

### **Title VI Specialist**

The **Title VI Specialist** works to support the Title VI Coordinator in the enforcement of Title VI. Specifically, the position has the authority and responsibility to implement the Title VI program by:

- a) Handle Title VI Complaints – Review and investigate Title VI complaints that may be received by the City of Seattle, following adopted procedural guidelines (see Section 5 – Complaint Procedures). Ensure every effort is made to resolve complaints at the local or regional level.
- b) Report and Monitor Complaints – Collect data on discrimination complaints and violations of Title VI.
- c) Address and eliminate Discrimination – Work with the City Departments to establish procedures for promptly resolving deficiencies, as needed. Recommend procedures to identify and eliminate discrimination that may be discovered in any City processes.

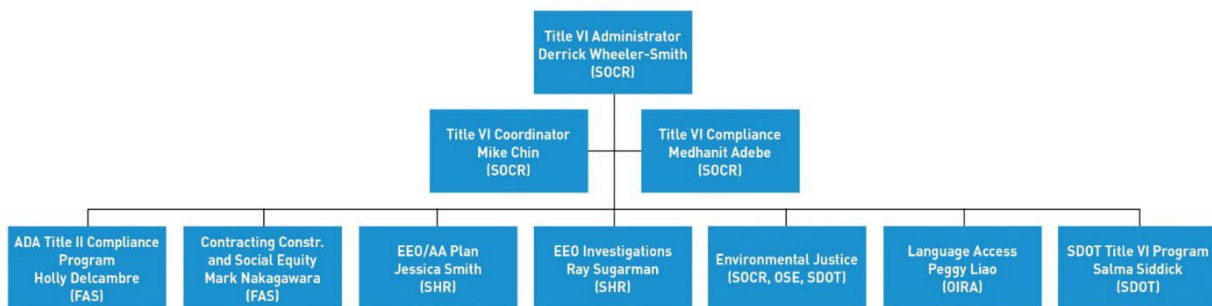
### **Title VI Program Area Liaisons**

Through collective efforts across the City, several departments within the City are responsible for leading specific aspects of the City's Title VI Plan. These program areas include: the **Office of Immigrant and Refugee Affairs** that oversees the City's Language Access Plan, the **Seattle Department of**

**Transportation** that oversees Title VI coordination in relation to transportation activities, the **Department of Facilities and Administrative Services** that coordinates the City’s disadvantaged Business Enterprise and Women and Minority Business Enterprise compliance on construction and consultant contracts, **Seattle Department of Human Resources** that oversees Workforce Equity and the Equal Employment Opportunity/Affirmative Action, and the **Office of Sustainability and Environment** that oversees the City’s Environmental Justice Plan, and **Department of Facilities and Administrative Services** that oversees the citywide ADA Title II Compliance Program. The Program Areas section includes greater detail on the roles and responsibilities of those City departments.

D. Organizational Chart

## Title VI Organizational Chart



### Section 3. Program Areas

A. Overview

Title VI Program Areas are listed below with each responsible department. Departments are responsible for designating staff to act as the Title VI Program Area Liaison to work with the Title VI Coordinator and the Title VI Compliance Specialist. The liaison(s) shall provide program monitoring, data collection, and reporting, as well as dissemination of Title VI information within their respective departments. While not all City departments are listed below, every City department is responsible for adherence to Title VI. For all other City departments, the department’s Director or other designee will assist with dissemination of Title VI materials to staff and the public.

## B. Transportation Title VI Program – Seattle Department of Transportation

The **Seattle Department of Transportation** (SDOT) Office of Equity and Economic Inclusion (OEEI) is responsible for all Title VI program areas pertaining to planning, environmental activities, right of way, construction and maintenance, and design of transportation infrastructure, as well as transit services delivered through City-owned assets. SDOT is responsible for ensuring compliance and fulfilling the requirements set forth by the Federal Highway Administration in 23 CFR Part 200 and 49 CFR Part 21 and the Federal Transit Administration in Circular 4702.1B, Title VI Requirements and Guidelines for Federal Transit Administration Recipient including compliance with assurances (see Exhibit 2) relating to City of Seattle transportation activities.

**SDOT's Compliance Manager** is responsible for the following activities relating to the Seattle Department of Transportation:

- a) Coordination – Coordinate with all SDOT departments whose work directly relates to Title VI work. This includes the Seattle Center in connection with the Seattle Monorail
- b) Data Collection – Review the statistical data gathering process performed by staff to ensure sufficiency of data for meeting the requirements of the Title VI.
- c) Environmental Impact Statements – Ensure that available census data are included as a part of all Environmental Impact Statements/Assessments (EIS/EIA) conducted by the department for projects receiving federal financial assistance.
- d) Training Programs – Conduct and/or facilitate training programs on current and new Title VI regulations for department employees and facilitate Title VI training for appropriate staff, contractors and subrecipients in partnership with the Title VI Coordinator. A summary of training conducted will be reported in the annual update to WSDOT (for the Federal Highway Administration - FHWA).
- e) Title VI Plan Update – Provide necessary information to the Title VI Coordinator for inclusion in the Title VI Plan. Review and update SDOT-related elements of the Title VI Plan as needed or required. Submit amended Plan to WSDOT (for FHWA) or other federal agencies as required.

**Federally Required Reporting.** SDOT's Compliance Manager will conduct reviews of SDOT's Title VI activities to assess for Title VI compliance and assist the Title VI Coordinator during periodic reviews. An annual executive summary will be submitted to the Title VI Coordinator to review Title VI accomplishments achieved during the year. Annual reports are required per requirements set forth by WSDOT (for FHWA) and the Federal Transit Administration (FTA). The SDOT Title VI Compliance Manager will be responsible for coordination and preparation of the report.

SDOT's Compliance Manager will coordinate an Annual FHWA Title VI Update of Accomplishments to be submitted to WSDOT (for FHWA) by November 1 of each year. The update will report on accomplishments and changes to the program during the preceding year and will also include goals and objectives for the upcoming year. The SDOT Title VI Compliance Manager will coordinate the Triennial FTA Title VI Program Report to FTA to be submitted by the date outlined by the FTA. SDOT's Compliance Manager is Salma Siddick.

**Website:** [seattle.gov/transportation/about-us/office-of-equity-and-economic-inclusion](https://seattle.gov/transportation/about-us/office-of-equity-and-economic-inclusion)

**For more information:** Email [salma.siddick@seattle.gov](mailto:salma.siddick@seattle.gov) or phone [\(206\) 640-3313](tel:(206)640-3313).

### C. Language Access Program (LAP) – Office of Immigrant and Refugee Affairs

**Statement on Limited English Proficiency.** The City of Seattle’s Language Access Program seeks to help all immigrant and refugee residents, regardless of English proficiency, experience meaningful and equitable access to City information, programs, services, and civic engagement.

The program aims to achieve these outcomes:

- a) **Welcoming City.** Foster a welcoming environment through culturally responsive communications from City departments and staff so that immigrant and refugee residents truly feel represented.
- b) **Seamless Integration.** Support immigrant and refugee community members in successfully integrating into and participating in Seattle’s civic, economic, and cultural life by providing in-language communication and outreach.
- c) **Resilience and Emergency Preparedness.** Ensure the City’s alert messaging system has in-language capabilities and prepare community members to effectively respond to future emergencies.
- d) **Trust and Relationship.** Establish meaningful two-way communication for residents to receive information and provide feedback.

**Website:** [seattle.gov/iandraffairs/LA](https://seattle.gov/iandraffairs/LA)

**For more information:** Email [IMR\\_LanguageAccess@seattle.gov](mailto:IMR_LanguageAccess@seattle.gov) or phone [\(206\) 615-0195](tel:(206)615-0195) / [\(206\) 688-0003](tel:(206)688-0003).

### D. Contracting, Construction, and Social Equity - Facilities and Administrative Services

The City of Seattle’s **Facilities and Administrative Services** (FAS) Contracting and Social Equity Program promotes equity in contracting for historically underutilized businesses with the goal to create a welcome, inclusive, and responsive environment for women and minority-owned businesses (WMBE). The City’s WMBE Program, managed by FAS, supports WMBEs through outreach, engagement, and making aspirational WMBE use goals.

**Social Responsibility in Contracting.** The City is committed to socially responsible procurement and promoting social equity through our contracts. We work to ensure open and fair procurements, competitive and fair pricing, environmentally sustainable solutions, best labor practices, access to equal benefits and utilization of women- and minority-owned businesses when applicable in City bid decisions and contracts.

**Priority Hire.** The City promotes access to construction careers for women, people of color and people living in economically distressed areas in Seattle and King County. In 2015, the City created a priority hire program for City public works construction projects of \$5 million or more, and, in 2017, expanded the program on public/private partnership projects with significant City investment.

**Acceptable Work Sites.** The City implements stringent standards for acceptable behavior on City construction work sites that prohibit discrimination, bullying, hazing, and other related behaviors—particularly those based upon race, color, national origin, sex, disability, age, immigrant status, religious affiliation, gender identity or sexual orientation. Contractors of each tier must ensure an appropriate, productive, and safe environment for all workers. The City is also implementing training for workers on preventing and addressing unacceptable behaviors on projects \$5 million or more.

**Accessibility and Design.** The City ensures all people have access to facilities, programs, and services by directing and supporting City departments and offices that manage, design, construct, alter, maintain, and lease City facilities and properties to comply with accessible design requirements and provide accessible services.

**Green Purchasing.** The City of Seattle promotes environmental stewardship and reducing greenhouse gas emissions when buying goods, materials, services, and capital improvements. City departments strategize, promote and review outcomes, identifying market transformation opportunities, developing specifications and selection criteria, and educating vendors and end users.

**Website:** [seattle.gov/purchasing-and-contracting/social-equity/wmbe](https://seattle.gov/purchasing-and-contracting/social-equity/wmbe)

**For more information:** Email [mark.nakagawara@seattle.gov](mailto:mark.nakagawara@seattle.gov) or phone [\(206\) 684-4542](tel:(206)684-4542).

**Resources:**

<https://www.seattle.gov/Documents/Departments/FAS/PurchasingAndContracting/WMBE/2019-City-of-Seattle-WMBE-Annual-Report-FAS.pdf>

E. Environmental Justice – Office of Sustainability and Environment and Seattle Department of Transportation

Environmental Justice under Title VI applies to all programs, policies, and activities, including, but not limited to contracting, system planning, project development, implementation, operation, monitoring, and maintenance in the City of Seattle. Because the nondiscrimination requirements under Title VI extend to all programs and activities that receive federal funds and their respective sub-recipients and contractors, the concepts of Environmental Justice apply to all City projects, including those which do not involve Federal-aid funds.

There are three fundamental Environmental Justice principles:

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

Environmental Justice is an important part of the planning process and must be considered in all phases of planning, project development, implementation, operation, monitoring & maintenance. A truly integrated and effective planning process actively considers and promotes environmental justice within projects and groups of projects, across the total plan, and in policy decisions. At the start of the planning process, planners must determine whether Environmental Justice issues exist and use data and other information to:

- a) Determine benefits to and potential negative impacts on minority populations and low-income populations from proposed investments or actions;
- b) Quantify expected effects (total, positive and negative) and disproportionately high and adverse effects on minority populations and low-income populations; and
- c) Determine the appropriate course of action, whether avoidance, minimization, or mitigation.

If issues are not addressed at the planning stage, they may arise during project development, or later when they could be more difficult to mitigate and delay project decision.

Communities are constantly changing, so evaluation of human impacts must be given continuous attention throughout planning, project development, implementation, operation, and maintenance. Mitigation of any sort can cause negative as well as positive impacts. Be aware of who is being impacted and how.

**Website:** [seattle.gov/environment/equity-and-environment](https://seattle.gov/environment/equity-and-environment)

**For more information:** Email [Lianna.Allala@seattle.gov](mailto:Lianna.Allala@seattle.gov) or phone: [\(206\) 386-4668](tel:(206)386-4668).

## Section 4. Training

The Title VI Coordinator and the Title VI Compliance Specialist provide Title VI training video available in closed captioning and on-demand for employees, contractors, subrecipients, and Title VI program and service administrators. The training provides comprehensive information on Title VI provisions, application to program operations, and identification of Title VI issues and resolution of complaints.

## Section 5. Complaint Procedures – Allegations of Discrimination in Federally Assisted Programs or Activities

### A. Overview

The **Seattle Office for Civil Rights (SOCR)** is responsible for civil rights compliance and monitoring, which includes ensuring that City of Seattle departments, contractors, and sub-recipients regardless of their tier must abide by Title VI of the Civil Rights Act of 1964, as amended.

Any person who believes they have faced unequal treatment or discrimination in city programs, services, or facilities based on their race, color, national origin, has the right to file a written complaint under Title VI or for disability, under Title II of the Americans with Disabilities Act (ADA) with the Seattle Office for Civil Rights. A person can file the complaint [online](#) which is available in Spanish, Chinese, Korean, Vietnamese, and Amharic, by phone (206-684-4500), or submit a Complaint Form which is available in the following languages: Spanish, Somali, Vietnamese, Chinese, Korean, and Amharic. A person can request language assistance to file a complaint in their preferred language by calling [\(206\) 684-4500](#) or by email at: [TitleVI@seattle.gov](mailto:TitleVI@seattle.gov).

The 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. 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 Coordinator may be utilized for resolution.

### B. Complaint Handling Procedure

**Generally.** The Seattle Office for Civil Rights (SOCR), under Title VI of the Civil Rights Act of 1964, ensures *“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.”* Related federal statutes further those protections to include disability, age, and sex.

Any person who believes they have been discriminated against based on race, color, or national origin by the City of Seattle or a sub-recipient may file a Title VI complaint by completing and submitting SOCR’s Title VI Complaint Form. According to USDOT regulations, 49 CFR §21.11(b), a complaint must be filed no later than 180 days after the date of the last instance of alleged discrimination, unless the time for filing is extended by the processing agency.

### Intake

#### A. Title VI complaints related to the federal-aid highway program:

1. Title VI complaints related to the federal-aid highway program (*complaints involving SDOT construction, maintenance and preservation of streets, sidewalks, highways, bridges and*

tunnels) may be filed with the City of Seattle, Washington State Department of Transportation (WSDOT), Federal Highway Administration (FHWA) Division Office, the FHWA Headquarters Office of Civil Rights (HCR), the United State Department Of Transportation (USDOT) Departmental Office of Civil Rights, or the United States Department of Justice.

2. SOCR will review complaints that must contain the following information:
  - a. The complainant’s contact information, including: full name, mailing address, phone number (and best time to call), email address (if available);
  - b. The basis of the complaint (race, color, and national origin);
  - c. The names of person(s) and/or agency/organization alleged to have discriminated;
  - d. A description of the alleged discriminatory actions (include sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives federal financial assistance); and,
  - e. The date(s) of the alleged discriminatory act(s) and whether the alleged discrimination is ongoing.
3. Complaints should be in writing, signed, and filed by mail, fax, in person, or e-mail. If a complainant phones a sub-recipient with allegations, they shall transcribe the allegations of the complaint as provided by phone and then send a written complaint to the complainant for correction and signature.
4. If the Seattle Department of Transportation (SDOT) is named as the Respondent the SOCR will send complaints within one business day of receipt via email to the: **SDOT Title VI Compliance Manager** ([salma.siddick@seattle.gov](mailto:salma.siddick@seattle.gov)). FHWA is responsible for all decisions regarding whether a complaint under FHWA jurisdiction should be accepted, dismissed, or referred to another agency.
5. Per the FHWA Guidance Memorandum, *Processing of Title VI Complaints*, dated June 13, 2018, all Title VI complaints received by a sub-recipient are to be forwarded to FHWA Office of Civil Rights.<sup>1</sup> After logging the complaint, SOCR Title Compliance Manager must immediately forward all Title VI complaints to the Washington State Department of Transportation who is responsible for logging and routing Title VI complaints received by SOCR to FHWA Washington Division Office<sup>2</sup> and FHWA’s HCR to the following address:

Washington State Department of Transportation  
Office of Equity and Civil Rights, Title VI  
Box 47314  
Olympia, WA 98466

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<sup>1</sup> As of August 2018, the FHWA has provided new mandatory guidance for Title VI complaint processing. See *Questions and Answers for Complaints Alleging Violations of Title VI of the Civil Rights Act of 1964*; specifically, Question 2e, *How are complaints routed?* which can be found on the FHWA Office of Civil Rights (HCR) website at the following link: [https://www.fhwa.dot.gov/civilrights/programs/title\\_vi/titleviqa.cfm#Toc522787058](https://www.fhwa.dot.gov/civilrights/programs/title_vi/titleviqa.cfm#Toc522787058).

<sup>2</sup> Complaints are forwarded by sub-recipients, in this case SOCR, to WSDOT OEO. WSDOT OEO then forwards the complaint to FHWA Washington Division Office.



6. WSDOT investigates complaints only if delegated by FHWA after acceptance of a complaint.<sup>3</sup> FHWA is responsible for all determinations regarding whether to accept, dismiss, or transfer the complaint and finding no violation or failure to comply.
7. These procedures do not prohibit a Complainant from filing a formal complaint alleging discrimination with other state, local, or federal agencies, nor do they prohibit a Complainant from retaining private counsel. Complainants have the right to file a complaint directly with the federal funding agency too. The following is the address where Title VI complaints may be filed directly with FHWA:

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

8. The complainant will receive an acknowledgement letter from SOCR informing them that the complaint has been received and forwarded to the FHWA's HOCR.
9. SOCR must maintain a log of Title VI complaints and their disposition (including the results of any investigations). The record must be included in their Title VI Annual Accomplishments and Goals Report.
10. If FHWA determines a Title VI complaint against a sub-recipient can be investigated by SOCR, HCR may delegate the task of investigating the complaint to SOCR. If HCR rejects the Title VI complaint against a sub-recipient, the complaint cannot be filed under Title VI with SOCR.
11. FHWA will render final decisions in all cases including those investigated by WSDOT. There are no administrative appeal forums in Title VI complaints. Once FHWA issues its final agency decision, the complaint is closed.

**B. Title VI Complaints involving SDOT public transit systems.**

1. Title VI complaints filed with SOCR in which SDOT is named as the Respondent involving SDOT public transit systems (e.g. the Seattle Monorail and Seattle Streetcar) will be investigated by SOCR.
2. SOCR will review complaints that must contain the following information:
  - a. The complainant's contact information, including: full name, mailing address, phone number (and best time to call), email address (if available);
  - b. The basis of the complaint (race, color, and national origin);

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<sup>3</sup> Pursuant to the new guidance, ALL Title VI complaints under FHWA jurisdiction, including complaints filed against sub-recipients, must now be forwarded to the FHWA **before** WSDOT takes any action on the complaint. See Section I.C. below for new mandatory FHWA routing instructions.

- c. The names of person(s) and/or agency/organization alleged to have discriminated;
  - d. A description of the alleged discriminatory actions (include sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives federal financial assistance); and,
  - e. The date(s) of the alleged discriminatory act(s) and whether the alleged discrimination is ongoing.
3. Complaints should be in writing, signed, and filed by mail, fax, in person, or e-mail. If a complainant phones a sub-recipient with allegations, they shall transcribe the allegations of the complaint as provided by phone and then send a written complaint to the complainant for correction and signature.
  4. Per the Federal Transit Administration (FTA), Title VI complaints are to be handled by SOCR in accordance with [FTA Circular 4702.1B, Title VI Requirements and Guidelines for Federal Transit Administration Recipients](#).
  5. SOCR will send complaints within one business day of receipt via email to: the SDOT Title VI Compliance Manager ([salma.siddick@seattle.gov](mailto:salma.siddick@seattle.gov)) for situational awareness.

**C. Title VI Complaints against other City Departments.**

If the complaint is against a subrecipient, consultant, or contractor under contract with the City, the appropriate department and/or subrecipient, consultant, or contractor shall be notified of the complaint within 15 calendar days.

1. SOCR will review complaints that must contain the following information:
  - a. The complainant’s contact information, including: full name, mailing address, phone number (and best time to call), email address (if available);
  - b. The basis of the complaint (race, color, and national origin);
  - c. The names of person(s) and/or agency/organization alleged to have discriminated;
  - d. A description of the alleged discriminatory actions (include sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives federal financial assistance); and,
  - e. The date(s) of the alleged discriminatory act(s) and whether the alleged discrimination is ongoing.
2. Complaints should be in writing, signed, and filed by mail, fax, in person, or e-mail. If a complainant phones a sub-recipient with allegations, they shall transcribe the allegations of the complaint as provided by phone and then send a written complaint to the complainant for correction and signature.

**Investigation**

1. If SOCR is delegated the responsibility of performing an investigation and retains jurisdiction to investigate the complaint, SOCR will send a copy of the complaint to the claimant to review and sign.

2. SOCR will send a copy of the signed complaint to the City Department with the opportunity to respond in writing to the allegations made by the claimant. The City Department will have 10 business days from receipt of notification to furnish a response to the allegations.
3. Within 90 days of receipt of the complaint, the SOCR investigator will prepare a written investigative report. The report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition. If additional time is needed, SOCR will contact the claimant and inform them.
4. If more information is needed to resolve the case, the SOCR investigator may contact the claimant. The claimant has ten business days from the date of the letter to send the requested information to the investigator assigned to the case.
5. If the investigator is not contacted by the claimant or does not receive the additional information within ten (10) business days, SOCR can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.
6. Once the Investigator recommends the course of action for the complaint, the **Title VI Compliance Specialist** shall review the recommendation. If the investigator determines that there is a violation of Title VI, the investigative report and finding shall be reviewed by the Law Department. The Law Department may discuss the investigative report and determination with the **Title VI Coordinator** and other appropriate departmental staff. The report will be modified as needed and made final for its release to the parties.
7. Once the investigative report and determination becomes final, the claimant and City Department shall receive a copy of the investigative report and determination within five (5) business days. Briefings will be scheduled with each party within 15 days of their receipt of the investigative report.
8. A copy of the complaint and the SOCR's investigation report will be issued to WSDOT's External Civil Rights Branch (or the appropriate oversight agency) within five (5) business days of the final investigative report and determination.
9. The **Title VI Coordinator** will receive a copy of the investigative findings and determination and maintain a record of the investigation which will include the basis for the allegation identified including race, color, or national origin.

## Section 6. Review and Remedial Action Procedures for Subrecipients, Consultants and Contractors

### A. Title VI Review of Subrecipients of Federal Aid Highway Funds.

The recipient, in accordance with Title VI of the Civil Rights Act of 1964, (78 Stat. 252, 42 U.S.C. 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

Program Area Liaisons, the SDOT Title VI Compliance Manager, and the Title VI Coordinator will assist WSDOT to periodically conduct FHWA Title VI compliance reviews. Program Area Liaisons, the SDOT Title VI Compliance Manager, and the Title VI Coordinator will assist WSDOT to periodically conduct FHWA Title VI compliance reviews. The Title VI Coordinator and Program Area Liaisons will review select recipients of federal aid funds, to ensure adherence to Title VI requirements (see Section VI). The Coordinator and Special Program Area Liaisons will work cooperatively to periodically confirm operational guidelines provided to consultants, contractors and subrecipients, including Title VI language, provisions, and related requirements, as applicable.

#### B. Post-Grant Reviews

The Title VI Compliance Manager and Special Program Area Liaisons to conduct periodic post-grant reviews of select recipients of federal funds to ensure adherence to Title VI requirements. Appropriate staff will periodically confirm that operational guidelines provided to consultants, contractors and subrecipients include Title VI language and provisions and related requirements where applicable.

#### C. Remedial Action

SDOT will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements. When irregularities occur in the administration of the federally aid funded programs at either the City or subrecipient levels, corrective action will be taken to resolve identified Title VI issues. The City will seek the cooperation of the consultant, contractor or other subrecipient in correcting deficiencies found during periodic reviews. The City will provide technical assistance and guidance on request to support voluntary compliance by the subrecipient. When conducting Title VI compliance reviews, the City will produce in writing any recommended remedial action agreed upon by the City and subrecipient and provide a copy of the letter within a period not to exceed 45 days.

Subrecipients placed in a deficiency status will be given a reasonable time, not to exceed 90 days after receipt of the deficiency letter, to voluntarily correct deficiencies. When a subrecipient fails or refuses to voluntarily comply with requirements within the time frame allotted, the City will submit to WSDOT copies of the case file and a recommendation that the subrecipient be found in noncompliance.

A follow-up review will be conducted within 180 days of the initial review to ascertain if the subrecipient has complied with the Title VI Program requirements in correcting deficiencies previously identified. If the subrecipient refuses to comply, the City and WSDOT may, with FHWA's concurrence, initiate sanctions per 49 CFR 21.

## Section 7. Limited English Proficiency and Meaningful Access

The City of Seattle's vision is that all residents, regardless of their proficiency in English, should have meaningful access to City programs, services, and activities.

The **Office of Immigrant and Refugee Affairs** (OIRA) is responsible for the following Language Access Program oversight duties which include:

1. Work with departments to finalize Language Access Plans before they are transmitted to the Mayor for approval.
2. Provide technical assistance for language services to all departments, including training department staff.
3. Provide strategic guidance about working with non-English speaking residents to departments, the City Council, and the Mayor's Office.
4. Aid departments, City Council, and the Mayor's Office in identifying bilingual staff.
5. Oversee, update, and maintain a web portal that includes language access resources and tools.
6. Provide departments with model Language Access Plans.
7. Provide departments with technical assistance for language access and prioritize departments leading labor, contract, environment, resilience strategy, equitable development, successful aging, health-related emergencies, refugee relief, disaster preparedness, recovery programs, crisis situations, equitable outreach, and inclusive public participation programs.
8. Update the list of primary and emerging languages based on the best available data, including the American Community Survey from the U.S. Census Bureau.

Through its Language Access program, OIRA collaborates with City departments to ensure that residents who prefer languages other than English are able to access the information and services they need and that departments are able to effectively serve them. The City has a goal of becoming a national leader in immigrant integration and a model for language access.

Language access is a necessary component of the City's [Race and Social Justice Initiative](#) goals. Our work helps the City address new access and equity challenges resulting from Seattle's growth and the city's increasing diversity over the last decade.

**Language Access Plan.** [Executive Order 2017-10](#) directs City departments to update and prioritize implementation of the Language Access Program. The most recent efforts include:

- a) The Office of Immigrant and Refugee Affairs (OIRA) updated the Language Access Plan Template in 2021.
- b) Twenty-five departments have submitted a Language Access Plan for the budget cycle 2023-2024 to the Office of Immigrant and Refugee Affairs for review and transmittal to the mayor for approval.
- c) Departments were asked to prioritize a portion of its existing annual budget to begin implementation of its Language Access Plan.

- d) During a crisis, emergency, or public safety situation, all affected departments shall make it a priority to offer language access services and, when feasible, ensure bilingual staff are present and available to assist non-English speaking residents with critical language needs.
- e) If a crisis, emergency, or public safety situation requires the conspicuous posting of warning signs, the relevant department must translate those signs into the appropriate primary and emerging languages according to neighborhood demographics.

**Seattle Top Tier Languages Other than English.** OIRA gathered data points from the America Community Survey (ACS), Seattle Public Schools (SPS), Public Health-Seattle & King County, Seattle Police Department, and Seattle Municipal Court Interpreter Services on the most commonly spoken non-English languages by City residents. Based on the data, OIRA suggests the following languages as Seattle's top tier languages for communicating city-wide programs and services. These languages are broken into three tiers, prioritizing languages that are used by larger populations, residents with limited English proficiency, and recent immigrants and refugees. In partnership with the City's Demographer, OIRA will update the data and recommendation once every three years.

Languages are listed in order of increasing to decreasing prevalence within Seattle city boundaries.

<b>Tier 1 Languages</b>	<b>Traditional Chinese*, Spanish, Vietnamese, Somali, Amharic, Korean, Tagalog</b>
<b>Tier 2 Languages (if feasible)</b>	<b>Tigrinya, Oromo, Japanese, Russian</b>
<b>Tier 3 (consider including)</b>	<b>Arabic, Khmer, Thai, Laotian</b>

\*There are two primary Chinese writing systems: Traditional and Simplified Chinese. The two systems are mutually intelligible. Considering the composition of Seattle's Chinese language users and their English proficiency, OIRA recommends translating into Traditional Chinese for written materials. Oral interpretation should include both Cantonese and Mandarin.

## Section 8. Environmental Justice

Launched in 2015, Seattle's Equity & Environment Initiative (EEI) is a partnership of the City and the community to deepen Seattle's commitment to race and social justice in environmental work. The Office of Economic Development is responsible for leading this citywide Initiative. While Seattle has long been recognized as an environmental leader, the City faces many of the same challenges as the broader U.S. environmental movement: those who shape and benefit from environmental policies and outcomes are primarily white, upper-income communities. Those who do not benefit from progressive policies are overburdened with health, social, and economic impacts and the EEI seeks to flip those outcomes.

The goals for the Equity & Environment Initiative ensures that:

1. All people and communities benefit from Seattle's environmental progress.
2. Communities most impacted by environmental injustice are engaged in setting environmental priorities, designing strategies and tracking progress.
3. People of color, immigrants and refugees, Indigenous peoples, people with low incomes, and English language learners have opportunities to be part of and leaders in the mainstream environmental movement.

**Equity & Environment Agenda**. Developed in deep partnership with community and engaging over 1000 residents, the **Equity & Environment Agenda** guides the City's work in advancing racial equity in Seattle's environmental programs and policies. The Agenda lays out four key goal areas and recommended strategies in each area.

**Environmental Justice Committee**. The **Environmental Justice Committee** is an opportunity for those most-affected by environmental inequities to have ownership of Equity & Environment Agenda implementation while enhancing partnerships with City departments and better connecting government to community-based solutions. Formed in 2017, the Environmental Justice Committee (EJC) strives to uplift those most-affected by environmental inequities. The EJC centers community ownership in decision-making, environmental program/policy design and **Equity & Environment Agenda** implementation while enhancing partnerships with City departments and better connecting community-based solutions into government.

The EJC consists of twelve members from a wide range of backgrounds and expertise in working with Black, Indigenous, and other communities of color, immigrants and refugees, low-income residents, and English language learners. Committee members are responsible for:

1. Advising City staff on integrating the goals of the Equity & Environment Agenda into environmental and climate focused policies and programs
2. Engaging deeply with each other to increase environmental justice community cohesion and understanding of work and needs in different communities
3. Growing environmental justice leadership in Seattle by co-creating and participating in learning activities about 1) programs or policies from other regions that may have relevance to local efforts and 2) City-led environmental investments and programs

The EJC centers community ownership in decision-making, environmental program/policy design, and Equity & Environment Agenda implementation. The EJC also plays a key role in strengthening community partnerships with City departments and better connecting community-based solutions into government.

**Environmental Justice Fund**. This is a grant opportunity for community-led projects that improve environmental conditions, respond to impacts of climate change, and closer to achieving environmental justice. Created in 2017, the **Environmental Justice Committee** serves in an advisory role by reviewing grant applications and providing recommendations to inform the project selection process.

Seattle's Green New Deal. Seattle's Green New Deal (GND) builds on the foundational work outlined in the Equity and Environment Agenda. The GND focuses on addressing the climate crisis and environmental injustice by:

1. Building an inclusive and equitable low carbon economy
2. Ensuring a just transition away from fossil fuels
3. Building health, climate resilience communities

Green New Deal Oversight Board. The City of Seattle's Green New Deal Oversight Board was established by City Council ([Ordinance 125926](#)) to serve as an advisory board to the Mayor, City Council and City departments by providing proposals for the design of new policies, programs, and projects and for modifications to existing policies, programs and projects to advance a Green New Deal for Seattle. The Board is composed of 19 appointed members who are passionate about advancing an equitable transition to renewable energy by centering the expertise of Black, Indigenous, People of Color, immigrants, refugees, people with low incomes, youth, elders, and workers harmed first and worse by climate change. Members are appointed by the Mayor, City Council, or the Board itself into one of the following position categories as defined in Ordinance 125926 (section 3.14.979 to the Seattle Municipal Code):

- a) Eight positions designated for community representatives directly impacted by racial, economic, and environmental injustices (including two tribal members and two individuals between the ages of 16 and 25 at the time of their appointment).
- b) Four positions designated for representatives of labor unions.
- c) Three positions designated for representatives of environmental justice organizations.
- d) Three positions designated for representatives with experience in greenhouse gas reduction and climate resiliency strategies relevant to cities.
- e) One position designated for an individual specializing in workforce training.

**[Racial Equity Toolkit](#)**. Seattle's [Race and Social Justice Initiative](#) (RSJI) is the City's commitment to realize the vision of racial equity. RSJI is a citywide effort to end institutional racism in City government, and to achieve racial equity across the C. RSJI builds on the work of the civil rights movement and the ongoing efforts of individuals and groups in Seattle to confront racism. The Initiative's long-term goal is to change the underlying system that creates race-based disparities in our community and to achieve racial equity.

One way City departments are advancing racial justice in their work is by completing Racial Equity Toolkits (RETs) for departmental programs and policies. The Racial Equity Toolkit lays out a process and a set of questions to guide the development, implementation and evaluation of policies, initiatives, programs, and budget issues to address the impacts on racial equity.

The Office of Sustainability & Environment completes RETs every year. They are a key part of our analysis in updating or developing new environmental policies and programs.



## Section 9. Exhibits, Appendices and Attachments