

Title VI, Limited English Proficiency and Environmental Justice

A photograph of the Dallas Love Field airport terminal at dusk. The terminal features a prominent red sign that reads "DALLAS LOVE FIELD". To the right, a control tower is visible against the twilight sky. The foreground shows a paved area with a few people walking and a covered drop-off/pick-up zone with green signage.

Annual Tenant Training

AGENDA

- Purpose & Why
- Title VI
- Title VI Complaint Procedure & Forms
- Limited English Proficiency (LEP)
- Environmental Justice (EJ)
- Responsibilities
- Airport Best Practices



49 CFR PART 21

[49 CFR Part 21] applies to any program or activity for which Federal financial assistance is authorized under a law administered by the Department [of Transportation]



PURPOSE

PURPOSE

- Provide employees and tenants with an understanding of their responsibilities

WHY?

- Employees and tenants interact with the public
- Employees and tenants have an obligation to ensure nondiscrimination



TITLE VI

- The Department of Aviation operates its programs and services without regard to race, color, national origin, religion, sex, disability, or age, in accordance with the Age Discrimination Act of 1965, and 49 U.S.C. 47123.
- Any person who believes they have been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the DOA Title VI Coordinator or FAA Office of Civil Rights.



TITLE VI – WHAT IS IT?

- Title VI of the Civil Rights Act of 1964
- 49 CFR Part 21, *Nondiscrimination in Federally Assisted Programs*
 - “No persons in the United States shall, on the grounds of race, color, or national origin*, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

* 49 USC § 47123, *Nondiscrimination*, augments the Title VI protected classes to include sex and creed for FAA recipients.



TITLE VI – WHAT DOES IT MEAN FOR YOU?

- Treat everyone equally
- Do not discriminate against anyone
- Do what you can to assist DAS to voluntarily comply with Title VI requirements
- Know how to handle a discrimination complaint if received:
 - Allegations of discrimination should be promptly reported to the DAS Title VI Coordinator (Brian Thompson)
 - Federal Regulatory documents are available in the DAS Main office at 7555 Lemmon Ave and on the Love Field website at <http://www.dallas-lovefield.com>



TITLE VI – COMPLAINT PROCEDURE

- A complaint must be filed within **180 days** of the alleged act of discrimination, or discovery thereof; or where there has been a continuous course of conduct, the date on which that conduct was discontinued.
- Filing means a **written complaint must be postmarked before the expiration of the 180-day period. Verbal complaints made before 180 days will be committed to writing. * Refer any complainants who need assistance writing their complaint to the Title VI Coordinator.**
- The filing date is the date you complete, sign, and mail the complaint form. The complaint form and consent/release form must be dated and signed for acceptance.
- Complaints received more than 180 days **after** the alleged discrimination **will not be processed** and will be returned to the complainant with a letter explaining why the complaint could not be processed.



TITLE VI – COMPLAINT PROCEDURE

- The DAS Title VI Complaint form and instructions can be found on the Dallas Love Field website at <http://www.dallas-lovefield.com/title-vi.html> ; or
- By Emailing the DOA Title VI Coordinator at brian.Thompson@dallascityhall.com

Upon request, reasonable accommodations will be made for persons who are unable to complete the complaint form due to disability or Limited English Proficiency (LEP). A complaint may also be filed by a representative on behalf of a complainant.

Persons who are not satisfied with the findings of the Department of Aviation may seek remedy from other applicable Federal or State agencies.



TITLE VI – WHY?

- DOT guidance states that *“transportation is considered an essential service to participation in modern society.”*
- Airports are required to ensure nondiscrimination for air passengers, tenants, Limited English Proficiency (LEP) persons and others affected by issues such as Environmental Justice (EJ)
- It is the Law
- It is the right thing to do
- It could be you



LIMITED ENGLISH PROFICIENCY (LEP)



“Title VI and its regulations require recipients to take reasonable steps to ensure ‘meaningful’ access to the information and services they provide.”

Federal Register 50123



LEP – WHAT IS IT?

- Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency*
- U.S. Department of Transportation LED guidance in Federal Register, Volume 70, No. 239, *Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons*



LEP – WHAT DOES IT MEAN FOR YOU?

- Provide language assistance options to LEP persons (verbal translation, written translation, telephonic translation services)
- Know what to do if approached by LEP persons (“I speak cards”, offer services)
- Provide translation services if you are bi- or multi-lingual and willing to assist



LEP – WHY?

- LEP persons may not:
 - Understand English instructions
 - Communicate their need(s)
- There may be an emergency the individual may need to communicate
- Airports are required to ensure nondiscrimination and meaningful access for LEP individuals
- It's the LAW
- It's the right thing to do
- It could be you somewhere in the world



LEP – WHY?

- LEP persons may not:
 - Understand English instructions
 - Communicate their need(s)
- There may be an emergency the individual may need to communicate
- Airports are required to ensure nondiscrimination and meaningful access for LEP individuals
- It's the LAW
- It's the right thing to do
- It could be you somewhere in the world



LEP – PLANS & GUIDANCE

- Department of Aviation Language Assistance Plan (LAP). Can be found at http://www.dallas-lovefield.com/word/DAL_LEP_Plan.docx
- Airport and Facility Emergency Plans
 - Shall identify how LEP persons will be assisted during an emergency
 - Alert notifications
 - Warning & Emergency Public Information
 - Protective Actions



ENVIRONMENTAL JUSTICE (EJ)

- ***“Environmental Justice ensures no low-income or minority population bears a disproportionate burden of effects resulting from Federal [funding recipients] actions.”***

***FAA Airports Desk Reference
Chapter 10***



ENVIRONMENTAL JUSTICE (EJ)

- Ensures that discrimination does not occur
- Aids in community involvement / outreach
- Helps in identifying low-income and/or minority communities near the airport
- Must be considered at all stages of airport project development and planning
- Community size does not matter
- It's the LAW
- It's the right thing to do
- It could be you living near the airport



DEPT. OF AVIATION RESPONSIBILITIES

- Abide by Title VI Requirements
- Ensure employees and tenants understand their roles and responsibilities related to Title VI requirements
- Ensure all contracts include a nondiscrimination clause and nondiscrimination obligations
- Identify how LEP persons will be assisted during an emergency
- Report discrimination complaints received to the FAA within 15 days of receipt
- Post Unlawful Discrimination Poster



Unlawful Discrimination

It is unlawful for airport operators and their lessees, tenants, concessionaires and contractors to discriminate against any person because of race, color, national origin, sex, creed, or disability in public services and employment opportunities. Allegations of discrimination should be promptly reported to the Airport Manager or:

Federal Aviation Administration
Office of Civil Rights, ACR-1
800 Independence Avenue, S.W.
Washington, D.C. 20591

Federal regulations on unlawful discrimination are available for review in the Airport Manager's Office.

Coordinator: Brian Thompson
Phone: 214-670-LOVE (5683)
Address: 7555 Lemmon Ave, Dallas, TX 75209

Discriminacion Ilegal

Se prohíbe a los operadores de aeropuertos y a sus arrendatarios, inquilinos, concesionarios y contratistas discriminar contra cualquier persona por motivo de raza, color, nacionalidad de origen, sexo, creencias religiosas, impedimento físico o discapacidad en lo que respecta a servicios públicos y oportunidades de empleo. Las alegaciones de discriminación deberán ser dirigidas inmediatamente al Administrador del Aeropuerto o a:

Federal Aviation Administration
Office of Civil Rights, ACR-1
800 Independence Avenue, S.W.
Washington, D.C. 20591

Los reglamentos sobre discriminación ilegal están a la disposición de los interesados para su examen en la oficina del Administrador del Aeropuerto.

Coordinador: Brian Thompson
Teléfono: 214-670-LOVE (5683)
Dirección: 7555 Lemmon Ave, Dallas, TX 75209



U.S. Department of Transportation
Federal Aviation Administration

FIC-0108

DEPARTMENT OF AVIATION

DALLAS LOVE FIELD

ATIVE AIRPORT

DALLAS VERTIPOINT

TENANT RESPONSIBILITIES

- Post Unlawful Discrimination Poster
- Ensure nondiscrimination clause is included in all contracts
- Ensure assistance is provided to LEP persons
- Abide by Title VI regulations
- Report discrimination complaints to the Department of Aviation Title VI Coordinator upon receipt



BEST PRACTICES

- Airport Emergency Plan
- Assignment of a Title VI coordinator
- Formal complaint procedures
- Posting of Notices and “Unlawful Discrimination” poster
- All contracts contain nondiscrimination clause
- Formal, period training of employees and tenants
- LEP assistance services provided / Language Assistance Plan (LAP) / I-Speak translation cards
- Universal signage



Questions?



DEPARTMENT OF AVIATION

DALLAS LOVE FIELD



Dallas Airport System

DALLAS EXECUTIVE AIRPORT

DALLAS VERTIPOINT