



CITY OF CERRITOS TITLE VI PROGRAM

A City of Cerritos policy document that establishes guidelines to effectively monitor and ensure that the Cerritos on Wheels and Dial-A-Ride transportation services are in compliance with Title VI of the Civil Rights Act of 1964.

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CERRITOS TRANSIT TITLE VI PROGRAM

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CERRITOS TRANSIT TITLE VI PROGRAM

City of Cerritos Title VI Policy Statement

The City of Cerritos is committed to ensuring that no person is excluded from participation in, or denied the benefits of, public transit services on the basis of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964. The City's objectives for this program include:

- Ensure that the level and quality of transportation service is provided without regard to race, color or national origin.
- Promote full participation of all members of the community in transportation-related issues and in the decision making process.
- Ensure meaningful access to transit programs by persons with Limited English Proficiency (LEP).

Adoption of Title VI Program - 2014

In an effort to be in compliance with Federal Title VI, Civil Rights Act of 1964, the City of Cerritos adopted the Title VI program in 2014, as part of the City's commitment to providing all members of the public with access to the City's transportation services. In order to encourage participation from the public regarding the adoption of a Title VI program in Cerritos, the City published and posted a public hearing notice for a minimum of 10 days prior to City Council adoption. On May 19, 2014, the Cerritos City Council adopted said program, which was subsequently approved by the Los Angeles County Metropolitan Transportation Authority (Metro).

Amended Version of Title VI Program - 2016

In an effort to revise and assess the program based on implementation over the initial three years, in 2016 the City amended the Title VI program to include changes to the Limited English Proficiency (LEP) Plan and complaint form, which were translated into Chinese, Korean, and Tagalog languages. Additionally, the demographic information was updated. In order to solicit public input regarding the amended program, the City published and posted a public hearing notice on June 10, 2016, ten (10) days prior to City Council adoption. On June 20, 2016, the Cerritos City Council conducted a public hearing and adopted an amended version of the Title VI program to ensure compliance with Federal regulations as outlined in the Civil Rights Act of 1964.

Adoption of Title VI Program - 2019

In order to maintain compliance with Federal transportation requirements, Metro requires that all cities which have adopted a Title VI Program, update their programs every three (3) years to make any necessary changes to the program, which includes new United States Census Bureau (Census) data for the LEP section of the program. Accordingly, in 2019 the City updated the LEP section of the program with revised Census data to account for changing demographic data in the City of Cerritos. The City published and posted a public hearing notice on August 9, 2019, ten (10) days prior to City Council consideration. On August 22, 2019, the Cerritos City Council conducted a public hearing and adopted an amended version of the Title VI program.

Amended Version of Title VI Program – 2022

Pursuant to Federal Title VI requirements, requiring program updates every three (3) years, in 2022 the City completed a review of the 2019 version of the Cerritos Title VI program. Based on the review, updates were required to the Limited English Proficiency (LEP) Plan in order for demographic data to be consistent with statistics published by the United States Census Bureau for its 2020 Census. To solicit public input, the City published and posted a public hearing notice on April 29, 2022, ten (10) days prior to City Council consideration. On May 12, 2022, the Cerritos City Council conducted a public hearing and adopted an amended version of the Title VI program. The next review and adoption of the City's Title VI program will be in 2025.

I. INTRODUCTION

The Federal Transit Administration (FTA) is responsible for ensuring that its funding recipients fully comply with Title VI of the Civil Rights Act of 1964 (Title VI) (see Attachment A, Excerpt: Title VI of the Civil Rights Act of 1964 Section 2000d). The City of Cerritos (City) provides two (2) public transit services, which includes the Cerritos On Wheels (COW) and Cerritos Dial-A-Ride programs that have been the recipient of federal transit funds, pursuant to Title 49 U.S.C. Chapter 53, under the FTA. Accordingly, as a recipient of Federal funds, the City is required to develop a Title VI program to comply with FTA Circular 4702.1B, which was adopted in 2012.

The purpose of this Title VI program is to establish guidelines to effectively monitor and ensure that the COW and Dial-A-Ride services are in compliance with FTA Title VI requirements. Title VI states 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 be subjected to discrimination under any program or activity receiving Federal financial assistance."

The FTA is required to ensure that federally-supported transit services and related benefits are consistent with policies identified in Title VI. Accordingly, this program was developed in order to ensure compliance with the following Title VI requirements:

- Notice to beneficiaries of protection under Title VI;
- Complaint procedures and complaint form;
- Record and report transit-related Title VI investigations, complaints and lawsuits;
- Public participation and meaningful access to Limited English Proficiency (LEP); and
- Service standards and policies.

The City will ensure that its programs, policies, and activities comply with the California Department of Transportation's (DOT) Title VI Regulations and with Limited English Proficient (LEP) Persons requirements. In addition, the City is committed to creating and maintaining a public transportation system that is free of all forms of discrimination and will take necessary corrective and disciplinary actions to stem behavior that violates this policy or the rights and privileges it is designed to protect. The City will document all complaints with DOT Title VI regulations by submitting a Title VI program to Metro once every three (3) years.

This program applies to the City's COW and Dial-A-Ride transit services, which are operated by the City of Cerritos and contracted out to a private transit operator. A brief description of the City's COW and Dial-A-Ride services during FY 2020-2021 is as follows:

COW	Dial-A-Ride
<ul style="list-style-type: none"> - The COW is a fixed route transit service that operates two (2) routes within City boundaries and connects with six (6) other transit providers. - The program operates Monday through Saturday. - The COW fleet consists of five (5) buses. 	<ul style="list-style-type: none"> - The Dial-A-Ride is a curb-to-curb shared transit service for seniors over 55 years of age and residents with disabilities. - The program operates Monday through Sunday.
FY 2020-2021 Annual Ridership: 15,811	FY 2020-2021 Annual Ridership: 10,152

II. TITLE VI REQUIREMENTS

1. Requirement to Notify Beneficiaries of Protection under Title VI

In order to comply with 49 CFR, Section 21.9(d), the City provides information to the public regarding the City's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI.

The City of Cerritos informs members of the public of their Title VI protection rights by posting a Notice of Rights under Title VI on the City's website, posting a notice inside all COW buses and by United States Postal Service mailings to passengers that utilize the Dial-A-Ride service (see Attachment B, Notice of Civil Rights). Additionally, newly registered passengers for the Dial-A-Ride service receive a copy of the notice with confirmation of registration. Further, COW passengers that purchase monthly COW passes receive a copy of the notice in the mail with their monthly bus passes. Finally, customers purchasing bus passes at City Hall are offered a copy of the notice for informational purposes.

2. Requirement to Develop Title VI Complaint Procedures and Complaint Form

The City is required to develop procedures for investigating and tracking Title VI complaints filed against the City and to make these procedures for filing a complaint available to the general public. As such, the complaint procedures and complaint form are available on the City's website. The following complaint procedures have been established for the City's Title VI program:

A. City of Cerritos Title VI Complaint Procedures

1. Submission of Complaint

If a passenger believes he/she has received discriminatory treatment by a City of Cerritos transit employee on the basis of race, color or national origin, the passenger will have the right to file a complaint with the City. The complaint must be filed within sixty (60) calendar days of the alleged discriminatory incident, either in-person or by mail at:

City of Cerritos
 Department of Community Development
 18125 Bloomfield Avenue
 Cerritos, CA 90703

Title VI complaint forms are available in English, Chinese, Tagalog, and Korean.

2. Investigation of Complaints

Upon receipt of a complaint, the City will work with the transit contractor as appropriate to investigate the complaint. The investigation may include discussion(s) of the complaint with all affected parties to determine the issue. Based on information received, the City and transit contractor will prepare an investigation report for submittal to the Advance Planning/Economic Development Manager. The complainant will receive a letter from the City and/or transit contractor regarding the decision/findings of the investigation within forty-five (45) calendar days of receipt of the complaint.

If more time is needed to review the complaint, the City will notify the complainant of the estimated time-frame for completing the review. Upon completing the review, the City shall make a recommendation in writing to the transit contractor regarding the merit of the complaint, whether remedial actions are available to provide redress, and whether improvements to the City's Title VI process are needed.

3. Request for Reconsideration

If the complainant disagrees with the City's and transit contractor's decision/findings, the complainant may request reconsideration by submitting a written request to the Director of Community Development within ten (10) calendar days of receipt of the City's decision. The complainant shall provide a detailed description of the request for reconsideration. The Director of Community Development will notify the complainant of his/her decision either to accept or reject the request for reconsideration within ten (10) calendar days. When the Director of Community Development agrees to reconsider the matter, the complaint shall be returned to the City's transit staff for re-evaluation in accordance with the "Investigation of Complaint" procedures described previously.

4. Appeal Process

If the request for reconsideration is denied, the complainant may appeal the Director of Community Development's response by submitting a written request to the City. The appeal request will be forwarded to the City Manager for final determination.

5. Submission of Complaint to the Department of Transportation

If the complainant is dissatisfied with the City's resolution of the complaint, he/she may submit a complaint to the Department of Transportation for investigation:

Federal Transit Administration
Office of Civil Rights
Attention: Compliant Team
East Building, 5th Floor – TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

In accordance with Chapter 9, Complaints, of FTA Circular 4702.1B, such a complaint must be filed within 180 calendar days of the date of the alleged discrimination.

The City has developed a Title VI Complaint Form to document all complaints received by the City and/or transit contractor. This form is available on the City's website and at the City of Cerritos, Department of Community Development, 18125 Bloomfield Ave, Cerritos, CA 90703 (see Attachment C, Complaint Form). This form is available in English, Chinese, Korean, and Tagalog.

3. Requirement to Record and Report Transit-Related Title VI Investigations, Complaints, and Lawsuits

The City is required to prepare and maintain a list of investigations, complaints, or lawsuits that pertain to allegations of discrimination on the basis of race, color, and/or national origin in transit-related activities and programs. The City maintains a list of Title VI investigations, complaints, and lawsuits, including a comprehensive summary and description of actions taken by the City, as required by Title VI regulations (see Attachment D, Title VI Investigation List). The list shall include the date that an investigation, lawsuit, or complaint is received, opened, or filed; a summary of an allegation(s); the status of an investigation, lawsuit, or complaint; and actions taken by the City or final findings related to an investigation, lawsuit, or complaint. The list is included in the City's Title VI submittal to FTA every three (3) years.

It should be noted that to date, no investigations, complaints or lawsuits have been filed with the City of Cerritos for its Cerritos On Wheels or Dial-A-Ride transportation services.

4. Language Assistance Plan and Requirement to Provide Meaningful Access to LEP Persons

The Title VI Limited English Proficiency (LEP) Plan includes two components: a Title VI Limited English Proficiency (LEP) Analysis and a Language Assistance Plan. The LEP Analysis includes a four (4) factor analysis, which includes (i) the number of LEP persons in the service area, (ii) frequency that LEP persons utilize transit services, (iii) the nature and importance of programs, activities or services provided to the LEP population, and (iv) resources available to the City and overall costs to provide LEP assistance. The LEP Plan explains the findings of the four (4) factor analysis and describes how the City provides language assistance (see Attachment E, City of Cerritos Title VI Limited English Proficiency – LEP Plan).

Title VI and its implementing regulations require that FTA recipients take responsible steps to ensure meaningful access to benefits, services, information, and other important portions of programs and activities for individuals who are LEP. In addition to the steps outlined herein, the City collaborates with the Los Angeles County Metropolitan Transportation Authority (Metro) and other neighborhood stakeholders to ensure that limited English proficient persons have access to transit related information.

5. Promoting Inclusive Public Participation

The City is required to develop a public participation plan with outreach efforts to engage community members including low-income individuals, people with disabilities, minority and limited English proficient populations, as well as provide a summary of outreach efforts made since the last Title VI program update. Since the adoption of the City's Title VI program in 2014, public participation and/or outreach activities are on-going, which includes publishing and posting public hearing notices for the adoption of the amended versions of

the City's Title VI program. Additionally, Notice of Rights under Title VI are displayed on the City's website and inside all COW buses (see Attachment B, City of Cerritos Notice of Civil Rights).

Public Participation Plan

The City's Public Participation Plan is designed to encourage public participation with regard to transit activities. These activities include, but are not limited to, hosting public workshops, disseminating flyers for transit service changes and coordination with other transit contractors that operate within City boundaries. Specific details for both components are included in the City's Public Participation Plan (see Attachment F, City of Cerritos Public Participation Plan).

For example, in an attempt to inform Dial-A-Ride passengers about the City's use of a new Dial-A-Ride subcontractor in 2016, the City mailed a letter to all Dial-A-Ride passengers informing them of the change and the new vehicles that would be operating the service. The City did not make any service modifications to the Dial-A-Ride service; however, the City wanted all passengers to be aware of the new vehicles to minimize any potential confusion and to seek passenger input related to the subcontractor change. This was an example of the City's additional efforts to inform the public and to encourage public participation regarding the implementation of a new subcontractor.

6. Requirement to Provide Additional Information Upon Request

At the discretion of the FTA, information other than that required by the referenced circular, may be requested in writing from a recipient in order to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI requirements. The City of Cerritos is available to provide additional information, as needed, and to respond to any verbal or written complaint accordingly.

7. Requirement to Develop System-Wide Standards and Policies

The FTA requires all fixed-route transit operators to develop quantitative service standards and policies for their fixed-route service. As such, the City has developed service standards and policies for its fixed-route system consistent with Title VI requirements. The standards include (a) vehicle load; (b) vehicle headway; (c) on-time performance; and (d) service availability. The policies include (a) the policy for the distribution of transit amenities and (b) vehicle assignment policies (see Attachment G, City of Cerritos Systems-Wide Standards and Policies).

8. Minority Representation on Planning or Advisory Board

Title 49 CFR Section 21.5(b)(1)(vii) states that a recipient may not, on the grounds of race, color, or national origin, "deny a person the opportunity to participate as a member of a planning, advisory, or similar body which is an integral part of the program." Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar committees, with membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees.

This requirement does not apply to the City of Cerritos as the City does not have a transportation commission or non-elected transit advisory board to address transportation

issues. Rather, the Cerritos City Council serves as the legislative body for all transportation related policy decisions. Therefore, reporting minority representation on a planning or advisory board does not apply to the City of Cerritos.

9. Determination of Site or Location of Facilities

Title 49 CFR Section 21.9(b)(3) states, "In determining the site or location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this regulation applies, on the grounds of race, color, or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act or this part." Title 49 CFR part 21, Appendix C, Section (3)(iv) provides, "The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin."

The City of Cerritos did not use any Federal grant funds for the construction of any transit related facilities, such as storage, maintenance, or operational facilities. Therefore, this requirement does not apply to the City of Cerritos.

III. ATTACHMENTS

- A. Title VI of the Civil Rights Act of 1964 Section 2000d
- B. City of Cerritos Notice of Civil Rights
- C. City of Cerritos Title VI Complaint Form
- D. List of Transit Related Title VI Investigations, Complaints, and Lawsuits
- E. City of Cerritos Title VI Limited English Proficiency (LEP) Plan
- F. City of Cerritos Public Participation Plan
- G. City of Cerritos System-Wide Standards and Policies

ATTACHMENT

A

Title VI of the Civil Rights Act of 1964
Section 200d

42 U.S.C.

United States Code, 2008 Edition
Title 42 - THE PUBLIC HEALTH AND WELFARE
CHAPTER 21 - CIVIL RIGHTS
SUBCHAPTER V - FEDERALLY ASSISTED PROGRAMS
From the U.S. Government Publishing Office, www.gpo.gov

SUBCHAPTER V—FEDERALLY ASSISTED PROGRAMS

§2000d. Prohibition against exclusion from participation in, denial of benefits of, and discrimination under federally assisted programs on ground of race, color, or national origin

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.

(Pub. L. 88–352, title VI, §601, July 2, 1964, 78 Stat. 252.)

COORDINATION OF IMPLEMENTATION AND ENFORCEMENT OF PROVISIONS

For provisions relating to the coordination of implementation and enforcement of the provisions of this subchapter by the Attorney General, see section 1–201 of Ex. Ord. No. 12250, Nov. 2, 1980, 45 F.R. 72995, set out as a note under section 2000d–1 of this title.

EX. ORD. NO. 13160. NONDISCRIMINATION ON THE BASIS OF RACE, SEX, COLOR, NATIONAL ORIGIN, DISABILITY, RELIGION, AGE, SEXUAL ORIENTATION, AND STATUS AS A PARENT IN FEDERALLY CONDUCTED EDUCATION AND TRAINING PROGRAMS

Ex. Ord. No. 13160, June 23, 2000, 65 F.R. 39775, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including sections 921–932 of title 20, United States Code; section 2164 of title 10, United States Code; section 2001 *et seq.*, of title 25, United States Code; section 7301 of title 5, United States Code; and section 301 of title 3, United States Code, and to achieve equal opportunity in Federally conducted education and training programs and activities, it is hereby ordered as follows:

SECTION 1. *Statement of policy on education programs and activities conducted by executive departments and agencies.*

1–101. The Federal Government must hold itself to at least the same principles of nondiscrimination in educational opportunities as it applies to the education programs and activities of State and local governments, and to private institutions receiving Federal financial assistance. Existing laws and regulations prohibit certain forms of discrimination in Federally conducted education and training programs and activities—including discrimination against people with disabilities, prohibited by the Rehabilitation Act of 1973, 29 U.S.C. 701 *et seq.*, as amended, employment discrimination on the basis of race, color, national origin, sex, or religion, prohibited by Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e–17 [42 U.S.C. 2000e *et seq.*], as amended, discrimination on the basis of race, color, national origin, or religion in educational programs receiving Federal assistance, under Title VI of the Civil Rights Acts of 1964, 42 U.S.C. 2000d [et seq.], and sex-based discrimination in education programs receiving Federal assistance under Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 *et seq.* Through this Executive Order, discrimination on the basis of race, sex, color, national origin, disability, religion, age, sexual orientation, and status as a parent will be prohibited in Federally conducted education and training programs and activities.

1–102. No individual, on the basis of race, sex, color, national origin, disability, religion, age, sexual orientation, or status as a parent, shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination in, a Federally conducted education or training program or activity.

SEC. 2. *Definitions.*

2–201. “Federally conducted education and training programs and activities” includes programs and activities conducted, operated, or undertaken by an executive department or agency.

2–202. “Education and training programs and activities” include, but are not limited to, formal schools, extracurricular activities, academic programs, occupational training, scholarships and fellowships, student internships, training for industry members, summer enrichment camps, and teacher training programs.

2–203. The Attorney General is authorized to make a final determination as to whether a program falls within the scope of education and training programs and activities covered by this order, under subsection 2–202, or is excluded from coverage, under section 3.

2-204. "Military education or training programs" are those education and training programs conducted by the Department of Defense or, where the Coast Guard is concerned, the Department of Transportation, for the primary purpose of educating or training members of the armed forces or meeting a statutory requirement to educate or train Federal, State, or local civilian law enforcement officials pursuant to 10 U.S.C. Chapter 18.

2-205. "Armed Forces" means the Armed Forces of the United States.

2-206. "Status as a parent" refers to the status of an individual who, with respect to an individual who is under the age of 18 or who is 18 or older but is incapable of self-care because of a physical or mental disability, is:

- (a) a biological parent;
- (b) an adoptive parent;
- (c) a foster parent;
- (d) a stepparent;
- (e) a custodian of a legal ward;
- (f) in loco parentis over such an individual; or
- (g) actively seeking legal custody or adoption of such an individual.

SEC. 3. Exemption from coverage.

3-301. This order does not apply to members of the armed forces, military education or training programs, or authorized intelligence activities. Members of the armed forces, including students at military academies, will continue to be covered by regulations that currently bar specified forms of discrimination that are now enforced by the Department of Defense and the individual service branches. The Department of Defense shall develop procedures to protect the rights of and to provide redress to civilians not otherwise protected by existing Federal law from discrimination on the basis of race, sex, color, national origin, disability, religion, age, sexual orientation, or status as a parent and who participate in military education or training programs or activities conducted by the Department of Defense.

3-302. This order does not apply to, affect, interfere with, or modify the operation of any otherwise lawful affirmative action plan or program.

3-303. An individual shall not be deemed subjected to discrimination by reason of his or her exclusion from the benefits of a program established consistent with federal law or limited by Federal law to individuals of a particular race, sex, color, disability, national origin, age, religion, sexual orientation, or status as a parent different from his or her own.

3-304. This order does not apply to ceremonial or similar education or training programs or activities of schools conducted by the Department of the Interior, Bureau of Indian Affairs, that are culturally relevant to the children represented in the school. "Culturally relevant" refers to any class, program, or activity that is fundamental to a tribe's culture, customs, traditions, heritage, or religion.

3-305. This order does not apply to (a) selections based on national origin of foreign nationals to participate in covered education or training programs, if such programs primarily concern national security or foreign policy matters; or (b) selections or other decisions regarding participation in covered education or training programs made by entities outside the executive branch. It shall be the policy of the executive branch that education or training programs or activities shall not be available to entities that select persons for participation in violation of Federal or State law.

3-306. The prohibition on discrimination on the basis of age provided in this order does not apply to age-based admissions of participants to education or training programs, if such programs have traditionally been age-specific or must be age-limited for reasons related to health or national security.

SEC. 4. Administrative enforcement.

4-401. Any person who believes himself or herself to be aggrieved by a violation of this order or its implementing regulations, rules, policies, or guidance may, personally or through a representative, file a written complaint with the agency that such person believes is in violation of this order or its implementing regulations, rules, policies, or guidance. Pursuant to procedures to be established by the Attorney General, each executive department or agency shall conduct an investigation of any complaint by one of its employees alleging a violation of this Executive Order.

4-402. (a) If the office within an executive department or agency that is designated to investigate complaints for violations of this order or its implementing rules, regulations, policies, or guidance concludes that an employee has not complied with this order or any of its implementing rules, regulations, policies, or guidance, such office shall complete a report and refer a copy of the report and any relevant findings or supporting evidence to an appropriate agency official. The appropriate agency official shall review such material and determine what, if any, disciplinary action is appropriate.

(b) In addition, the designated investigating office may provide appropriate agency officials with a recommendation for any corrective and/or remedial action. The appropriate officials shall consider such recommendation and implement corrective and/or remedial action by the agency, when appropriate. Nothing in this order authorizes monetary relief to the complainant as a form of remedial or corrective action by an executive department or agency.

4-403. Any action to discipline an employee who violates this order or its implementing rules, regulations, policies, or guidance, including removal from employment, where appropriate, shall be taken in compliance with otherwise applicable procedures, including the Civil Service Reform Act of 1978, Public Law No. 95-454, 92 Stat. 1111 [see Tables for classification].

SEC. 5. Implementation and Agency Responsibilities.

5-501. The Attorney General shall publish in the Federal Register such rules, regulations, policies, or guidance, as the Attorney General deems appropriate, to be followed by all executive departments and agencies. The Attorney General shall address:

- a. which programs and activities fall within the scope of education and training programs and activities covered by this order, under subsection 2-202, or excluded from coverage, under section 3 of this order;
- b. examples of discriminatory conduct;
- c. applicable legal principles;
- d. enforcement procedures with respect to complaints against employees;
- e. remedies;
- f. requirements for agency annual and tri-annual reports as set forth in section 6 of this order; and
- g. such other matters as deemed appropriate.

5-502. Within 90 days of the publication of final rules, regulations, policies, or guidance by the Attorney General, each executive department and agency shall establish a procedure to receive and address complaints regarding its Federally conducted education and training programs and activities. Each executive department and agency shall take all necessary steps to effectuate any subsequent rules, regulations, policies, or guidance issued by the Attorney General within 90 days of issuance.

5-503. The head of each executive department and agency shall be responsible for ensuring compliance within this order.

5-504. Each executive department and agency shall cooperate with the Attorney General and provide such information and assistance as the Attorney General may require in the performance of the Attorney General's functions under this order.

5-505. Upon request and to the extent practicable, the Attorney General shall provide technical advice and assistance to executive departments and agencies to assist in full compliance with this order.

SEC. 6. Reporting Requirements.

6-601. Consistent with the regulations, rules, policies, or guidance issued by the Attorney General, each executive department and agency shall submit to the Attorney General a report that summarizes the number and nature of complaints filed with the agency and the disposition of such complaints. For the first 3 years after the date of this order, such reports shall be submitted annually within 90 days of the end of the preceding year's activities. Subsequent reports shall be submitted every 3 years and within 90 days of the end of each 3-year period.

SEC. 7. General Provisions.

7-701. Nothing in this order shall limit the authority of the Attorney General to provide for the coordinated enforcement of nondiscrimination requirements in Federal assistance programs under Executive Order 12250 [42 U.S.C. 2000d-1 note].

SEC. 8. Judicial Review.

8-801. This order is not intended, and should not be construed, to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or its employees. This order is not intended, however, to preclude judicial review of final decisions in accordance with the Administrative Procedure Act, 5 U.S.C. 701, *et seq.*

WILLIAM J. CLINTON.

§2000d-1. Federal authority and financial assistance to programs or activities by way of grant, loan, or contract other than contract of insurance or guaranty; rules and regulations; approval by President; compliance with requirements; reports to Congressional committees; effective date of administrative action

Each Federal department and agency which is empowered to extend Federal financial assistance to any program or activity, by way of grant, loan, or contract other than a contract of insurance or guaranty, is authorized and directed to effectuate the provisions of section 2000d of this title with respect to such program or activity by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken. No such rule, regulation, or order shall become effective unless and until approved by the President. Compliance with any requirement adopted pursuant to this section may be effected (1) by the termination of or refusal to grant or to continue assistance under such program or activity to any recipient as to whom there has been an express finding on the record, after opportunity for hearing, of a failure to comply with such requirement, but such termination or refusal shall be limited to the particular political entity, or part thereof, or other recipient as to whom such a finding has been made and, shall be limited in its effect to the particular program, or part thereof, in which such noncompliance has been so found, or (2) by any other means authorized by law: *Provided, however,* That no such action shall be taken until the

department or agency concerned has advised the appropriate person or persons of the failure to comply with the requirement and has determined that compliance cannot be secured by voluntary means. In the case of any action terminating, or refusing to grant or continue, assistance because of failure to comply with a requirement imposed pursuant to this section, the head of the Federal department or agency shall file with the committees of the House and Senate having legislative jurisdiction over the program or activity involved a full written report of the circumstances and the grounds for such action. No such action shall become effective until thirty days have elapsed after the filing of such report.

(Pub. L. 88-352, title VI, §602, July 2, 1964, 78 Stat. 252.)

DELEGATION OF FUNCTIONS

Function of the President relating to approval of rules, regulations, and orders of general applicability under this section, delegated to the Attorney General, see section 1-101 of Ex. Ord. No. 12250, Nov. 2, 1980, 45 F.R. 72995, set out below.

EQUAL OPPORTUNITY IN FEDERAL EMPLOYMENT

Nondiscrimination in government employment and in employment by government contractors and subcontractors, see Ex. Ord. No. 11246, eff. Sept. 24, 1965, 30 F.R. 12319, and Ex. Ord. No. 11478, eff. Aug. 8, 1969, 34 F.R. 12985, set out as notes under section 2000e of this title.

EXECUTIVE ORDER NO. 11247

Ex. Ord. No. 11247, eff. Sept. 24, 1965, 30 F.R. 12327, which related to enforcement of coordination of nondiscrimination in federally assisted programs, was superseded by Ex. Ord. No. 11764, eff. Jan. 21, 1974, 39 F.R. 2575, formerly set out below.

EXECUTIVE ORDER NO. 11764

Ex. Ord. No. 11764, Jan. 21, 1974, 39 F.R. 2575, which related to coordination of enforcement of provisions of this subchapter, was revoked by section 1-501 of Ex. Ord. No. 12250, Nov. 2, 1980, 45 F.R. 72996, set out below.

EX. ORD. NO. 12250. LEADERSHIP AND COORDINATION OF IMPLEMENTATION AND ENFORCEMENT OF NONDISCRIMINATION LAWS

Ex. Ord. No. 12250, Nov. 2, 1980, 45 F.R. 72995, provided:

By the authority vested in me as President by the Constitution and statutes of the United States of America, including section 602 of the Civil Rights Act of 1964 (42 U.S.C. 2000d-1), Section 902 of the Education Amendments of 1972 (20 U.S.C. 1682), and Section 301 of Title 3 of the United States Code, and in order to provide, under the leadership of the Attorney General, for the consistent and effective implementation of various laws prohibiting discriminatory practices in Federal programs and programs receiving Federal financial assistance, it is hereby ordered as follows:

1-1. DELEGATION OF FUNCTION

1-101. The function vested in the President by Section 602 of the Civil Rights Act of 1964 (42 U.S.C. 2000d-1), relating to the approval of rules, regulations, and orders of general applicability, is hereby delegated to the Attorney General.

1-102. The function vested in the President by Section 902 of the Education Amendments of 1972 (20 U.S.C. 1682), relating to the approval of rules, regulations, and orders of general applicability, is hereby delegated to the Attorney General.

1-2. COORDINATION OF NONDISCRIMINATION PROVISIONS

1-201. The Attorney General shall coordinate the implementation and enforcement by Executive agencies of various nondiscrimination provisions of the following laws:

- (a) Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).
- (b) Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.).
- (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794).

(d) Any other provision of Federal statutory law which provides, in whole or in part, that no person in the United States shall, on the ground of race, color, national origin, handicap, religion, or sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance.

1-202. In furtherance of the Attorney General's responsibility for the coordination of the implementation and enforcement of the nondiscrimination provisions of laws covered by this Order, the Attorney General shall review the existing and proposed rules, regulations, and orders of general applicability of the Executive agencies in order to identify those which are inadequate, unclear or unnecessarily inconsistent.

1-203. The Attorney General shall develop standards and procedures for taking enforcement actions and for conducting investigations and compliance reviews.

1-204. The Attorney General shall issue guidelines for establishing reasonable time limits on efforts to secure voluntary compliance, on the initiation of sanctions, and for referral to the Department of Justice for enforcement where there is noncompliance.

1-205. The Attorney General shall establish and implement a schedule for the review of the agencies' regulations which implement the various nondiscrimination laws covered by this Order.

1-206. The Attorney General shall establish guidelines and standards for the development of consistent and effective recordkeeping and reporting requirements by Executive agencies; for the sharing and exchange by agencies of compliance records, findings, and supporting documentation; for the development of comprehensive employee training programs; for the development of effective information programs; and for the development of cooperative programs with State and local agencies, including sharing of information, deferring of enforcement activities, and providing technical assistance.

1-207. The Attorney General shall initiate cooperative programs between and among agencies, including the development of sample memoranda of understanding, designed to improve the coordination of the laws covered by this Order.

1-3. IMPLEMENTATION BY THE ATTORNEY GENERAL

1-301. In consultation with the affected agencies, the Attorney General shall promptly prepare a plan for the implementation of this Order. This plan shall be submitted to the Director of the Office of Management and Budget.

1-302. The Attorney General shall periodically evaluate the implementation of the nondiscrimination provisions of the laws covered by this Order, and advise the heads of the agencies concerned on the results of such evaluations as to recommendations for needed improvement in implementation or enforcement.

1-303. The Attorney General shall carry out his functions under this Order, including the issuance of such regulations as he deems necessary, in consultation with affected agencies.

1-304. The Attorney General shall annually report to the President through the Director of the Office of Management and Budget on the progress in achieving the purposes of this Order. This report shall include any recommendations for changes in the implementation or enforcement of the nondiscrimination provisions of the laws covered by this Order.

1-305. The Attorney General shall chair the Interagency Coordinating Council established by Section 507 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794c).

1-4. AGENCY IMPLEMENTATION

1-401. Each Executive agency shall cooperate with the Attorney General in the performance of the Attorney General's functions under this Order and shall, unless prohibited by law, furnish such reports and information as the Attorney General may request.

1-402. Each Executive agency responsible for implementing a nondiscrimination provision of a law covered by this Order shall issue appropriate implementing directives (whether in the nature of regulations or policy guidance). To the extent permitted by law, they shall be consistent with the requirements prescribed by the Attorney General pursuant to this Order and shall be subject to the approval of the Attorney General, who may require that some or all of them be submitted for approval before taking effect.

1-403. Within 60 days after a date set by the Attorney General, Executive agencies shall submit to the Attorney General their plans for implementing their responsibilities under this Order.

1-5. GENERAL PROVISIONS

1-501. Executive Order No. 11764 is revoked. The present regulations of the Attorney General relating to the coordination of enforcement of Title VI of the Civil Rights Act of 1964 [this subchapter] shall continue in effect until revoked or modified (28 CFR 42.401 to 42.415).

1-502. Executive Order No. 11914 is revoked. The present regulations of the Secretary of Health and Human Services relating to the coordination of the implementation of Section 504 of the Rehabilitation Act of 1973, as amended [29 U.S.C. 794], shall be deemed to have been issued by the Attorney General pursuant to this Order and shall continue in effect until revoked or modified by the Attorney General.

1-503. Nothing in this Order shall vest the Attorney General with the authority to coordinate the implementation and enforcement by Executive agencies of statutory provisions relating to equal employment.

1-504. Existing agency regulations implementing the nondiscrimination provisions of laws covered by this Order shall continue in effect until revoked or modified.

JIMMY CARTER.

EX. ORD. NO. 13166. IMPROVING ACCESS TO SERVICES FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY

Ex. Ord. No. 13166, Aug. 11, 2000, 65 F.R. 50121, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to improve access to federally conducted and federally assisted programs and activities for persons who, as a result of national origin, are limited in their English proficiency (LEP), it is hereby ordered as follows:

SECTION 1. *Goals.*

The Federal Government provides and funds an array of services that can be made accessible to otherwise eligible persons who are not proficient in the English language. The Federal Government is committed to

improving the accessibility of these services to eligible LEP persons, a goal that reinforces its equally important commitment to promoting programs and activities designed to help individuals learn English. To this end, each Federal agency shall examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services consistent with, and without unduly burdening, the fundamental mission of the agency. Each Federal agency shall also work to ensure that recipients of Federal financial assistance (recipients) provide meaningful access to their LEP applicants and beneficiaries. To assist the agencies with this endeavor, the Department of Justice has today issued a general guidance document (LEP Guidance), which sets forth the compliance standards that recipients must follow to ensure that the programs and activities they normally provide in English are accessible to LEP persons and thus do not discriminate on the basis of national origin in violation of title VI of the Civil Rights Act of 1964 [42 U.S.C. 2000d et seq.], as amended, and its implementing regulations. As described in the LEP Guidance, recipients must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.

SEC. 2. Federally Conducted Programs and Activities.

Each Federal agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency's programs and activities. Agencies shall develop and begin to implement these plans within 120 days of the date of this order, and shall send copies of their plans to the Department of Justice, which shall serve as the central repository of the agencies' plans.

SEC. 3. Federally Assisted Programs and Activities.

Each agency providing Federal financial assistance shall draft title VI guidance specifically tailored to its recipients that is consistent with the LEP Guidance issued by the Department of Justice. This agency-specific guidance shall detail how the general standards established in the LEP Guidance will be applied to the agency's recipients. The agency-specific guidance shall take into account the types of services provided by the recipients, the individuals served by the recipients, and other factors set out in the LEP Guidance. Agencies that already have developed title VI guidance that the Department of Justice determines is consistent with the LEP Guidance shall examine their existing guidance, as well as their programs and activities, to determine if additional guidance is necessary to comply with this order. The Department of Justice shall consult with the agencies in creating their guidance and, within 120 days of the date of this order, each agency shall submit its specific guidance to the Department of Justice for review and approval. Following approval by the Department of Justice, each agency shall publish its guidance document in the Federal Register for public comment.

SEC. 4. Consultations.

In carrying out this order, agencies shall ensure that stakeholders, such as LEP persons and their representative organizations, recipients, and other appropriate individuals or entities, have an adequate opportunity to provide input. Agencies will evaluate the particular needs of the LEP persons they and their recipients serve and the burdens of compliance on the agency and its recipients. This input from stakeholders will assist the agencies in developing an approach to ensuring meaningful access by LEP persons that is practical and effective, fiscally responsible, responsive to the particular circumstances of each agency, and can be readily implemented.

SEC. 5. Judicial Review.

This order is intended only to improve the internal management of the executive branch and does not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers or employees, or any person.

WILLIAM J. CLINTON.

§2000d–2. Judicial review; administrative procedure provisions

Any department or agency action taken pursuant to section 2000d–1 of this title shall be subject to such judicial review as may otherwise be provided by law for similar action taken by such department or agency on other grounds. In the case of action, not otherwise subject to judicial review, terminating or refusing to grant or to continue financial assistance upon a finding of failure to comply with any requirement imposed pursuant to section 2000d–1 of this title, any person aggrieved (including any State or political subdivision thereof and any agency of either) may obtain judicial review of such action in accordance with chapter 7 of title 5, and such action shall not be deemed committed to unreviewable agency discretion within the meaning of that chapter.

(Pub. L. 88–352, title VI, §603, July 2, 1964, 78 Stat. 253.)

CODIFICATION

“Chapter 7 of title 5” and “that chapter” substituted in text for “section 10 of the Administrative Procedure Act” and “that section”, respectively, on authority of Pub. L. 89–554, §7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees. Prior to the enactment of Title 5, section 10 of the Administrative Procedure Act was classified to section 1009 of Title 5.

§2000d–3. Construction of provisions not to authorize administrative action with respect to employment practices except where primary objective of Federal financial assistance is to provide employment

Nothing contained in this subchapter shall be construed to authorize action under this subchapter by any department or agency with respect to any employment practice of any employer, employment agency, or labor organization except where a primary objective of the Federal financial assistance is to provide employment.

(Pub. L. 88–352, title VI, §604, July 2, 1964, 78 Stat. 253.)

§2000d–4. Federal authority and financial assistance to programs or activities by way of contract of insurance or guaranty

Nothing in this subchapter shall add to or detract from any existing authority with respect to any program or activity under which Federal financial assistance is extended by way of a contract of insurance or guaranty.

(Pub. L. 88–352, title VI, §605, July 2, 1964, 78 Stat. 253.)

§2000d–4a. “Program or activity” and “program” defined

For the purposes of this subchapter, the term “program or activity” and the term “program” mean all of the operations of—

(1)(A) a department, agency, special purpose district, or other instrumentality of a State or of a local government; or

(B) the entity of such State or local government that distributes such assistance and each such department or agency (and each other State or local government entity) to which the assistance is extended, in the case of assistance to a State or local government;

(2)(A) a college, university, or other postsecondary institution, or a public system of higher education; or

(B) a local educational agency (as defined in section 7801 of title 20), system of vocational education, or other school system;

(3)(A) an entire corporation, partnership, or other private organization, or an entire sole proprietorship—

(i) if assistance is extended to such corporation, partnership, private organization, or sole proprietorship as a whole; or

(ii) which is principally engaged in the business of providing education, health care, housing, social services, or parks and recreation; or

(B) the entire plant or other comparable, geographically separate facility to which Federal financial assistance is extended, in the case of any other corporation, partnership, private organization, or sole proprietorship; or

(4) any other entity which is established by two or more of the entities described in paragraph (1), (2), or (3);

any part of which is extended Federal financial assistance.

(Pub. L. 88–352, title VI, §606, as added Pub. L. 100–259, §6, Mar. 22, 1988, 102 Stat. 31; amended Pub. L. 103–382, title III, §391(q), Oct. 20, 1994, 108 Stat. 4024; Pub. L. 107–110, title X, §1076(y), Jan. 8, 2002, 115 Stat. 2093.)

AMENDMENTS

2002—Par. (2)(B). Pub. L. 107–110 substituted “7801” for “8801”.

1994—Par. (2)(B). Pub. L. 103–382 substituted “section 8801 of title 20” for “section 198(a)(10) of the Elementary and Secondary Education Act of 1965”.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107–110 effective Jan. 8, 2002, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 107–110, set out as an Effective Date note under section 6301 of Title 20, Education.

EXCLUSION FROM COVERAGE

This section not to be construed to extend application of Civil Rights Act of 1964 [42 U.S.C. 2000a et seq.] to ultimate beneficiaries of Federal financial assistance excluded from coverage before Mar. 22, 1988, see section 7 of Pub. L. 100–259, set out as a Construction note under section 1687 of Title 20, Education.

ABORTION NEUTRALITY

This section not to be construed to force or require any individual or hospital or any other institution, program, or activity receiving Federal funds to perform or pay for an abortion, see section 8 of Pub. L. 100–259, set out as a note under section 1688 of Title 20, Education.

§2000d–5. Prohibited deferral of action on applications by local educational agencies seeking Federal funds for alleged noncompliance with Civil Rights Act

The Secretary of Education shall not defer action or order action deferred on any application by a local educational agency for funds authorized to be appropriated by this Act, by the Elementary and Secondary Education Act of 1965 [20 U.S.C. 6301 et seq.], by the Act of September 30, 1950 ¹ (Public Law 874, Eighty-first Congress), or by the Cooperative Research Act [20 U.S.C. 331 et seq.], on the basis of alleged noncompliance with the provisions of this subchapter for more than sixty days after notice is given to such local agency of such deferral unless such local agency is given the opportunity for a hearing as provided in section 2000d–1 of this title, such hearing to be held within sixty days of such notice, unless the time for such hearing is extended by mutual consent of such local agency and the Secretary, and such deferral shall not continue for more than thirty days after the close of any such hearing unless there has been an express finding on the record of such hearing that such local educational agency has failed to comply with the provisions of this subchapter: *Provided*, That, for the purpose of determining whether a local educational agency is in compliance with this subchapter, compliance by such agency with a final order or judgment of a Federal court for the desegregation of the school or school system operated by such agency shall be deemed to be compliance with this subchapter, insofar as the matters covered in the order or judgment are concerned.

(Pub. L. 89–750, title I, §182, Nov. 3, 1966, 80 Stat. 1209; Pub. L. 90–247, title I, §112, Jan. 2, 1968, 81 Stat. 787; Pub. L. 96–88, title III, §301(a)(1), title V, §507, Oct. 17, 1979, 93 Stat. 677, 692; Pub. L. 103–382, title III, §392(b)(1), Oct. 20, 1994, 108 Stat. 4026.)

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 89–750, Nov. 3, 1966, 80 Stat. 1191, as amended, known as the Elementary and Secondary Education Amendments of 1966. For complete classification of that Act to the Code, see Short Title of 1966 Amendment note set out under section 6301 of Title 20, Education, and Tables.

The Elementary and Secondary Education Act of 1965, referred to in text, is Pub. L. 89–10, Apr. 11, 1965, 79 Stat. 27, as amended, which is classified generally to chapter 70 (§6301 et seq.) of Title 20. For complete classification of this Act to the Code, see Short Title note set out under section 6301 of Title 20 and Tables.

Act of September 30, 1950, referred to in text, is act Sept. 30, 1950, ch. 1124, 64 Stat. 1100, as amended, popularly known as the Educational Agencies Financial Aid Act, which was classified generally to chapter 13 (§236 et seq.) of Title 20 prior to repeal by Pub. L. 103–382, title III, §331(b), Oct. 20, 1994, 108 Stat. 3965. For complete classification of this Act to the Code, see Tables.

The Cooperative Research Act, referred to in text, is act July 26, 1954, ch. 576, 68 Stat. 533, which was classified generally to chapter 15 (§331 et seq.) of Title 20, and terminated on July 1, 1975, under provisions of section 402(c)(1) of Pub. L. 93–380, title IV, Aug. 21, 1974, 88 Stat. 544. See section 1851 et seq. of this title. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was enacted as part of the Elementary and Secondary Education Amendments of 1966, and not as part of the Civil Rights Act of 1964, title VI of which comprises this subchapter.

AMENDMENTS

1994—Pub. L. 103–382, which directed amendment of this section by striking out “by the Act of September 23, 1950 (Public Law 815, 81st Congress),”, was executed by striking out “by the Act of September 23, 1950 (Public Law 815, Eighty-first Congress)” before “or by the Cooperative” to reflect the probable intent of Congress.

1968—Pub. L. 90–247 inserted proviso.

EFFECTIVE DATE

Section 191 of Pub. L. 89–750 provided that: “The provisions of this title [enacting this section and sections 241m, 871 to 880, and 886 of Title 20, Education, amending sections 241b, 241c, 241e, 241f, 241g, 241h, 241j, 241k, 241l, 244, 331a, 332a, 332b, 821, 822, 823, 841, 842, 843, 844, 861, 862, 863, 864, 883, and 884 of Title 20, repealing section 241d of Title 20, and enacting provisions set out as notes under sections 241a, 241b, and 241c of Title 20] shall be effective with respect to fiscal years beginning after June 30, 1966, except as specifically provided otherwise.”

TRANSFER OF FUNCTIONS

“Secretary of Education” and “Secretary” substituted in text for “Commissioner of Education” and “Commissioner”, respectively, pursuant to sections 301(a)(1) and 507 of Pub. L. 96–88, which are classified to sections 3441(a)(1) and 3507 of Title 20, Education, and which transferred all functions of Commissioner of Education of Department of Health, Education, and Welfare to Secretary of Education.

[See References in Text note below.](#)

§2000d–6. Policy of United States as to application of nondiscrimination provisions in schools of local educational agencies

(a) Declaration of uniform policy

It is the policy of the United States that guidelines and criteria established pursuant to title VI of the Civil Rights Act of 1964 [42 U.S.C. 2000d et seq.] and section 182 of the Elementary and Secondary Education Amendments of 1966 [42 U.S.C. 2000d–5] dealing with conditions of segregation by race, whether de jure or de facto, in the schools of the local educational agencies of any State shall be applied uniformly in all regions of the United States whatever the origin or cause of such segregation.

(b) Nature of uniformity

Such uniformity refers to one policy applied uniformly to de jure segregation wherever found and such other policy as may be provided pursuant to law applied uniformly to de facto segregation wherever found.

(c) Prohibition of construction for diminution of obligation for enforcement or compliance with nondiscrimination requirements

Nothing in this section shall be construed to diminish the obligation of responsible officials to enforce or comply with such guidelines and criteria in order to eliminate discrimination in federally assisted programs and activities as required by title VI of the Civil Rights Act of 1964 [42 U.S.C. 2000d et seq.].

(d) Additional funds

It is the sense of the Congress that the Department of Justice and the Secretary of Education should request such additional funds as may be necessary to apply the policy set forth in this section throughout the United States.

(Pub. L. 91–230, §2, Apr. 13, 1970, 84 Stat. 121; Pub. L. 96–88, title III, §301, title V, §507, Oct. 17, 1979, 93 Stat. 677, 692.)

REFERENCES IN TEXT

The Civil Rights Act of 1964, referred to in subsecs. (a) and (c), is Pub. L. 88–352, July 2, 1964, 78 Stat. 241, as amended. Title VI of the Civil Rights Act of 1964 is classified generally to this subchapter (§2000d et seq.). For complete classification of this Act to the Code, see Short Title note set out under section 2000a of this title and Tables.

CODIFICATION

Section was enacted as part of the Elementary and Secondary Education Amendments of 1969, and not as part of the Civil Rights Act of 1964, title VI of which comprises this subchapter.

TRANSFER OF FUNCTIONS

“Secretary of Education” substituted for “Department of Health, Education, and Welfare” in subsec. (d) pursuant to sections 301 and 507 of Pub. L. 96–88, which are classified to sections 3441 and 3507 of Title 20, Education, and which transferred functions and offices (relating to education) of Department and Secretary of Health, Education, and Welfare to Secretary of Education.

§2000d–7. Civil rights remedies equalization

(a) General provision

(1) A State shall not be immune under the Eleventh Amendment of the Constitution of the United States from suit in Federal court for a violation of section 504 of the Rehabilitation Act of 1973 [29 U.S.C. 794], title IX of the Education Amendments of 1972 [20 U.S.C. 1681 et seq.], the Age Discrimination Act of 1975 [42 U.S.C. 6101 et seq.], title VI of the Civil Rights Act of 1964 [42 U.S.C. 2000d et seq.], or the provisions of any other Federal statute prohibiting discrimination by recipients of Federal financial assistance.

(2) In a suit against a State for a violation of a statute referred to in paragraph (1), remedies (including remedies both at law and in equity) are available for such a violation to the same extent as such remedies are available for such a violation in the suit against any public or private entity other than a State.

(b) Effective date

The provisions of subsection (a) of this section shall take effect with respect to violations that occur in whole or in part after October 21, 1986.

(Pub. L. 99-506, title X, §1003, Oct. 21, 1986, 100 Stat. 1845.)

REFERENCES IN TEXT

The Education Amendments of 1972, referred to in subsec. (a)(1), is Pub. L. 92-318, June 23, 1972, 86 Stat. 235, as amended. Title IX of the Act, known as the Patsy Takemoto Mink Equal Opportunity in Education Act, is classified principally to chapter 38 (§1681 et seq.) of Title 20, Education. For complete classification of title IX to the Code, see Short Title note set out under section 1681 of Title 20 and Tables.

The Age Discrimination Act of 1975, referred to in subsec. (a)(1), is title III of Pub. L. 94-135, Nov. 28, 1975, 89 Stat. 728, as amended, which is classified generally to chapter 76 (§6101 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 6101 of this title and Tables.

The Civil Rights Act of 1964, referred to in subsec. (a)(1), is Pub. L. 88-352, July 2, 1964, 78 Stat. 241, as amended. Title VI of the Civil Rights Act of 1964 is classified generally to this subchapter (§2000d et seq.). For complete classification of this Act to the Code, see Short Title note set out under section 2000a of this title and Tables.

CODIFICATION

Section was enacted as part of the Rehabilitation Act Amendments of 1986, and not as part of the Civil Rights Act of 1964, title VI of which comprises this subchapter.

ATTACHMENT B

City of Cerritos Notice of Civil Rights

City of Cerritos

Notice of Civil Rights

The City of Cerritos (Cerritos) operates its programs and services (Cerritos on Wheels and Dial-Ride) without regard to race, color and national origin in accordance with Title VI of the Civil Rights Act or any other protected classes as described by State or Federal Law.

Any person who believes he or she has been aggrieved by any unlawful discriminatory practice may file a complaint with the City of Cerritos. For more information on the City of Cerritos civil rights program and the procedure to file a complaint, please contact the City using the information listed below.

만약 한국어로 안내가 필요하시면 세리토스 시에 (562) 916-1201 로 전화주십시오. (Korean)

「如需中文資訊，請洽喜瑞都市政府，電話號碼：(562) 916-1201。」 (Chinese)

Kung ang impormasyon ay kailangan sa Tagalog, mangyaring kontakin ang Lungsod ng Cerritos sa (562) 916-1201. (Tagalog)

City of Cerritos
18125 Bloomfield Avenue, Cerritos, CA 90703

Phone: (562) 916-1201
www.cerritos.us



세리토스 시 공민권법 공고문

세리토스시 (이후 세리토스) 는 공민권법 제6장에 따라 인종, 피부색, 출생지 또는 연방 및 주법이 기술하는 기타 보호 계층에 상관없이 시의 프로그램과 서비스 (세리토스 온 월스 그리고 다이얼-라이드) 를 운영합니다.

불법 차별적 관행으로 인해 피해를 보신 분은 세리토스 시에 항의를 제기할 수 있습니다. 세리토스 시의 공민권법 프로그램과 항의 제기 절차에 대해 더 자세한 사항을 알고 싶으시면 다음 연락처를 사용하여 시청에 연락을 해주십시오.

세리토스 시
18125 Bloomfield Avenue, Cerritos, CA 90703

전화: (562) 916-1201
www.cerritos.us



喜瑞都市 公民權利通知

喜瑞都市（**Cerritos**）遵循《公民權利法》第六篇提供計劃與服務（**Cerritos on Wheels** 和 **Dial-Ride**），不基於種族、膚色、原國籍進行歧視，亦不歧視州或聯邦法律描述的任何其他受保護群體。

任何認為自己遭受非法歧視的人均可向喜瑞都市政府提出申訴。欲進一步瞭解喜瑞都市政府的公民權利計劃和申訴程式，請與市政府聯繫，以下是聯繫資訊。

喜瑞都市政府
18125 Bloomfield Avenue, Cerritos, CA 90703

電話：(562) 916-1201
www.cerritos.us



Lungsod ng Cerritos

Paunawa ng mga Karapatang Sibil

Ang Lungsod ng Cerritos (Cerritos) ay nagpapatakbo ng mga programa at serbisyo nito (Cerritos on Wheels at Dial-Ride) nang hindi isinasaalang-alang ang lahi, kulay at bansang pinagmulan alinsunod sa Titulo VI ng Batas sa mga Karapatang Sibil o anumang ibang protektadong uri gaya ng inilalarawan ng Pang-estado o Pederal na Batas.

Sinumang tao na naniniwala na siya ay naagrabyado ng anumang labag sa batas na gawaing nagdidiskrimina ay maaaring magsampa ng reklamo sa Lungsod ng Cerritos. Para sa karagdagang impormasyon tungkol sa programa sa mga karapatang sibil ng Lungsod ng Cerritos at sa pamamaraan upang magsampa ng reklamo, mangyaring kontakin ang Lungsod gamit ang impormasyong nakalista sa ibaba.

Lungsod ng Cerritos
18125 Bloomfield Avenue, Cerritos, CA 90703

Telepono: (562) 916-1201
www.cerritos.us



ATTACHMENT C

City of Cerritos Title VI Complaint Form



City of Cerritos
Title VI Program

Civil Rights Complaint Form

Title VI of the 1964 Civil Rights Act and related nondiscrimination statutes and regulations require that no person in the United States shall, on the ground of race, color and 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 following information is necessary to assist the City of Cerritos in processing a complaint related to a violation of the 1964 Civil Rights Act. Should you require assistance in completing this form, please contact the Department of Community Development at (562) 916-1201.

Complete and return this form to: City of Cerritos, Department of Community Development, 18125 Bloomfield Avenue, Cerritos, CA 90703.

1. Complainant's Name: _____

2. Address: _____

3. City: _____ State: _____ Zip Code: _____

4. Telephone Number (home): _____ (cell): _____

5. Person discriminated against (if someone other than the Complainant):

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

6. Which of the following best describes the reason you believe the discrimination took place? Was it because of your:

- | | |
|---|--|
| <input type="checkbox"/> a. Race | <input type="checkbox"/> f. Sex |
| <input type="checkbox"/> b. Color | <input type="checkbox"/> g. Age |
| <input type="checkbox"/> c. National Origin | <input type="checkbox"/> h. Disability |
| <input type="checkbox"/> d. Religion | <input type="checkbox"/> i. Medical Condition |
| <input type="checkbox"/> e. Marital Status | <input type="checkbox"/> j. Sexual Orientation |

7. What date did the alleged discrimination take place? _____

8. In your own words, describe the alleged discrimination. Explain what happened and whom you believe was responsible. Please use an additional sheet of paper if additional space is required.

9. Have you filed this complaint with any other federal, state, or local agency; or with any federal or state court? Yes: No:

If yes, please check each box that applies:

Federal agency Federal court State agency

State court Local agency

10. Please provide information about a contact person at the agency/court where the complaint was filed:

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

11. Please sign below. You may attach any written materials or other information that you think is relevant to your complaint.

Complainant's Signature

Date



City of Cerritos Title VI Program
Civil Rights Complaint Form - Korean

민권 고소 양식

1964년 공민권법 제6장 및 관련 차별 방지 법령에 의해 미국에 거주하는 어느 누구도 인종, 피부색 또는 출신국으로 인해 연방 재정 지원을 받는 모든 프로그램 하에서 참여가 제외되거나, 혜택을 거부당하거나, 차별적 대우를 받아서는 안됩니다. City of Cerritos (도시교통국)는 또한 공민권법 제6장에 추가해서 성별, 연령, 장애, 종교, 의료 상태, 결혼 여부 또는 성적 성향에 근거한 차별 대우를 금지합니다.

다음은 귀하의 고소 제기를 처리하는데 도움이 되는 필수 정보입니다. 본 양식을 작성하기 위해 도움이 필요하신 경우 알려주시기 바랍니다.

본 양식을 작성하신 후 다음 주소로 제출해 주십시오: City of Cerritos, Department of Community Development, 18125 Bloomfield Avenue, Cerritos, CA 90703.

1 고소인 성명: _____

2 주소: _____

3 시: _____ 주: _____ 우편번호: _____

4 전화 번호(주택): _____ (직장): _____

5. 차별 대우를 당한 사람 (고소인 자신이 아닌 경우)

성명: _____

주소: _____

시: _____ 주: _____ 우편번호: _____

6. 다음 중 차별 대우를 받았다고 생각되는 이유를 가장 잘 설명하는 것은? 귀하가 차별 대우를 받은 이유:

- a. 인종
- b. 피부색
- c. 출신국
- d. 성별
- e. 연령
- f. 장애
- g. 종교
- h. 건강상태
- i. 결혼 상태
- j. 성적 성향

7. 차별 대우가 발생한 것으로 주장하는 날짜는 언제입니까? _____

8. 발생한 것으로 주장하는 차별 대우를 자신의 표현으로 설명하십시오. 어떤 일이 발생했으며, 누구에게 책임이 있었다고 생각하시는지 설명하십시오. 기재할 공간이 더 필요하신 경우, 본 용지의 뒷면을 이용하십시오.

9. 이 고소를 다른 연방 기관, 주정부 기관, 현지 기관, 또는 연방 법정이나 주 법정에 제기하십니까? 예: 아니오:

“예”인 경우, 해당되는 각 사항에 체크 표시를 하십시오:

- 연방 기관 연방 법정 주정부 기관
- 주 법정 지방 기관

10. 불만이 제기된 기관/법정의 연락 담당자에 관한 정보를 알려주십시오.

성명: _____

주소: _____

시: _____ 주: _____ 우편번호: _____

11. 아래에 서명하십시오. 귀하의 고소와 관련이 있는 것으로 생각되시는 모든 서면 자료나 기타 정보를 첨부하실 수 있습니다.

고소인 서명

날짜



City of Cerritos Title VI Program
Civil Rights Complaint Form – Chinese

公民權利投訴表格

1964年民權法第六章及相關的不歧視法律規定在美國，任何人不得因種族，膚色或民族出身在加入帶有聯邦財政援助的計劃或活動時，被排除在外，被拒絕得到福利或受到歧視。在民法第六章的基礎上，City of Cerritos還禁止對基於性別，年齡，殘疾，宗教，健康狀況，婚姻狀況或性傾向的歧視。

以下信息對協助我們處理您的投訴是必要的。如果您需要幫助填寫此表格，請告知我們。

填寫表格並寄回：City of Cerritos 客戶關係部，洛杉磯縣大都會交通管理局，18125 Bloomfield Avenue, Cerritos, CA 90703

1 投訴人姓名： _____

2 地址： _____

3 城市： _____ 州： _____ 郵政編碼： _____

4 電話號碼（住家）： _____（商業）： _____

5. 受到歧視的人仕（如果不是投訴人）

姓名： _____

地址： _____

城市： _____ 州： _____ 郵政編碼： _____

6. 以下哪一項最能描述您認為發生歧視的理由？是否因為您的：

a. 種族 c. 民族出身 e. 年齡

b. 膚色 d. 性別 f. 殘疾

g. 宗教 h. 健康狀況 i. 婚姻狀況

j. 性傾向

7. 涉嫌的歧視發生在哪一天？ _____

8.

用您自己的話，描述所指稱的歧視。說明發生了什麼，您認為誰應該負責任。如果需要額外的書寫地方，請使用該表格的背面。

9. 您有沒有向任何其他聯邦，州或地方機構或任何聯邦或州的法院提出過同樣的投訴？
有： 沒有：

如果有，選擇適合的框框：

聯邦機構

聯邦法院

本州機構

本州法院

地方機構

10. 請提供您遞交投訴的機構/法院聯絡人的信息。

姓名：_____

地址：_____

城市：_____ 州：_____ 郵政編碼：_____

11. 請在下面簽字。您可以附上任何您認為與投訴相關的書面材料或其他信息。

投訴人簽名

日期



City of Cerritos Title VI Program
Civil Rights Complaint Form - Tagalog

Porma ng Reklamo na Kaugnay ng mga Karapatang Sibil

Ang Titulo VI ng Batas sa mga Karapatang Sibil ng 1964 at kaugnay na mga batas at regulasyon laban sa diskriminasyon ay nag-aatas na walang tao sa Estados Unidos na dapat, dahil sa lahi, kulay at bansang pinagmulan na pigilan na lumahok sa, o pagkaitan ng mga benepisyo ng, o isailalim sa diskriminasyon sa ilalim ng anumang programa o aktibidad na tumatanggap ng pederal na pinansiyal na tulong.

Ang sumusunod na impormasyon ay kailangan upang tulungan kami sa pagproseso ng iyong reklamo. Kung nangangailangan ka ng tulong sa pagkumpleto ng pormang ito, mangyaring kontakin ang Department of Community Development sa (562) 916-1201.

Kumpletuhin at ibalik ang pormang ito sa City of Cerritos, Department of Community Development, 18125 Bloomfield Avenue, Cerritos, CA 90703.

1. Pangalan ng Nagrereklamo: _____

2. Tirahan: _____

3. Lungsod: _____ Estado: _____ Zip Code: _____

4. Numero ng Teleponor (bahay): _____ (trabaho): _____

5. Taong dumanas ng diskriminasyon (kung hindi ang taong Nagrereklamo):

Pangalan: _____

Tirahan: _____

Lungsod: _____ Estado: _____ Zip Code: _____

6. Alin sa mga sumusunod ang pinakamahasag na naglalarawan ng dahilan kung bakit naniniwala ka na nangyari ang diskriminasyon? Ito ba ay dahil sa iyong:

- | | |
|--|--|
| <input type="checkbox"/> a. Lahi | <input type="checkbox"/> f. Kasarian |
| <input type="checkbox"/> b. Kulay | <input type="checkbox"/> g. Edad |
| <input type="checkbox"/> c. Bansang Pinagmulan | <input type="checkbox"/> h. Kapansanan |
| <input type="checkbox"/> d. Relihiyon | <input type="checkbox"/> i. Kondisyong Medikal |
| <input type="checkbox"/> e. Katayuang Marital | <input type="checkbox"/> j. Oryentasyong Sekswal |

7. Sa anong petsa nangyari ang ipinaparatang na diskriminasyon? _____

8. Sa iyong sariling mga salita, ilarawan ang ipinaparatang na diskriminasyon. Ipaliwanag ang nangyari at kung sino ang pinaniniwalaan mong responsable. Mangyaring gamitin ang likod ng pormang ito kung kailangan ng karagdagang espasyo.

9. Naisampa mo na ba ang reklamong ito sa alinmang ibang pederal, pang-estado, o lokal na ahensiya; o sa alinmang pederal o pang-estadong hukuman? Oo: Hindi:

Kung oo, tsekan ang bawat kahon na angkop:

Pederal na ahensiya Pederal na hukuman Pang-estadong ahensiya

Pang-estadong hukuman Lokal na ahensiya

10. Mangyaring magbigay ng impormasyon tungkol sa isang makokontak na tao sa ahensiya/hukuman kung saan isinampa ang reklamo.

Pangalan: _____

Tirahan: _____

Lungsod: _____ Estado: _____ Zip Code: _____

11. Mangyaring pirmahan sa ibaba. Maaari kang maglakip ng anumang nakasulat na mga materyal o ibang impormasyon na sa palagay mo ay may-kaugnayan sa iyong reklamo.

Pirma ng Nagrereklamo

Petsa

ATTACHMENT D

List of Transit Related Title VI
Investigations, Complaints, and Lawsuits

**City of Cerritos
List of Transit-Related Title VI
Investigations, Complaints and Lawsuits***

Action	Date (Month, Day, Year)	Summary (Basis of complaint: Race, Color, or National Origin)	Status	Action(s) Taken
Investigations				
Lawsuits				
Complaints				

*To date, no investigations, complaints, or lawsuits have been filed with the City of Cerritos for its Cerritos On Wheels or Dial-A-Ride transportation services.

ATTACHMENT E

City of Cerritos Title VI Limited English
Proficiency (LEP) Plan

**CITY OF CERRITOS
TITLE VI LIMITED ENGLISH PROFICIENCY (LEP) PLAN**

May 2022

Introduction

This Limited English Proficiency (LEP) Plan has been prepared to address the City of Cerritos' (City) transit responsibilities as a recipient of federal financial assistance as it relates to the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, Federal Transit Administration Circular 4702.1B dated October 2012, which states that no person shall be subjected to discrimination on the basis of race, color, or national origin.

In August 2000, Executive Order 13166, titled "Improving Access to Services for Persons with Limited English Proficiency", was issued, proclaiming that differing treatment based on a person's inability to speak, read, write, or understand English is a type of national origin discrimination. It directs each federal agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all State and local agencies which receive federal funds, including the City of Cerritos.

Background

The City administers the Cerritos On Wheels (COW) and Dial-A-Ride transit programs which are provided by a contracted transit service provider. Additionally, the Cerritos City Council is the policymaking body that provides policy direction for any service changes for the referenced transit programs. In accordance with Title VI requirements, the City has developed this LEP Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access the City's transit services. As defined by Executive Order 13166, "LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write, or understand English."

This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, and procedures for notifying LEP persons that assistance is available. In order to prepare this plan, City staff implemented the United States Department of Transportation's (US DOT) four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served by or are likely to encounter the City's transit programs, activities, or services.
2. The frequency with which LEP persons utilize City transit services programs, activities, or services.
3. The nature and importance of programs, activities, or services provided by the City transit services to the LEP population.
4. Resources available to the City and overall cost to provide LEP assistance.

Four-Factor Analysis

In accordance with the factors outlined by the US DOT with regard to analyzing the need for an LEP program, staff completed a thorough review of each of the four factors to determine the scope of LEP services that the City will need to provide in order to be in compliance with Title VI requirements. The analysis, which is provided below, utilized the 2016-2020 American Community Survey Five Year Estimate from the United States Census Bureau to obtain demographic and language information that will be used in order to shape the development of the City's LEP program.

As required by the FTA, the City is required to include any group that exceeds 1,000 persons that speak English "less than very well", as part of the four-factor analysis. If the group contains less than 1,000 persons that speak "less than very well", then the City is not required to include this group of persons in its analysis.

FACTOR 1:

Number or proportion of LEP persons in the service area who may be served by or are likely to encounter City transit programs, activities, or services.

City staff reviewed the 2016-2020 American Community Survey from the United States Census Bureau, and determined that three (3) ethnic groups within Cerritos had the highest number of LEP needs. The referenced groups include Korean, Chinese, and Filipino residents who use English as their second language. This analysis indicated that 7,176 residents (approximately 15% of the City's total population over 5 years of age) have limited English proficiency; that is, they speak English "less than very well". Within the same three groups, a total of 8,543 residents (approximately 18% of the City's total population) speak English "very well."

Spoken Languages in Cerritos City of Cerritos Total Population (Age 5+) Estimate: 46,853

Korean Speaking Persons

Language	Estimate	Percentage
Speak English "very well"	2,401	48%
Speak English "less than very well"	2,629	52%
Total	5,030	100%

Chinese Speaking Persons

Language	Estimate	Percentage
Speak English "very well"	2,570	47%
Speak English "less than very well"	2,938	53%
Total	5,508	100%

Tagalog Speaking Persons

Language	Estimate	Percentage
Speak English "very well"	3,572	69%
Speak English "less than very well"	1,609	31%
Total	5,181	100%

Total Group – Korean, Chinese, Tagalog

Cerritos	Estimate	Percentage
Total Estimated Persons in Cerritos (Age 5+)	46,853	100%
Korean, Chinese, and Tagalog Speaking Persons	15,719	33.5%
Speak English "very well"	8,543	18.2%
Speak English "less than very well"	7,176	15.3%

Source: 2016-2020 American Community Survey Five Year Estimate

The City also has a fourth group that includes Spanish persons that speak English "less than very well." While the American Community Survey data identifies 810 Spanish or Spanish Creole speaking persons that do not speak English very well, when applying the margin of error, the total number falls below the 1,000 threshold. Cerritos will continue to closely monitor this group to determine if there is an increase in Spanish speakers that speak English "less than very well" that may encounter the City's transit services.

FACTOR 2:

The frequency with which LEP persons utilize Cerritos transit services programs, activities, or services.

The COW is a fixed route program that is offered to the general public. While a percentage of Chinese, Korean and Filipino residents utilize the COW service; however, the majority of these residents are students from the ABC Unified and Bellflower Unified School Districts and Cerritos Community College, and are more likely to speak English very well. In contrast, the Dial-A-Ride program is offered to Cerritos seniors over 55 years of age and disabled residents. Based on observations and discussions with the City's transit contractor, the majority of the passengers speak English well enough to make their reservations and to communicate with the drivers. In addition, staff has reported minor contact with LEP individuals during the sale of bus passes, nor customer service complaints at City Hall or the transit customer service phone line.

FACTOR 3:

The nature and importance of programs, activities, or services provided by City transit services to the LEP population.

As mentioned previously, the majority of passengers riding the COW are students from ABC Unified and Bellflower Unified School Districts and Cerritos Community College. A smaller minority of riders utilize the COW to travel to and from work within the area. In addition, passengers riding on the Dial-A-Ride program are seniors and disabled residents who utilize the service for transportation to medical appointments, specialized education programs, or essential shopping trips and errands. Based on an understanding of the usage patterns of riders of both transit services, it is apparent that the Cerritos On Wheels and Dial-A-Ride programs provide critical transportation services to a significant amount of the LEP population, including seniors and students.

FACTOR 4:

The resources available to the City and overall cost to provide LEP assistance.

City and transit contract staff have access to a variety of resources that can help with outreach activities and in providing LEP assistance at little to no cost. Some of these resources include the following:

- Outreach to local community clubs and service organizations
- Utilization of various City-sponsored media, including the City of Cerritos website to provide announcements on the availability of the LEP program, and
- Advertisement and information placed within Cerritos On Wheels vehicles promoting the availability of the LEP program.

The above community resources serve as a means to disseminate bilingual transit service information and announcements, and to notify the LEP population of workshops and outreach efforts as appropriate. Additionally, if necessary, the City could utilize a portion of the City's Proposition A and Proposition C funds to provide outreach activities and translation services based on the availability of funds. The City is confident that using these methods is sufficient to promote the availability of the City's LEP program.

Based on the four-factor analysis, the City has developed its LEP Plan as outlined in the following section:

Identification of LEP Population

The City has developed several possible ways to assist in identifying LEP populations within the City, including but not limited to:

1. Examine records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events or meetings.
2. Have a staff person greet participants as they arrive to City transit-sponsored events. By informally engaging participants in conversation, it may be possible to gauge each attendee's ability to speak and understand English.
3. At City transit meetings and events, staff will provide surveys that will allow patrons to provide input and will provide a place for patrons to indicate primary language spoken. This will assist the City in identifying language assistance needs for future events and meetings.
4. Survey vehicle operators and other front-line staff with regard to their experience concerning any contact with LEP persons on an ongoing basis.
5. Network with local human services organizations (such as Los Angeles County Social Services) to assist in identifying LEP groups and individuals most in need of LEP assistance and to further facilitate dissemination of information about Cerritos transit programs.
6. Partner with Cerritos Senior Center staff in identifying LEP groups within the City.

Language Assistance Measures

There are various ways in which the City of Cerritos responds to LEP persons, whether in person, by telephone, or in writing. These include, but are not limited to:

1. Post the City of Cerritos Title VI Policy and LEP plan on the City's website, in various languages, and in locations easily accessible by the public.

2. Translate vital documents into Chinese, Korean, and Tagalog. Vital documents include but are not limited to: Civil Rights Notice, Complaint Procedures, etc.
3. When an interpreter is needed, in person or on the telephone, staff will attempt to access language assistance services from community volunteers from community clubs and service organizations.
4. Providing advance notice in various publications that interpreter services may be available for meetings, based on availability.
5. Staff Training: City and transit provider employees will conduct an annual training with appropriate personnel to review and revise LEP policies and procedures, as appropriate.

Any request for translation, interpretation, or other means of language assistance, for Title VI Program documents or forms, can be appropriately directed to the City of Cerritos transportation services staff at (562) 916-1201. Upon request, staff will utilize its resources to have documents translated or explained in other languages to further assist the City's efforts in providing language assistance.

Monitoring and Updating the LEP Plan

The City will update the LEP Plan as required by the US DOT. At a minimum, the plan will be reviewed and updated every three years, when data from the U.S Census is available, or when higher concentrations of LEP individuals are identified in the City's transit service area. Updates will include the following:

1. Documentation of LEP personal contacts.
2. How the needs of LEP persons have been addressed?
3. Estimations of the current LEP population in the service area.
4. Determination as to whether the need for translation services has changed.
5. Determine whether local language assistance programs have been effective and sufficient to meet the need.
6. Determine whether City financial resources are sufficient to fund language assistance resources needed.
7. Determine whether the City has fully complied with the goals of this LEP Plan.

ATTACHMENT F

City of Cerritos Public Participation Plan

CITY OF CERRITOS PUBLIC PARTICIPATION PLAN

May 2022

Introduction

The City of Cerritos' Public Participation Plan has been prepared to ensure that no one is precluded from participating in Cerritos' transportation planning efforts, such as fare increases or service modifications. The goal is to include all stakeholders into the decision making process so the City Council can make an informed decision regarding the City's contracted transit services.

When the City is proposing a change to transportation services, staff will inform the public of the proposed changes with a minimum of ten (10) days and/or up to thirty (30) days depending on the level of service change. Major service changes such as a modification of Cerritos on Wheels routes, fares, and/or schedules will warrant a thirty (30) day notice; whereas, minor service changes, such as a change in transit provider or amendments to service contracts will warrant a ten (10) day notice as necessary. The City will provide an opportunity to the public to comment on any proposed change during the comment period and during the scheduled City Council public hearing for when the change will be considered.

When staff prepares a document or schedules a meeting for which the target audience is expected to include LEP individuals, the meeting notices, flyers, and agendas may be made available in an alternative language based on the known LEP population and based on available resources. Interpreters may be available based on availability.

It should be noted that any change to the City's transportation services as a result of Federal or State Executive Orders or mandates, will be implemented in accordance with applicable Federal or State law. In such scenarios where service changes are required immediately, the City will work diligently to notify the general public, including LEP populations, of the changes as quickly as possible. Public input received in response to these changes will be considered and discussed accordingly.

Public Outreach Activities

The City continues to directly reach out to the community through the dissemination of flyers, advertisements in local newspapers, articles on the City's website, advertisements on the City's local cable public access channel and by partnering with community clubs and service organizations. In addition, should there be a public hearing related to a major fare or service change, agenda titles continue to be published in a local newspaper and posted at the City's four (4) posting boards. Since the adoption of the Title VI Program in 2014, there have not been any significant changes to the City's transportation routes or fares, and as such, no public outreach activities have been conducted to date.

Public Workshops

As necessary, the City periodically conducts public workshops with regard to fare or service changes to the transit programs prior to City Council consideration. These meetings serve as a means to engage the public and to obtain input for future service changes and are conducted at public facilities, such as local community centers. These public workshops serve as brainstorming sessions and provide vital information that can be used to assist in

improving City's transit programs and in potentially identifying of LEP populations that may be in need of assistance.

These workshops are held in buildings that meet Americans with Disability Act requirements for accessibility and at various times/days to ensure that all community stakeholders have an opportunity to be a part of the decision making process.

Participation in Community Events

The City participates in community events in order to promote its transit services. These activities include functions where the community can access available transit information, including schedules, brochures and fliers. For example, in 2021, transit staff attended the Senior Health Fair and disseminated information in regards to the COW and Dial-A-Ride programs. Additionally, the City will continue to identify community events in which the public can be made aware of the City's transportation programs.

Assurances

The City of Cerritos and its transit contractor will ensure that no person, on the grounds of race, color or national origin, as provided by Title VI of the Civil Rights Act of 1964, will be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of the City's contracted transportation services. Further, the City will notify the public of protections against discrimination afforded them by Title VI Regulations and will take preventive corrective and disciplinary action necessary to stem behavior that violates the rights and privileges the regulations are designed to protect. The City will post this information on its website and will ensure that it reflects up to date information consistent with the requirements of Title VI.

Availability of Title VI Plans and Procedures

The City's LEP Plan and the Title VI Procedures are included in the City of Cerritos' website at www.cerritos.us. Any person or agency with internet access will be able to access and download the plan from the City's website. Alternatively, any person or agency may request a copy of the plan via telephone, fax, mail, or in person at Cerritos City Hall, and shall be provided a copy of the plan at no cost.

Questions or comments regarding the LEP Plan may be submitted to:

City of Cerritos
Advance Planning Division
18125 Bloomfield Avenue
Cerritos, CA 90703
Phone (562) 916-1201
Fax (562) 916-1371

ATTACHMENT G

City of Cerritos System-Wide Standards
and Policies

**CITY OF CERRITOS
SYSTEM-WIDE SERVICE STANDARDS AND POLICIES
FIXED-ROUTE SYSTEM – CERRITOS ON WHEELS**

May 2022

Background

The Federal Transit Administration (FTA) requires all fixed route transit operators to develop quantitative standards and service policies for all fixed route modes of operation for the indicators identified below. Additionally, operators of public transportation may set additional standards as appropriate or applicable to the type of service provided. Below are the definitions for each category and the City’s system-wide service standards and policies.

Vehicle Load for Each Mode

Vehicle load can be expressed as the ratio of passengers to the total number of seats on a vehicle. For example, on a 40-seat bus, a vehicle load of 1.3 means all seats are filled and there are approximately 12 standees. A vehicle load standard is generally expressed in terms of peak and off-peak times. Transit providers that operate multiple modes of transit must describe the specific vehicle load standards for peak and off-peak times for each mode of fixed route transit service.

- During FY 2020-2021, the average number of Cerritos On Wheels (COW) passengers per vehicle revenue service mile was a minimum of 0.15 passengers per vehicle revenue service mile. Additionally, the average number of passengers per vehicle service hour was 2.05 passengers per vehicle service hour.

Vehicle Headway for Each Mode

Vehicle headway is the amount of time between two vehicles traveling in the same direction on a given line or combination of lines. A shorter headway corresponds to more frequent service. Vehicle headways are measured in minutes (e.g., every 15 minutes); service frequency is measured in vehicles per hour (e.g., 4 buses per hour). Headways and frequency of service are general indications of the level of service provided along a route.

- The Cerritos On Wheels vehicle headways are 60 minutes Monday through Saturday and no service is provided on Sundays.
- The Cerritos On Wheels service operates four buses during the day per hour.

On-Time Performance

On-time performance is a measure of runs completed as scheduled. This criterion first must define what is considered to be “on time.” For example, a transit provider may consider it acceptable if a vehicle completes a scheduled run between zero and five minutes late in comparison to the established schedule. Below are the service standards for the COW approved by the City Council:

- **Schedule Reliability:** A minimum of 90% of bus departures will be within zero to five minutes after the scheduled departure time as indicated by published timetables.

- Missed Run: Less than one percent (1%) of scheduled departures at the beginning of each trip will be missed runs. A missed run occurs when a scheduled departure is canceled, or when a bus departs more than fifteen (15) minutes after the published departure time.
- Early Departure: No bus shall depart a designated time point early.
- Bus Stops: No bus shall fail to stop for a passenger waiting at a designated COW bus stop.

Service Availability

Service availability is a general measure of the distribution of routes within a transit provider's service area. For example, a transit provider might set a service standard to distribute routes such that a specified percentage of all residents in the service area are within a one-quarter mile walk of bus service or a one-half mile walk of rail service. A standard might also indicate the maximum distance between stops or stations.

- The COW bus route operates two (2) bi-directional loops traveling along all major commercial centers, school and public facilities. There are 149 COW bus stops in Cerritos (8.9 square mile city) that serve the transit community and are placed along major arterials, secondary arterials and local streets. Due to the high number of bus stops along the COW routes, the average distance between stops is approximately 1/2 mile.

Distribution of Transit Amenities for Each Mode

Transit amenities refer to items of comfort, convenience, and safety that are available to the general riding public. Fixed route transit providers must set a policy to ensure equitable distribution of transit amenities across the system.

- The Cerritos Community Design Element of the Cerritos 2004 General Plan states that the City should provide a well-designed, comfortable bus stop at all MTA, COW or other transportation stops in the City, including waste containers and benches, etc.
- The City of Cerritos has transit amenities located throughout each COW route. These amenities include bus benches, trash receptacles, and bus stop shelters. Below is a summary of transit amenities located along the two (2) COW routes:

1. Bus stops with bus bench and trash receptacle: 118
2. Bus stops with trash receptacles only: 39
3. Bus stops with bus benches only: 6
4. Bus stops with shelters only: 5

Vehicle Assignment

Vehicle assignment refers to the process by which transit vehicles are placed into service in depots and on routes throughout the transit provider's system. Policies for vehicle assignment may be based on the age of the vehicle, where age would be a proxy for condition. For example, a transit provider could set a policy to assign vehicles to depots so that the age of the vehicles at each depot does not exceed the system-wide average. The policy could also be based on the type of vehicle. For example, a transit provider may set a

policy to assign vehicles with more capacity to routes with higher ridership and/or during peak periods. The policy could also be based on the type of service offered. For example, a transit provider may set a policy to assign specific types of vehicles to express or commuter service.

- In Cerritos, vehicles for the COW service are selected randomly and placed into service. No vehicle is assigned to a geographic area, no vehicle is assigned to a segment of a route due to the condition of the vehicle, and no vehicle is assigned to a specific bus stop to accommodate higher ridership at a specific bus stop. The fleet of COW vehicles in service are all the same in size and capacity.