

State of Rhode Island – Division of Statewide Planning

TITLE VI



Michael Moan

Principal Planner, Division of Planning
Department of Administration (DOA)

The following documents and actions were undertaken to fulfill the Division of Statewide Planning's obligations under [Title VI of the Civil Rights Act of 1964](#), associated civil rights legislation, Presidential Executive Orders and its responsibilities identified in subsequent Federal Regulations; specifically Chapter 23 CFR 200 Sub Chapter C – Civil Rights: Title VI Program and directives for the required reporting for sub-recipients of U.S. Federal aid and the U.S. Department of Transportation, Federal Highway Administration, and Title 49 - Transportation, Subtitle A: Office Of The Secretary of Transportation: Part 21—Nondiscrimination In Federally-Assisted Programs of The Department of Transportation

A Ripple of Hope



“Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring those ripples build a current which can sweep down the mightiest walls of oppression and resistance.”

— [Robert F. Kennedy](#)

University of Cape Town South Africa, June 6, 1966

Certification & Assurances

- Division of Planning provided RIDOT a signed USDOT Standard Title VI/Non Discrimination Assurances June 29, 2017

**The United States Department of Transportation,
(USDOT) Standard Title VI/Non-Discrimination
Assurances
DOT Order No. 1050.2A**

Statewide Planning (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the Federal Highway Administration (FHWA), is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 20004 et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled *Non-discrimination in Federally-Assisted Programs of the Department Of Transportation-Eligibility of Title VI of the Civil Rights Act Of 1964*);
- 28 C.F.R. sections 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

Modal Operating Administration may include additional Statutory/Regulatory Authorities here None

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure 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 otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance. From DOT, including the (Title of Modal Operating Administration)

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Modal Operating Administration may include additional General Assurances in this section, or reference an addendum here. None

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted FHWA, Metropolitan Planning Program:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a

"facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all FHWA programs and, in adopted form, in all proposals for negotiated agreements regardless of funding source:

"Statewide Planning, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 USC. §§ 20004 to 20004-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance

under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

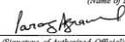
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

Modal Operating Administration may include additional Specific Assurances in this section. None

By signing this ASSURANCE, Statewide Planning also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the FHWA access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the FHWA. You must keep records, reports, and submit the material for review upon request to the FHWA, or its designees in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

Statewide Planning gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Federal Highway Administration (FHWA). This ASSURANCE is binding on Rhode Island, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors, transferees, successors in interest, and any other participants in the FHWA assisted program. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Department of Administration, Division of Planning, Statewide Planning
(Name of Recipient)

by 
(Signature of Authorized Official) Parag Agrawal, Associate Director

DATED 06/29/2017

Notice to Beneficiaries

- **Title VI - RI Statewide Planning Notice to Beneficiaries is located on our Website at the [Title VI & Civil Rights Page](#)**
- <http://www.planning.ri.gov/public-participation/title-vi-civil-rights.php>
- It is posted on a public bulletin board in the Division's office and is placed into all our official plans and publications.



Title VI & Civil Rights

Title VI - RI Statewide Planning Notice to Beneficiaries

Statewide Planning (SP) operates its programs, services, and activities in compliance with federal nondiscrimination laws including [Title VI of the Civil Rights Act of 1964](#) (Title VI), the [Civil Rights Restoration Act of 1987](#), and related statutes and regulations. Title VI prohibits discrimination in federally assisted programs and requires that no person in the United States of America shall, on the grounds of race, color, or national origin (including limited English proficiency), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance. Related federal nondiscrimination laws administered by the [Federal Highway Administration](#), the [Federal Transit Administration](#), or both prohibit discrimination on the basis of age, sex, and disability. These protected categories are contemplated within the SP's Title VI Program consistent with federal interpretation and administration. Additionally, SP provides meaningful access to its programs, services, and activities to individuals with limited English proficiency, in compliance with [US Department of Transportation](#) policy and guidance on federal [Executive Order 13166](#).

Specifically, Statewide Planning will comply with the following "Statutory Requirements and Related Executive Orders".

Title VI of the [Civil Rights Act of 1964](#) (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);

[Federal-Aid Highway Act of 1973](#), (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex); Title 23 Chapter 3 Section 324 of [Federal-Aid Highway Act of 1973](#), Prohibition of

discrimination on the basis of sex basically states that no person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any



Civil Rights march circa 1960s

Quick Links

[Public Participation](#)[Translation Services](#)[Title VI & Civil Rights](#)[Supporting Legislation](#)[PTD for the Visually Impaired](#)

Staff Contact

[✉ Michael Moan](#)

Principal Planner

Phone: (401) 222-1236

Sub-contracting Responsibilities

- Title VI Nondiscrimination Assurances are placed into all Statewide Planning vendor and project consultant contracts, grants, and other cooperative agreements.
- All Division sub-recipients Title VI Assurances are maintained by the Title VI Manager.

Title VI Complaint Procedures

Contact information
Is located on the
Website at the
Title VI & Civil Rights
Page along with
the Complaint Form

There are currently
no recorded complaints

STATEWIDE PLANNING TITLE VI COMPLAINT FORM		
Contact Information		
Name		
Address:		
City:	State:	Zip:
Home Phone:		Work Phone:
Email:		
Discrimination Complaint		
Name of Staff Person that You Believe Discriminated Against You:		
Date of Alleged Incident:		
You were discriminated because of:	<input type="checkbox"/> Race <input type="checkbox"/> Sex	<input type="checkbox"/> Color <input type="checkbox"/> National Origin or (Language) <input type="checkbox"/> Age <input type="checkbox"/> Disability
Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. Also attach any written material pertaining to your case such as any persons (witnesses, fellow employees, supervisors, or others), if known, whom we may contact for additional information to support or clarify your complaint. (Please be sure to provide contact information, and use additional sheets if necessary.)		
Signature:		Date:
email the completed form to Michael.moan@doa.ri.gov or by U.S. Mail to: Michael C. Moan, Title VI Manager Rhode Island Statewide Planning Program One Capitol Hill, Providence, RI 02908		

Public Participation Plan

- PPP was updated March 2017
- Section 1.5.1(B) of the Rules and Standards of the State Planning Council establishes procedures by which the public will be involved in transportation planning in Rhode Island. The process is designed to be proactive based on 23 Code of Federal Regulations (CFR) 450.316.(b)(1)
- Outreach efforts are being conducted for update of LRTP RI Moving Forward 2040 with a custom public outreach plan.

Equity & EJ Outreach

- Social advocacy distribution list (185 organizations & individuals)
- Transportation list (175 individuals, advocacy groups or organizations that have expressed a specific interest in transportation related issues)
- Public hearing list (396 individuals or entities that have specifically requested notice of public hearings to be conducted by the MPO).

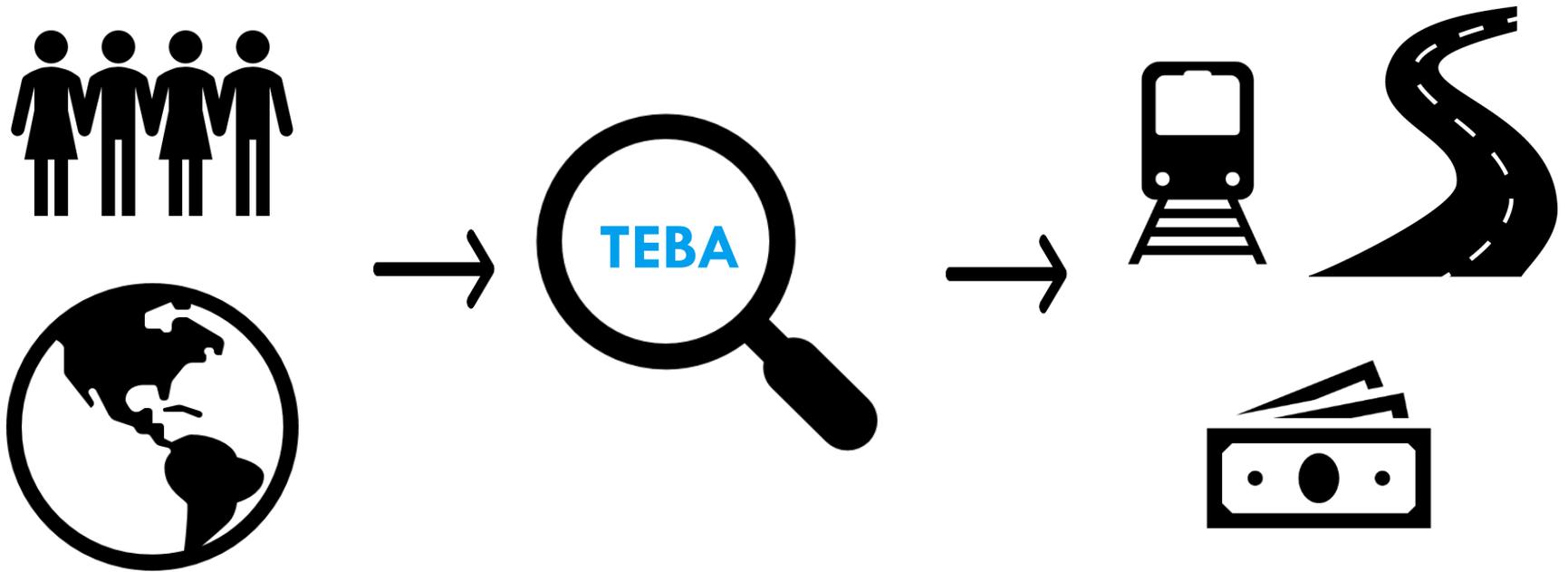
LEP Plan 2015

- Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency
 - Public hearing Notices provided in Spanish
 - Title VI Complaint procedures and form in Spanish. Other languages through Google Translate or upon request
 - Website Accessible through Google Translate
 - Key documents provided in other languages upon request
 - Budget line item for translation \$50,000.

Demographic Profile of the Rhode Island MPO Area

Transportation Improvement Program FFY
2018-2027

Transportation Equity Benefit Analysis



TEBA: Population Identification

- Minority
- Low-Income Populations
- School Age Children (5-19)
- Aging Individuals (≥ 65)
- Individuals with a Disability
- Individuals with Limited English Proficiency (LEP)
 - Spanish or Spanish Creole
 - Portuguese or Portuguese Creole
 - Chinese
 - French Creole
 - Mon-Khmer, Cambodian

US
Census
Data

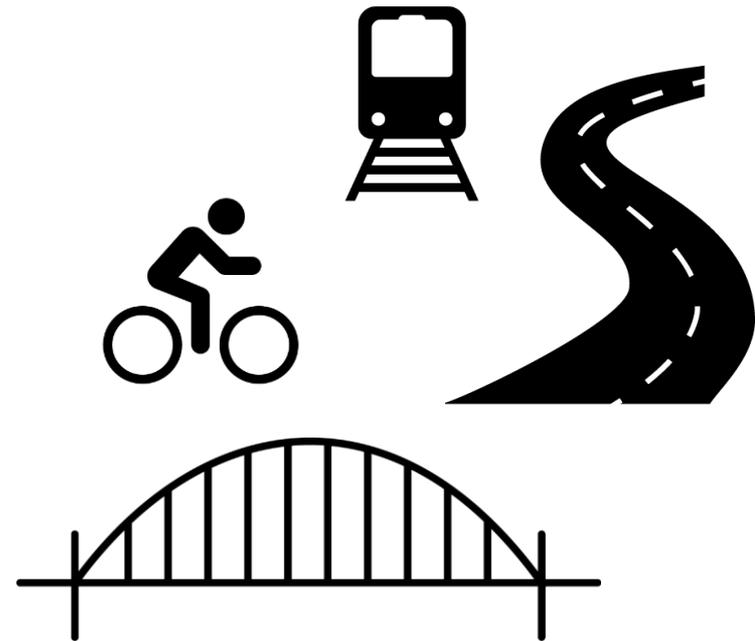


Select Population Group Figures

Select Population Groups (SPG)	Total RI Population/ Households within the data source	Total SPG Population/ Households in RI	State Percentage of SPG Population/ Households in RI	Threshold used to quantify significant presence within tracts in RI (SA=State Average used)	Number of tracts meeting threshold used to quantify significant SPG presence within RI tracts	Percentage of tracts meeting threshold used to quantify significant SPG presence within RI tracts‡
Minority Individuals	1,052,567	248,882	23.6%	≥23.6% SA	79	32.8%
Individuals in Poverty/Low-Income (200% of Poverty Level)	1,013,455	306,409	30.2%	≥30.2% SA	93	38.6%
School-Age Children (Ages 5-19)	1,052,567	204,310	19.4%	19.4% SA	92	-
Aging Individuals (≥65)	1,052,567	151,881	14.4%	≥14.4% SA	116	48.1%
Individuals with a Disability	1,037,930	133,559	12.9%	≥12.9% SA	122	50.6%
Individuals with Limited English Proficiency - All LEP Languages	998,431	83,228	8.3%	≥8.3% Total (5%) LEP Language Tracts in RI	67	27.8%
Individuals with Limited English Proficiency (Top 5 Language Total)	998,431	68,675	6.9%	≥6.9% Top 5 Lang Average	86	35.7%
Top 5 LEP Language groups in the State of RI [^]	-	-	-	-	-	-
Spanish or Spanish Creole	998,431	48,002	4.8%	5.0%	57	23.7%
Portuguese or Portuguese Creole	998,431	11,854	1.2%	5.0%	15	6.2%
Chinese	998,431	3,775	0.4%	≥1,000 individuals	2	0.8%
French Creole	998,431	2,746	0.3%	≥1,000 individuals	2	0.8%
Mon-Khmer, Cambodian	998,431	2,298	0.2%	≥1,000 individuals	3	1.2%
Carless Households*	409,569	40,463	9.9%	≥9.9% SA	91	37.8%

TEBA: Selected Projects & Funding Programs

- Bridge Capital
- Pavement Capital
- Traffic Safety Capital
- Drainage Capital
- Transportation Alternatives
- 6/10 Project
- Transit Capital - RIDOT



Summary of SPG Track & Allocated Investments

Group Code	Select Population Groups (SPG)	Percentage of Total Census Tracts with a Significant SPG Presence	Percentage of all STIP Project Funds Allocated to SPG Tracts*
1	Minority Individuals	32.8%	57.5%
2	Individuals in Poverty/Low-Income (200% of Poverty Level)	38.6%	63.7%
3	School-Age Children (Ages 5-19)	38.2%	64.0%
4	Aging Individuals (≥65)	48.1%	28.1%
5	Individuals with Disability	50.6%	71.0%
6	Individuals with Limited English Proficiency (All Languages)	27.8%	52.4%

Environmental Justice SPG Tract Funding Summary

STIP Funding Program	Total cost of all projects (millions)*	Within Minority and Low-Income SPG Tracts (42.3% of RI tracts)	
		Cost of projects	% of total cost
Bridge Capital	\$628.03	\$383.85	61.1%
Pavement Capital	\$210.49	\$81.19	38.6%
Traffic Safety Capital	\$45.13	\$11.20	24.8%
Drainage Capital Program	\$2.25	\$1.50	66.7%
Transportation Alternatives	\$47.44	\$15.78	33.3%
6/10 Project	\$299.56	\$299.56	100.0%
Transit Capital Program - RIDOT	\$58.29	\$57.09	97.9%
Total	\$1,291.19	\$850.17	65.8%

Transit Access Summary

STIP Funding Program	Total SPG Tracts	Number of SPG Tracts Intersecting RIPTA Routes	Percentage SPG Tracts Intersecting RIPTA Routes
1. Minority Individuals	79	78	99%
2. Individuals in Poverty/Low-Income	93	92	99%
Environmental Justice Tracts	102	101	99%
3. School-Aged Children (Ages 5-19)	92	84	91%
4. Aging Individuals (≥ 65)	116	101	87%
5. Individuals with a Disability	122	116	95%
6. Individuals with LEP	67	65	97%
7. Carless Households	91	90	99%

Transit Access Analysis

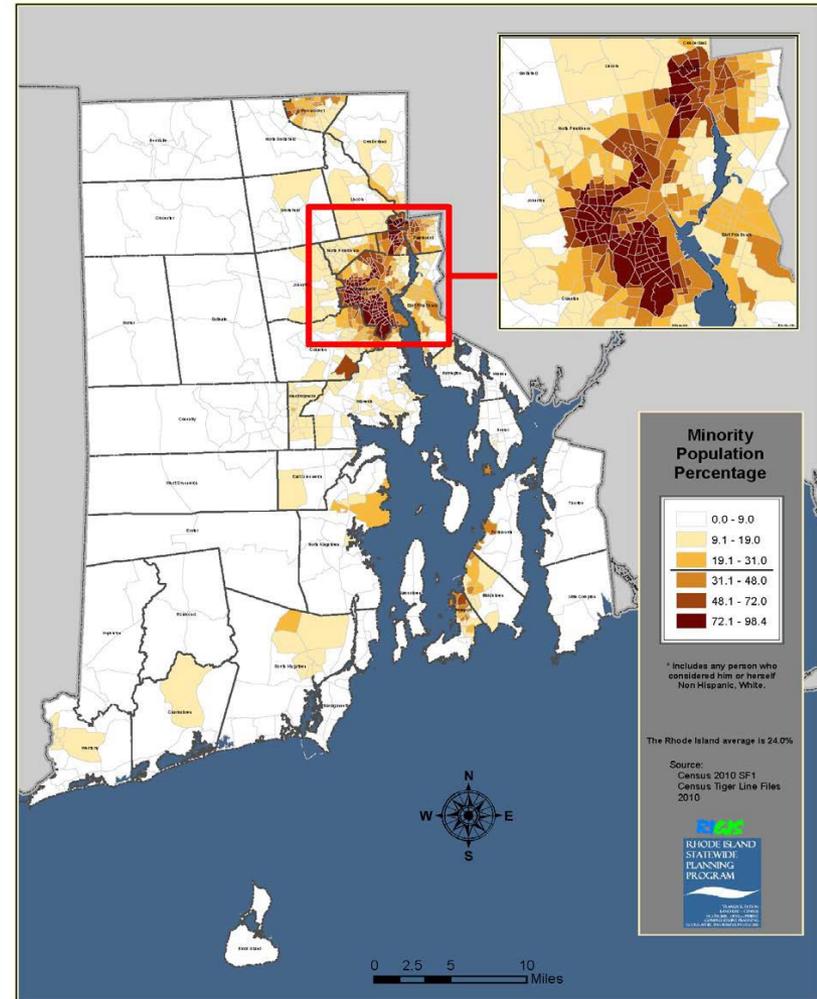
- SPG tracts intersecting RIPTA routes equal high percentages in relation to the total number of SPG tracts per group.
- Percentages of SPG tracts intersecting RIPTA routes range from the high eighties to the high nineties for each group.
- Ninety-nine (99%) of minority, poverty/low-income and a combination of both population tracts (EJ tracts) intersect with RIPTA bus routes.

Transportation 2037 Interim Long Range Plan: Environmental Justice Demographic Profile



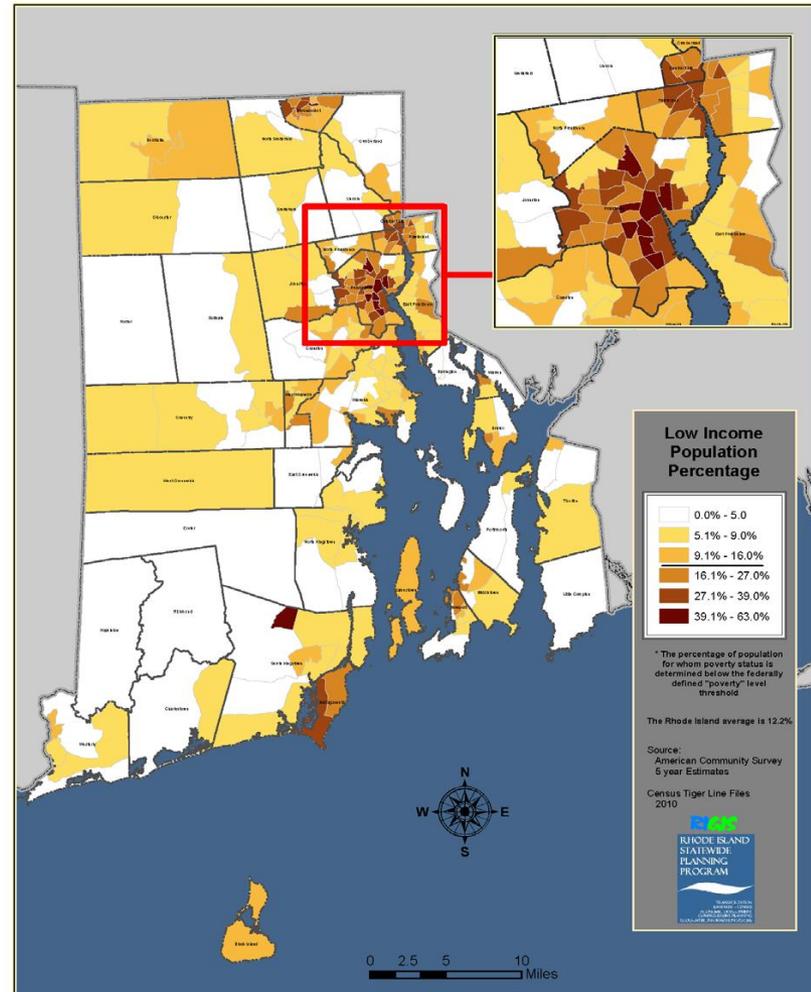
Updated Environmental Justice Population Mapping

- American Indian
- Asian
- African American
- Hispanic
- Pacific Islander



Environmental Justice

- Low Income populations
- Rhode Island Average 12.2%
- ACS 5-year Estimates Tiger Line Files



Case Study Location Quotient

- What percentage of RI's EJ populations live within 250 feet of Interstate highways compared to the population as a whole?
 - Answer: The ratio indicates a disproportionate burden. It has improved over the past 10 years.
- What percentage of RI's target populations live in area served by transit compared to the population as a whole?
 - Answer: The ration indicates greater access to transit for environmental justice populations.