SJC >>> SAN JOSE MINETA INTERNATIONAL AIRPORT



<u>1. Title VI Policy Statement¹</u>

The City of San José's San José Mineta International Airport (hereinafter referred to as "Airport") assures that no person shall on the grounds of race, color, national origin (including limited English proficiency (LEP)), sex (including sexual orientation and gender identity), creed, or age, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 (PL 100.259), Section 520 of the Airport and Airway Improvement Act of 1982, and related authorities (hereafter, "Title VI and related requirements"), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives U.S. Department of Transportation (DOT) funding. Title VI also prohibits retaliation for asserting or otherwise participating in claims of discrimination.

The Airport further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs are federally funded or not. The Airport Sponsor agrees, among other things, to understand the communities surrounding or in the flight path, as well as customers that use the airport. The Airport will take action to involve communities that may be impacted by programs or activities under the control of the Airport in the decision-making process.

The Airport requires nondiscrimination assurances, as prescribed by FAA, from each tenant, contractor, and concessionaire providing an activity, service, or facility at the airport. Assurances must be included in any related lease, contract, or franchise agreement between the Airport and each tenant, contractor, and concessionaire, as well as in any similar agreements with their own sub-tenants and sub-contractors.

Magdelina Nodal, available at (408) 392-3673 and mnodal@sjc.org, is responsible for overseeing the Airport Sponsor's compliance with Title VI and the point of contact for all airport Title VI matters and related responsibilities, including those required by 49 CFR Part 21.

Signature

John Aitken Aviation Director

January 17, 2024 Effective Date

January 17, 2027 **3-Year Expiration Date**

¹ This policy statement will be translated into languages other than English, upon request and based on patron and local language demographics.

2. Administration

The airport will have reviewed and adopted this Title VI Plan upon signature. This plan will be updated no less than once every 3 years. The plan will not be re-adopted following minor changes, such as updating the Airport Director's or Coordinator's name. Significant revisions to our policies or federal guidelines may warrant re-adoption by the City Council and resubmittal to FAA.

In addition to the Coordinator and airport sponsor's leadership, the following people also assist with our Title VI program requirements:

Staff Supporting Title VI Program	Airport Sponsor Program / Office
Matthew Kazmierczak	Division Manager
Sylvia Trejo	Terminal and Customer Experience Manager
Scott Wintner	Deputy Director of Aviation - Marketing &
	Communication

Sub-Recipients

None

As of the date of this plan, the Airport has the following pending applications for Federal financial assistance:

Federal Source	Grant Number	Amount
FAA Bipartisan Infrastructure Law Airport Terminals	CFDA 20.106	\$3,600,000
Program https://www.faa.gov/bil/airport-terminals		
FAA Voluntary Airport Low Emissions Program	CFDA 20.106	\$1,667,266
https://www.faa.gov/airports/environmental/vale		
FAA Voluntary Airport Low Emissions Program	CFDA 20.106	\$1,613,269
https://www.faa.gov/airports/environmental/vale		
FAA Airport Improvement	CFDA 20.106	\$1,934,160
Program https://www.faa.gov/airports/aip		
FAA Airport Improvement	CFDA 20.106	\$17,823,809
Program https://www.faa.gov/airports/aip		
DOT Strengthening Mobility and Revolutionizing	CFDA 20.941	\$2,000,000
Transportation Program		
https://www.transportation.gov/grants/SMART		

3. Grant and Procurement Assurances

49 CFR § 21.7 (a)(1); 49 CFR Part 21 Appendix C (b)

The Airport will complete standard grant assurances for Title VI and related requirements, in the form prescribed by FAA. See <u>https://www.faa.gov/airports/aip/grant_assurances/#current-assurances</u>.

Clauses/Covenants

- a. All contracts, leases, deeds, licenses, permits, and other similar instruments, must contain the contractual requirements and clauses, in the form prescribed by FAA. See <u>https://www.faa.gov/airports/aip/procurement/federal_contract_provisions/</u>. Note that unlike many other clauses, Civil Rights clauses are required in all contracts. Note also special clauses that are required for certain types of contracts, such as land acquisition.
- *b.* The Airport requires, Civil Rights clauses to be included in solicitations and contracts for all subcontractors, subleases, and any other agreements.

Description of Oversight Methods for Subcontracts

Subcontract template must be used in all subcontracts related to the airport program. Subcontracts are audited by the Procurement Dept. to verify they include the template language, for not less than 10 percent of contractors each year.

4. Title VI Coordinator Responsibilities

The Coordinator is responsible for ensuring that they and other staff supporting the Title VI are trained in Title VI requirements. Essential training topics include:

- Basic Title VI requirements
- Airport language assistance resources and practices
- Collecting and assessing demographic data
- Reporting Title VI complaints and other required FAA notifications.

See Training Section for more information for expected training for all staff.

Among other responsibilities, the Coordinator:

- Proactively ensures that the Airport is in compliance with nondiscrimination requirements of Title VI and reports to the Airport leadership on the status of Title VI compliances.
- Responds promptly to requests by FAA for data and records and for the scheduling of compliance reviews and other FAA meetings to determine compliance with Title VI and related requirements.
- Receives discrimination complaints covered by Title VI and related requirements, and forwards them to the FAA, within 15 days of receipt, together with any actions taken to resolve the matter.
- Provides the FAA with updates regarding its response and status of early resolution efforts to complaints concerning Title VI and related requirements (49 CFR Part 21, Appendix C(b)(3)), including resolution efforts.

- Annually reviews the airport's Title VI plan and disseminates information throughout staff and the Airport Sponsor's leadership.
- Coordinates data collection to evaluate whether racial or ethnic groups are unequally benefited or impacted by airport programs. The data will be regularly assessed and readily available upon request (49 CFR § 21.9(b) & (c)). Data collection methods will include optional demographic questions in: airport customer satisfaction surveys, customer complaints, airport event sign-in sheets, and bids/proposals for airport contracts, and other methods described in the airport Community Participation Plan.
- Maintains demographic data for members of appointed planning and advisory bodies for the airport. Identifies any disparities compared to the community. Provides information to the membership selecting official/committee, particularly when vacancies occur.
- Maintains a copy of 49 CFR Part 21 for inspection by any person asking for it during normal working hours (49 CFR 21, Appendix C (b)(2)(i)).

See Notice, Compliance reviews, Audits, Lawsuits, and Other Investigations, and Complaints Sections of this Plan.

The Coordinator has requested and received access to the Title VI portion of the FAA Civil Rights Connect System (https://faa.civilrightsconnect.com/).

5. Notice 49 CFR Part 21 Appendix C(b)(2)(ii)

The Airport does conspicuously display the FAA-provided Unlawful Discrimination Poster in all public areas on airport property, including those with pedestrian activity. The Coordinator ensures that these posters are visible, accessible,² and maintained. The poster template is available at

https://www.faa.gov/about/office org/headquarters offices/acr/com civ support/non disc pr/ and a completed copy is attached. See Section 15 Appendix.

The Airport has posted the above Title VI policy statement at its staff offices.

The Airport will distribute this Title VI Plan among its employees and airport contractors, concessionaires, lessees, and tenants. This plan will be distributed within two weeks of the signed and approved plan via email with a direct link to the new policy which will be posted on our airport website at flysanjose.gov for airport staff, airport tenants and airport patrons.

Posters are displayed throughout each terminal and other areas on airport property, including the following public locations:

² For more information about website accessibility, please visit ADA.gov.

Terminal/FBO/Concessions/ Other Locations	Quantity in Pre-Security Area	Quantity in Post-Security Area	Additional Quantities
Terminal A	3	4	N/A
Terminal B	3	4	N/A
Rental Car ConRAC	N/A	N/A	10
Information Booths	N/A	2	N/A
Fixed Based Operators	N/A	2	4

Outreach to Affected Communities

San José Mineta International Airport's Civil Rights Group will ensure that notices for public meetings are available to all segments of the impacted community. The Title VI coordinator will identify the effective media platforms to share announcement and notices. Announcements are made in social media, general circulation newspapers, community newspapers, email broadcast, press releases, outreach events, on the Airport's website, and/or posted to partner websites. The Title VI Liaison along with supporting staff throughout the airport contacts leaders and representatives in Affected Communities directly to confirm effective media platforms to reach all Affected Communities³ and provide important feedback on translated materials. The office maintains records of all such notices and the efforts made to reach each of the Affected Communities.

The Airport has created and submitted their detailed CPP for approval by **December 31, 2023**. A copy of the plan will be available on flysanjose.com once approved for final signature.

To ensure that the community is effectively informed of and able to participate in public hearings, the Airport's Director's Office will include public notices translated into appropriate languages when requested, including for any language spoken by a significant number or proportion of the Affected Community population that has limited English proficiency (LEP). Such social media postings and notices will include direction for obtaining an interpreter, free of charge, for public hearings. 28 CFR § 42.405(d). See Limited English Proficiency (LEP) Section.

<u>6. Community Statistics</u>

Title VI regulations require Federal grant recipients to know their community demographics. See 49 CFR § 21.9(b). By knowing this information, the Airport will be able to identify, understand, and engage with communities. In doing so, the Airport needs to know about communities eligible to be served, actually or potentially affected, benefited or burdened by the Airport's program.

³ We will not subject any persons to discrimination based on race, color, national origin, age, sex, or creed. The term "protected communities" is used within this Title VI Plan to highlight the requirements of Title VI, 49 U.S.C. § 47123, the Age Discrimination Act of 1975, and in some instances, includes low-income populations under Executive Order 12898.

Affected Communities ⁴	Population
City of Santa Clara	126,930
City of San Jose	971,233
City of Sunnyvale	153,091
City of Los Gatos	32,402
City of Mountain View	81,059

(Hereafter, the above communities will be referred to collectively as "the Affected Communities").

We have identified the following facts about the Affected Communities:

Low Income Communities⁵.

A low-income area is an identifiable group of persons living in geographic proximity, whose median household income is at or below the Department of Health and Human Services poverty guidelines. Pursuant to Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," the Airport is collecting information about affected and potentially affected low-income communities. According to the U.S. Bureau of Census, the American Community Survey, the overall poverty level for the City of San Jose and City of Santa Clara are approximately 7.9% and 8.0%, respectively. The poverty rate remains slightly higher compared with the rest of Santa Clara County which has an overall poverty rate of 7.5%. The poverty rates for the specific Affected Communities are as follows.

Affected Communities	Poverty Rate
City of San Jose	9.0%
City of Santa Clara	8.8%
City of Sunnyvale	6.2%
City of Los Gatos	3.9%
City of Mountain View	5.9%
Source: U.S. Bureau of Census American Comm	unity Survey (ΔCS) 1-year estimates Tab

Source: U.S. Bureau of Census, American Community Survey (ACS), 1-year estimates, Table B17001

Racial and Ethnic Communities.

Demographic data for race, color, and national origin was evaluated to identify racial and ethnic communities and populations in each Affected Community. The demographic composition by race, color, or national origin for the specific Affected Communities are as follows⁶:

⁴ "Affected communities" means any readily identifiable group potentially impacted by an airport project or operation, such as the community immediately surrounding a project or a community in the flight path.

⁵ Low-income data must be collected to assist in our compliance with Environmental Justice requirements (not Title VI requirements). For example, this data will be utilized in our Community Participation Plan (CPP) to help ensure the meaningful involvement of low income communities in airport programs and activities.

⁶ Recommend using demographic groups from the U.S. Census.

Demographic Group within Affected Community	Number of People in Minority Group	Percent of Total Affected Community Population
White	320,311	25.5%
Black or African American	29,374	2.8%
American Indian or Alaska Native	8,427	1.2%
Asian	381,796	39.2%
Native Hawaiian or Other Pacific Islander	4,696	0.2%
Hispanic or Latino	308,307	30.9%
More than one	124,101	14.9%
Some Other Race	132,471	16.3%

Affected Community: __City of San Jose_____ Total Affected Community Population: 971.233

Source: U.S. Bureau of Census, American Community Survey (ACS), 1-year estimates, Retrieved from https://censusreporter.org, Table B02001, B03002 for Hispanic or Latino

Total Affected Community Population:126,930		
Demographic Group within Affected	Number of People in	Percent of Total
Community	Minority Group	Affected
		Community
		Population
White	44,501	28.3%
Black or African American	2,906	1.2%
American Indian or Alaska Native	423	0.5%
Asian	60,451	51.9%
Native Hawaiian or Other Pacific Islander	1,049	0.8%
Hispanic or Latino	19,544	7.6%
More than one	9,793	10.0%
Some Other Race	8,935	7.2%

Affected Community: __City of Santa Clara____ Total Affected Community Population: 126,930

Source: U.S. Bureau of Census, American Community Survey (ACS), 1-year estimates, Retrieved from https://censusreporter.org, Table B02001, B03002 for Hispanic or Latino

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Total Affected Community Population:153,091		
Demographic Group within Affected	Number of People in	Percent of Total
Community	Minority Group	Affected
		Community
		Population
White	48,824	28.1%
Black or African American	1,840	1.9%
American Indian or Alaska Native	722	0.3%
Asian	76,656	50.0%
Native Hawaiian or Other Pacific Islander	192	0.2%
Hispanic or Latino	25,795	16.4%
More than one	13,010	9.9%
Some Other Race	13,329	9.5%

Affected Community: City of Sunnvyale

Source: U.S. Bureau of Census, American Community Survey (ACS), 1-year estimates, Retrieved from https://censusreporter.org, Table B02001, B03002 for Hispanic or Latino

Total Affected Community Population:81,059		
Demographic Group within Affected Community	Number of People in Minority Group	Percent of Total Affected Community Population
White	37,862	41.2%
Black or African American	1,733	0.5%
American Indian or Alaska Native	464	2.0%
Asian	27,290	33.1%
Native Hawaiian or Other Pacific Islander	N/A	N/A
Hispanic or Latino	15,035	20.1%
More than one	9,383	13.3%
Some Other Race	5,400	9.9%

Source: U.S. Bureau of Census, American Community Survey (ACS), 1-year estimates, Retrieved from https://censusreporter.org, Table B02001, B03002 for Hispanic or Latino

Total Affected Community Population:32,402		
Demographic Group within Affected Community	Number of People in Minority Group	Percent of Total Affected Community Population
White	23,742	71.7%
Black or African American	391	1.2%
American Indian or Alaska Native	20	0.1%
Asian	5,693	17.2%
Native Hawaiian or Other Pacific Islander	N/A	N/A
Hispanic or Latino	2,715	8.2%
More than one	2,403	7.3%
Some Other Race	844	2.6%

Affected Community: City of Los Gatos

Source: U.S. Bureau of Census, American Community Survey (ACS), 1-year estimates, Retrieved from https://censusreporter.org, Table B02001, B03002 for Hispanic or Latino

Limited English Proficiency (LEP).

The goal of all language access planning and implementation is to ensure that the Airport communicates effectively with limited English proficient (LEP) individuals. Effective language access requires self-assessment and planning. The next table lists non-English languages⁷ that are spoken in LEP households in the Affected Communities. The data source is Census Table B16001 for the City of San Jose for 2022.

The threshold we have used for identifying the languages with significant LEP populations is the DOT LEP Policy Guidance safe harbor threshold, which is 5% or 1,000, whichever is less.⁸ The safe harbor for our community is 1,000. Please refer to the end of this document to find data for all languages in our community.

Languages Spoken by LEP Population in the City of San Jose that Meet the Safe Harbor Threshold	Number	Margin of Error
Spanish	201,090	+/- 8,354
Vietnamese	90,795	+/- 7,389

⁷ Recommend using language groups from the U.S. Census, and using data for the "Speak English less than 'very well'" category for each language over the threshold.

⁸ See the DOT LEP Policy Guidance at https://www.federalregister.gov/d/05-23972/p-133. The safe harbor provisions apply to the translation of written documents only; however, it provides a consistent starting point for identifying significant LEP populations.

Chinese (incl. Mandarin, Cantonese)	73,269	+/- 6,084
Tagalog (incl. Filipino)	28,403	+/- 4,738
Hindi	19,941	+/- 3,474
TamilVi	10,231	+/- 3,003
Korean	9,709	+/- 2,246
Amharic, Somali, or other Afro-Asiatic languages	9,233	+/- 3,064
Telugu	8,677	+/- 3,090
Malayalam, Kannada, or other Dravidian languages	8,287	+/- 2,817
Persian (incl. Farsi, Dari)	8,008	+/- 2,581
Punjabi	7,808	+/- 2,582
Portuguese	6,788	+/- 2,188
Nepali, Marathi, or other Indic languages	5,816	+/- 1,912
Russian	5,416	+/- 1,978
Arabic	5,228	+/- 2,756
Japanese	4,894	+/- 1,715
Gujarati	4,818	+/- 1,861
French (incl. Cajun)	4,176	+/- 2,868
Other languages of Asia	3,598	+/- 1,790
Ilocano, Samoan, Hawaiian, or other Austronesian languages	3,368	+/- 2,340
Urdu	3,323	+/- 2,067
Thai, Lao, or other Tai-Kadai languages	2,873	+/- 1,429
German	2,702	+/- 1,106
Bengali	2,205	+/- 1,095
Khmer	2,081	+/- 1,193
Hebrew	2,050	+/- 1,429

Source: Census Table B16001 for the City of San Jose for 2022.

Frequency of contact with LEP individuals at the airport and airport-related activities (all languages):

Languages Spoken by LEP Persons	A few times a year (12 or less days a year)	Several times a month (13 to 51 days a year)	At least once a week (52 to 364 days a year)	Every day (365 days a year)
Spanish				Х
Chinese (incl. Mandarin, Cantonese)	Х			
Japanese			Х	
Hindi	Х			
Farsi	Х			
Italian	Х			

This information is updated annually⁹ through checking the following resources:

Data Sources for Languages Spoken in Affected Community	Website link to Data Source
U.S. Census Bureau	https://censusreporter.org/data/table/?table=B16001&geo_i ds=16000US0668000&primary_geo_id=16000US0668000 #valueType estimate

Beneficiary Diversity.

Demographic information is collected from airport customers, attendees at community meetings, and businesses seeking opportunities at the airport, through voluntary disclosures.

Description of Beneficiary Demographic Information Collection Methods

- Airport Customer Service Office conducts quarterly surveys of airport guests for customer satisfaction with airport concessions, restroom cleanliness, food offerings, and other elements and services. The survey includes a voluntary request for demographic information.
- Participants at small business workshops, pre-bid meetings, and other public meetings are asked to complete an anonymous survey that includes demographic information.
- Businesses that submit bids or offers are asked to provide business owner demographic information, if they are a certified DBE firm.

Staff and Advisory Board Diversity

Demographic information is collected from airport program employees and members of planning and advisory boards, through voluntary disclosures.

⁹ Data should be kept up-to-date, but this plan does not need to be updated for incremental data changes during the Plan's 3-year period.

Description of Employee and Advisory Board Demographic Information Collection Methods

- Employees are asked to submit voluntary confidential demographic information at time of hiring. Job applicants are asked to submit the same information when submitting their job application through the job application website.
- Airport Commissioners (advisory body) are asked to submit voluntary confidential demographic information in their applications.

7. Potential or Known Community Impacts

Projects or services receiving federal financial assistance have the potential to touch so many aspects of American life. Thus, in general, no Airport activity must have a discriminatory disparate impact on the basis of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age. This means that policies or procedures that have a disparate impact would require a well-documented substantial legitimate nondiscriminatory justification, summarized below. Impacts to protected communities must be avoided or minimized to the extent possible. No project with a discriminatory impact on protected communities will be undertaken.¹⁰

Existing Airport Facilities	Affected Community Impacted by Operation of the Facility
2 Runways & Aircraft takeoffs and landing	Cities of San Jose, Santa Clara, Mountain
	View, and Sunnyvale and Township of
	Los Gatos
Airport Terminal	None
Facilities Building	None
Aircraft Rescue and Fire Fighting Building	City of San Jose (positive impact -
	increased services to residents)
Police Hangar	None
Perimeter Security Enhancements	None
Airport Accessibility Upgrades	All (increases accessibility to the facility)

The following airport facilities are already in use or under construction and expected to be in use within the next 3 years:

The following airport facility projects (including all alternatives) are in construction or expected to be in construction within the next 3 years:

¹⁰ In order to carry out an alternative with a discriminatory impact, the airport sponsor must demonstrate that there was a substantial legitimate justification for the decision. The sponsor must also show that alternatives with less discriminatory impacts were meaningfully considered and rejected for legitimate reasons.

Airport Facility Construction Projects

Affected Community Impacted by	
Construction of the Facility	

	Constituction of the Facinity
Fueling and Waste Disposal Relocation	None
Hotel	None
Belly Freight	None

We have analyzed the above existing facilities and facility construction projects for disparate impacts on the basis of race, color, or national origin (including LEP) in Affected Communities. The following have disparate impacts:

Facilities or Construction Projects	Affected Community	Impact Can Be
with Disparate Impacts	Impacted	Eliminated?
None		

8. Limited English Proficiency (LEP)

Executive Order 13166

In creating a Language Assistance Plan, the Airport will consider the volume, proportion, or frequency of contact with LEP persons in determining the appropriate language assistance to provide.

In Community Statistics section, we identified the following languages spoken by LEP persons:

Language	
Spanish	
Vietnamese	
Chinese (incl. Mandarin, Cantonese)	
Tagalog (incl. Filipino)	
Hindi	
Tamil	
Korean	
Amharic, Somali, or other Afro-Asiatic languages	
Telugu	
Malayalam, Kannada, or other Dravidian languages	
Persian (incl. Farsi, Dari)	
Punjabi	

Portuguese

Nepali, Marathi, or other Indic languages

Russian

Arabic

Japanese

Gujarati

French (incl. Cajun)

Other languages of Asia

Ilocano, Samoan, Hawaiian, or other Austronesian languages

Urdu

Thai, Lao, or other Tai-Kadai languages

German

Bengali

Khmer

Hebrew

SJC also collects data for languages spoken by airport guests.¹¹ Data sources include:

Data Sources for Languages Spoken by Airport Guests	Website link to Data Source
Airport language line usage data	www.cyracominternational.com
Airport language line usage data	www.morningtrans.com
U.S. Census Bureau	

Based on the above data, the following <u>additional</u> languages have been identified as likely to be spoken by LEP airport guests:

Language		
N/A		

¹¹ We aim to provide appropriate language assistance services to every LEP person encountered. This includes instances when LEP statistical data for a particular language was not available beforehand, or the safe harbor threshold for written translation was not met.

The Title VI Coordinator will also actively engage with community educators, community groups, places of work, business groups, social groups, and the like to confirm that translation and interpretation services are accurate and effective. Additionally, the Title VI Coordinator will inform leadership and staff of the Airport of the responsibility to provide language access. We have made the following plans to provide translation services free of charge to ensure that individuals with LEP have access to the benefits of the airport:

Translation Services:

- All written notices contain a statement in the identified languages, when appropriate, of how to receive translated written materials.
- The following vendors have been identified for written translations:

Translation Vendors	Languages
Cyracom International, Inc.	All above languages
Multilingual employees	Varies (usually to include Spanish,
	Vietnamese, Chinese and more)

• Information regarding translation services can be obtained at:

Location for Translation Assistance	Languages
Airport Information Booths	All above languages
Airport Administrative & Lost and Found Office	All above languages

Interpretation Services:

• The following vendors have been identified for interpretation services:

Interpretation Vendors	Languages
Cyracom International, Inc.	All above languages

• Information regarding interpretation services can be obtained at:

Location for Interpretation Assistance	Languages
Airport Information Booths	All above languages
Airport Administrative & Lost and Found Office	All above languages

Description of Interpretation Assistance Processes

• Airport Customer Service Office maintains a list of multilingual employees, the languages they speak, and their associated office telephone numbers. The list indicates whether each employee is proficient to provide interpretation and/or translation services. The list is updated annually in the Public Information Handbook and provided to all airport employees. Generally, these employee volunteers are available to assist members of the public with verbal real-time interpretation, during normal business hours. The airport contracts with the Cyracom International, Inc. to provide ondemand telephone interpretation services to airport guests. When a request for an interpreter is received, the following process is used: Airport information desk and Airport Customer Service staff use "I-Speak cards" to identify the language spoken by the airport guest. Staff contacts Cyracom International, Inc. and "parks" the request in the queue for the appropriate language. Cyracom International, Inc. operators will connect the requesting party to an interpreter for the duration of the call.

9. Transportation

49 Part CFR 21 Appendix C (a)(1)(ix)

In the Community Statistics section of this plan, we identified Affected Communities and provided demographic and related data for the community populations. The minority and disadvantaged community areas located within the Affected Communities are identified below. Other minority and disadvantaged community areas that are near the airport but not within Affected Communities are also identified below.

We have coordinated with VTA and Santa Clara County to encourage them to provide transit service access between the airport and these areas.

The following chart identifies existing and planned transit services connecting the airport employment centers with the identified minority and disadvantaged community areas.

Minority and/or Disadvantaged Community Areas	Transit Service	Planned or Existing
Alviso (in City of San Jose)	Fixed-route bus and/or Light Rail	Existing
North San Jose (in City of San Jose)	Fixed-route bus and/or Light Rail	Existing
Alum Rock (in City of San Jose)	Fixed-route bus	Existing
Evergreen (in City of San Jose)	Fixed-route bus	Existing
Kelley Park (in City of San Jose)	Fixed-route bus	Existing
Census Tract 6085505202 (in City of Santa Clara)	Fixed-route bus and CalTrain/Amtrak	Existing

10. Minority Businesses 49 CFR 21 Appendix C (a)(1)(x)

Bids for airport concessions and other business opportunities are solicited from area minority and woman-owned businesses through the following methods:

Airport Business Opportunity	Minority Business Outreach Methods
ALL PROJECTS	The Airport conducts outreach using the following tools: Biddingo.com,
(Concessions and	flysanjose.com, email blast to DBE list & Interested Outreach List
Construction)	(which includes small, local, Veteran owned, WBEs, SBEs and other
	disadvantaged or minority groups), in the target area with appropriate
	work code, outreach events such as Meet the Prime, local chambers
	(including ethnic chambers), Specified Business events such as the
	Rental Car Outreach event, contractor events, etc. Also, solicitation is
	sent to DBE Matchmaker on the FAA's website, sent to partnering
	organizations such as AMAC, AAAE, and ACI-NA for them to also
	advertise on their websites. During any of our networking and/or
	outreach events we aim to reach all types of business such as DBE, SBE,
	WBE and more. We allow any business to ask to be added to our
	interested party list as well. We then will inform them of the newest bids
	once they post to biddingo. Biddingo also has a notification set up so
	you can directly get that information from the website which all City of
	San Jose projects are posted to. Additionally at all the events we also
	help guide them to understand the process of how to do business
	including letting them know about the places these projects are posted
	such as biddingo, flysanjose.com and partnering organization's websites.
	This allows them direct access to all open projects with the City of San
	Jose and the airport.

Selections are in compliance with Title VI, Part 21, and related requirements. Information on the award process and documentation for specific bid decisions is kept with Public Work's Department of the City of San José.

<u>11. Training</u>

New employee orientation incorporates Title VI training. Topics include:

- Title VI and related laws prohibit discrimination on the basis of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age
- Title VI complaint forms must be forwarded to the Coordinator
- Protections against retaliation for filing civil rights complaints or related actions
- Title VI notices must be displayed throughout the airport public facilities
- All contracts must include Title VI clauses
- Language interpretation and translation services available
- Cultural and community relations sensitivity training
- Anti-harassment/Non-discrimination two-hour training for all employees (retraining biennially)

Additional information is available on flysanjose.com.

12. Compliance Reviews, Audits, Complaints, Lawsuits, and Other Investigations

FAA Notification. The Coordinator will notify FAA of any pending investigations and reviews, including:

- Compliance reviews or audits concerning civil rights requirements¹²
- Complaints, lawsuits, or other investigations alleging noncompliance with civil rights requirements¹³

As discussed in the Title VI Complaints Section, Title VI complaints must be forwarded to FAA contacts within 15 days of receipt. For all other civil rights investigations, the Airport must notify FAA contacts of any new investigations prior to grant execution.

At regular intervals, the Coordinator will provide FAA contacts with status updates for the investigations and reviews, until completed. For each existing investigation or review completed within 5 years of this plan, the Coordinator will also provide a statement about the outcome, unless previously provided.

<u>**13. Title VI Complaints</u>** 49 CFR 21.11; 49 CFR 21 Appendix C (b)(3); 28 CFR 42.406(d)</u>

Scope. These procedures are for complaints of discrimination under Title VI and related laws (hereafter "Title VI Complaints." In order to be a Title VI Complaint, the complaint must:

- 1. Allege discrimination on the basis of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age or violations administrative requirements under Title VI or related laws.
- 2. Not only be for employment matters¹⁴
- 3. Allege misconduct by the Airport, including airport employees, contractors, concessionaires, lessees, or tenants.
- 4. Concern an airport facility or actions by the Airport including airport employees, contractors, concessionaires, lessees, or tenants.

¹² Includes any Title VI, ADA, Sec. 504, Title VII/EEO, or other civil rights program compliance review or audit to be performed on the airport sponsor or any of its sub-recipients by any State, local or Federal agency.

¹³ Includes allegations of discrimination based on race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age, whether because of actions of the airport sponsor itself, or its employees, contractors, or tenants. Includes noncompliance with related administrative requirements under civil rights laws.

¹⁴ Complaints of employment discrimination must be addressed as required by EEOC and other applicable authorities with jurisdiction over employment matters. If an Airport sponsor employment activity is supported by FAA-provided financial assistance or it is alleged that the employment discrimination affects the broader airport program, complaints about that activity must also be reported to FAA.

<u>Rights</u>. Any person who believes that he or she has been subjected to discrimination on the basis of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age has the right to file a complaint with the Airport. Alternatively, they can file a formal complaint with an outside agency, such as the U.S. Departments of Justice or Transportation, or the Federal Aviation Administration (FAA), or seek other legal remedies.

<u>Receipt of Complaint</u>. The Coordinator will log in the complaint and promptly send copies of the complaint to Director's Office Division Manager who oversees the Civil's Right Group, along with necessary Senior Staff and the office directly involved in the complaint. Often times if it is a tenant or tenant related then our property manager team will be involved as well to coordinate and help manage the final solution.

Complaints must be filed within 180 days of the discriminatory event, must be in writing, and must be delivered to:

Magdelina Nodal Senior Analyst – Civil Rights Coordinator/Liaison San Jose Mineta International Airport 1701 Airport Blvd. Ste. B-1130, San José, CA 95110 (408) 392-3673; <u>MNodal@sjc.org</u>

If a complaint is initially made by phone, it must be supplemented with a written complaint before 180 days after the discriminatory event has passed. If a verbal complaint is received, the complainant should be given a copy of the Airport Discrimination Complaint Procedures and instructed to submit a written complaint. Accommodation will be provided upon request to individuals unable to file a written complaint due to a disability.

<u>Initial Procedure.</u> The Coordinator may meet with the complainant to clarify the issues, obtain additional information, and determine if informal resolution might be possible in lieu of an investigation. If successfully resolved, the Coordinator will issue a closure letter to the complainant, record the disposition in the complaints log, and report the resolution to FAA.

Discrimination Complaint Referral Procedure

Internal Complaint Referral. All Title VI complaints must be promptly forwarded to the Coordinator within 48 hours.

<u>Initial FAA Notification</u>. A copy of each Title VI complaint will be forwarded to the FAA within 15 days of initial receipt (not the date that the Coordinator was notified). The Coordinator will forward a copy of the complaint and a statement describing all actions taken to resolve the matter, and the results thereof to the FAA Civil Rights staff. (Note: complaints based on disability do not have to be forwarded to FAA.) To transmit complaint information to the FAA, the Coordinator will upload directly to FAA Civil Rights Connect System. The Coordinator will also seek technical assistance from FAA, as needed, throughout complaint intake, investigation and resolution process.

Investigation Procedure

<u>Assignment of Investigator</u>. The Coordinator will immediately begin the investigation or designate an investigator.

<u>Cooperation with FAA</u>. The Coordinator will promptly investigate all Title VI complaints, including those referred by the FAA for investigation. If the FAA is investigating a complaint against the Airport, the Coordinator will avoid interfering with the FAA investigation, cooperate with the FAA when needed, and share factual information with the FAA.

<u>Prompt Investigation</u>. The Coordinator will make every effort to complete discrimination complaint investigations within **60** calendar days after the complaint is received. Some investigations may take longer with a justification for the delay and assurance that the investigation is being completed as quickly as possible.

<u>Contact with Complainant.</u> The Coordinator will meet with the complainant to clarify the issues and obtain additional information, and also speak with community members and potential witnesses, as appropriate.

Investigation Report. After completing the investigation, the Coordinator will prepare a report.

<u>Consultation with Legal Counsel</u>. In each case, the Coordinator will consult with Legal Counsel regarding the investigation and the report. Airport Legal Counsel will ensure that the report is consistent with the DOT and FAA Title VI nondiscrimination requirements.

<u>Prompt Resolution of Disputes</u>. The Coordinator will emphasize voluntary compliance and quickly and fairly resolve disputes with complainants, or with contractors, tenants, or other persons, through our normal resolution efforts. Initially we investigate the complaint. This is also to inform all parties involved to collect their side and often times to get a better understanding of if the complaint is valid. Once that happens usually corrective action can be managed through necessary staff supervising the tenant or staff that caused this issue to ensure corrective measures are taken. This could be training or reprimanding to ensure the severity of the problem are understood by those involved. Often for tenants there are measures to ensure they follow all requirements to continue business at the airport and the property managers along with the civil rights staff and sometimes customer service or operational mangers will also continue to monitor the ongoing resolution of this situation. We are also planning to keep the FAA informed for any additional advice in unique or more serious cases to ensure all problems are resolved quickly and effectively.

<u>Forwarding Report and Response to Complainant</u>. At the completion of the investigation, the complainant and respondent will receive a letter of findings and determination of the investigation and any applicable resolution. The letter transmitting the findings and any applicable resolution will state the Airport's conclusion regarding whether unlawful discrimination occurred, and will describe the complainant's appeal rights. A summary of the investigation report, any appeal, or follow-up actions will be sent to the FAA via the FAA Civil Rights Connect System.

<u>Appeal Rights.</u> The complainant must be notified of their right to appeal the findings or determinations, and of the procedures and requirements for an appeal:

- The complainant may appeal in writing to the Assistant Director.
- The written appeal must be received **within 10** business days after receipt of the written decision.
- The written appeal must contain all arguments, evidence, and documents supporting the basis for the appeal.
- The Assistant Director will issue a final written decision in response to the appeal.

<u>Avoiding Future Discrimination</u>. In addition to taking action with respect to any specific instances of discrimination, the Airport will identify and implement measures to reduce the chances of similar discrimination in the future.

<u>Intimidation and Retaliation Prohibited</u>. The Airport employees, contractors, and tenants will not intimidate or retaliate against a person who has filed a complaint alleging discrimination.

For information on filing a complaint with DOT/FAA, please contact Magdelina Nodal. Title VI Complaint Form seen below can also be obtained via flysanjose.com.

	AINT FORM				
Name:				Date:	
Address:				Date.	
City:			State:	Zip:	
Phone:		Second Phone:	Totate.	T zip.	
Accessible Format I	Requirements?	Large Print	Audio 🗆	Other 🗆	
I believe the discrin	mination Lexperi	enced was based on (ch	neck all that an	oly):	
	Color	National Origin	Age 🗆		
	Creed 🗆	Disability 🗆	Other 🗆	1	
Date of Alleged Dis	scrimination:				
		Month n event: (How were you	Day	Year	
involveo in your de	escription.	nonnaton prease prov		parties that were	
Name of Agency th	escription. he complaint is ag (witnesses or oth	tainst: (any information	n possible, title,	name, location)	
Name of Agency th Names of persons (support or clarify y	escription. he complaint is ag (witnesses or oth your complaint:	gainst: (any information hers) who may contact t	n possible, title, us with addition	name, location) nal information to	
Name of Agency th Names of persons (support or clarify y	escription. he complaint is ag (witnesses or oth	gainst: (any information	n possible, title,	name, location)	
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Name of Agency th Names of persons support or clarify y Name All compilant forms Vagdelina Nodal S	escription. he complaint is ag (witnesses or oth your complaint: Telephone should be filled of Senior Analyst –	zainst: (any Information sers) who may contact u Address	a possible, title, us with addition Email	name, location) nal information to Comments	
Name of Agency th Names of persons support or clarify y Name All compilant forms Vagdelina Nodal S	escription. he complaint is ag (witnesses or oth your complaint: Telephone should be filled of Senior Analyst –	tainst: (any information ers) who may contact to Address	a possible, title, us with addition Email	name, location) nal information to Comments	

This complaint procedure is shared with the public through the following methods:

1.	Airport website, in-person, and directly from coordinator
2.	Airport's website: https://www.flysanjose.com/standards-and-guidelines/civil-rights

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<u>14. Population / Language Data</u>

B16001	Language Spoken at Home by Ability to Spea English for the Population 5 Years and Ove			
		San Jose, CA		
	Value	Error		
Total:	923138	2975		
Speak only English	382078	10696		
Spanish:	201090	8354		
Speak English "very well"	116772	6247		
Speak English less than "very well"	84318	5913		
French (incl. Cajun):	4176	2868		
Speak English "very well"	4082	2867		
Speak English less than "very well"	94	75		
Haitian:	203	131		
Speak English "very well"	203	131		
Speak English less than "very well"	0	218		
Italian:	639	534		
Speak English "very well"	596	528		
Speak English less than "very well"	43	70		
Portuguese:	6788	2188		
Speak English "very well"	4473	1633		
Speak English less than "very well"	2315	1008		
German:	2702	1106		
Speak English "very well"	2436	1022		
Speak English less than "very well"	266	212		
Yiddish, Pennsylvania Dutch or other West Germanic languages:	564	450		

Speak English "very well"	452	434
Speak English less than "very well"	112	110
Greek:	288	332
Speak English "very well"	197	200
Speak English less than "very well"	91	149
Russian:	5416	1978
Speak English "very well"	3447	1507
Speak English less than "very well"	1969	1048
Polish:	253	202
Speak English "very well"	150	165
Speak English less than "very well"	103	119
Serbo-Croatian:	983	633
Speak English "very well"	791	550
Speak English less than "very well"	192	324
Ukrainian or other Slavic languages:	426	326
Speak English "very well"	426	326
Speak English less than "very well"	0	218
Armenian:	566	755
Speak English "very well"	345	475
Speak English less than "very well"	221	286
Persian (incl. Farsi, Dari):	8008	2581
Speak English "very well"	4583	1720
Speak English less than "very well"	3425	1554
Gujarati:	4818	1861
Speak English "very well"	4196	1799
Speak English less than "very well"	622	359
Hindi:	19941	3474

Speak English "very well"	16481	3061
Speak English less than "very well"	3460	1278
Urdu:	3323	2067
Speak English "very well"	3126	2067
Speak English less than "very well"	197	210
Punjabi:	7808	2582
Speak English "very well"	5560	2237
Speak English less than "very well"	2248	739
Bengali:	2205	1095
Speak English "very well"	1995	1026
Speak English less than "very well"	210	209
Nepali, Marathi, or other Indic languages:	5816	1912
Speak English "very well"	5046	1760
Speak English less than "very well"	770	457
Other Indo-European languages:	1464	861
Speak English "very well"	1170	719
Speak English less than "very well"	294	237
Telugu:	8677	3090
Speak English "very well"	7542	2897
Speak English less than "very well"	1135	762
Tamil:	10231	3003
Speak English "very well"	8531	2567
Speak English less than "very well"	1700	888
Malayalam, Kannada, or other Dravidian languages:	8287	2817
Speak English "very well"	6753	2042
Speak English less than "very well"	1534	1152
Chinese (incl. Mandarin, Cantonese):	73269	6084

Speak English "very well"	39882	4526
Speak English less than "very well"	33387	3282
Japanese:	4894	1715
Speak English "very well"	3400	1563
Speak English less than "very well"	1494	588
Korean:	9709	2246
Speak English "very well"	5932	1667
Speak English less than "very well"	3777	911
Hmong:	0	218
Speak English "very well"	0	218
Speak English less than "very well"	0	218
Vietnamese:	90795	7389
Speak English "very well"	33455	3264
Speak English less than "very well"	57340	6188
Khmer:	2081	1193
Speak English "very well"	1228	924
Speak English less than "very well"	853	594
Thai, Lao, or other Tai-Kadai languages:	2873	1429
Speak English "very well"	1867	1155
Speak English less than "very well"	1006	502
Other languages of Asia:	3598	1790
Speak English "very well"	1903	911
Speak English less than "very well"	1695	1075
Tagalog (incl. Filipino):	28403	4738
Speak English "very well"	19179	3606
Speak English less than "very well"	9224	1969
Ilocano, Samoan, Hawaiian, or other Austronesian languages:	3368	2340

Speak English "very well"	2839	2381
Speak English less than "very well"	529	418
Arabic:	5228	2756
Speak English "very well"	4493	2633
Speak English less than "very well"	735	515
Hebrew:	2050	1429
Speak English "very well"	1725	1247
Speak English less than "very well"	325	296
Amharic, Somali, or other Afro-Asiatic languages:	9233	3064
Speak English "very well"	5181	2214
Speak English less than "very well"	4052	1515
Yoruba, Twi, Igbo, or other languages of Western Africa:	99	105
Speak English "very well"	99	105
Speak English less than "very well"	0	218
Swahili or other languages of Central, Eastern, and Southern Africa:	104	143
Speak English "very well"	85	143
Speak English less than "very well"	19	10
Navajo:	116	180
Speak English "very well"	116	180
Speak English less than "very well"	0	218
Other Native languages of North America:	190	240
Speak English "very well"	163	227
Speak English less than "very well"	27	45
Other and unspecified languages:	378	419
Speak English "very well"	218	231
Speak English less than "very well"	160	194

Table S1701			San Jose cit	y, California	l	
	Total		Below po	verty level	Percent poverty	
Label	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Population for whom poverty	1		I.	I.		
status is determined	960,128	±1,355	86,223	±8,691	9.0%	±0.9
AGE						
Under 18 years	193,630	±6,080	16,638	±4,538	8.6%	±2.3
Under 5 years	47,067	±2,901	4,915	±2,205	10.4%	±4.5
5 to 17 years	146,563	±5,136	11,723	±3,035	8.0%	±2.0
Related children of householder under 18						
years	193,090	±6,013	16,098	±4,501	8.3%	±2.3
18 to 64 years	626,546	±6,435	54,201	±5,682	8.7%	±0.9
18 to 34 years	235,120	±6,954	25,075	±3,619	10.7%	±1.5
35 to 64 years	391,426	±5,170	29,126	±3,664	7.4%	±0.9
60 years and over	197,911	±6,113	22,115	±2,757	11.2%	±1.3
65 years and over	139,952	±5,242	15,384	±2,124	11.0%	±1.4
SEX						
Male	486,847	±5,072	40,952	±4,422	8.4%	±0.9
Female	473,281	±5,049	45,271	±6,088	9.6%	±1.3
RACE AND HISPANIC OR LATINO ORIGIN						
White alone	244,011	±9,672	17,185	±3,469	7.0%	±1.4
Black or African American alone	26,090	±3,925	6,773	±3,451	26.0%	±11.8
American Indian and Alaska Native alone	11,229	±2,969	789	±836	7.0%	±6.8

Asian alone	377,415	±10,372	28,781	±4,424	7.6%	±1.1
Native Hawaiian and Other Pacific Islander alone	N	N	Ν	N	N	N
Some other race alone	156,059	±8,775	19,222	±4,647	12.3%	±2.9
Two or more races	143,496	±9,124	12,977	±2,836	9.0%	±1.9
Hispanic or Latino origin (of any race)	295,936	±8,505	31,583	±5,686	10.7%	±1.9
White alone, not Hispanic or Latino	220,237	±8,723	15,510	±3,208	7.0%	±1.4
EDUCATIONAL ATTAINMENT						
Population 25 years and over	679,730	±6,269	55,729	±4,877	8.2%	±0.7
Less than high school graduate	99,355	±5,327	16,198	±2,472	16.3%	±2.5
High school graduate (includes equivalency)	106,758	±5,992	12,613	±2,030	11.8%	±1.7
Some college, associate's degree	148,884	±6,435	15,155	±2,541	10.2%	±1.6
Bachelor's degree or higher	324,733	±8,169	11,763	±2,007	3.6%	±0.6
EMPLOYMENT STATUS						
Civilian labor force 16 years and over	538,380	±7,549	25,650	±3,781	4.8%	±0.7
Employed	519,278	±8,038	21,093	±3,180	4.1%	±0.6
Male	287,681	±6,626	10,642	±2,093	3.7%	±0.7
Female	231,597	±5,697	10,451	±2,252	4.5%	±1.0
Unemployed	19,102	±2,697	4,557	±1,341	23.9%	±5.6
Male	9,955	±1,856	2,611	±944	26.2%	±7.6
Female	9,147	±1,542	1,946	±699	21.3%	±7.1
WORK EXPERIENCE						
Population 16 years and over	791,156	±5,977	72,017	±6,602	9.1%	±0.8

Worked full-time, year- round in the past 12 months	389,715	±8,457	4,747	±1,791	1.2%	±0.5
Worked part-time or part- year in the past 12 months	159,325	±6,867	21,750	±3,698	13.7%	±2.2
Did not work	242,116	±7,937	45,520	±4,369	18.8%	±1.6
ALL INDIVIDUALS WITH INCOME BELOW THE FOLLOWING POVERTY RATIOS						
50 percent of poverty level	45,510	±5,998	(X)	(X)	(X)	(X)
125 percent of poverty level	105,785	±8,970	(X)	(X)	(X)	(X)
150 percent of poverty level	141,552	±9,882	(X)	(X)	(X)	(X)
185 percent of poverty level	174,551	±10,239	(X)	(X)	(X)	(X)
200 percent of poverty level	188,877	±11,049	(X)	(X)	(X)	(X)
300 percent of poverty level	294,881	±11,563	(X)	(X)	(X)	(X)
400 percent of poverty level	387,037	±13,360	(X)	(X)	(X)	(X)
500 percent of poverty level	469,625	±13,712	(X)	(X)	(X)	(X)
UNRELATED INDIVIDUALS FOR WHOM POVERTY STATUS IS DETERMINED	177,009	±9,445	41,034	±3,708	23.2%	±1.9
Male	99,037	±6,891	18,921	±2,506	19.1%	±2.4
Female	77,972	±4,569	22,113	±3,165	28.4%	±3.3
15 years	369	±391	369	±391	100.0%	±38.1
16 to 17 years	171	±147	171	±147	100.0%	±55.9
18 to 24 years	18,027	±2,630	8,329	±1,944	46.2%	±7.3
, 25 to 34 years	51,385	, ±5,143	, 7,971	, ±1,585	15.5%	±3.2
, 35 to 44 years	27,457	, ±3,132	3,599	±923	13.1%	±3.4
45 to 54 years	20,537	±2,651	3,559	±1,019	17.3%	±4.5
55 to 64 years	23,506	±2,552	7,002	±1,386	29.8%	±4.9
65 to 74 years	17,154	±1,946	3,914	±846	22.8%	±4.6

75 years and over	18,403	±1,860	6,120	±1,377	33.3%	±6.2
Mean income deficit for unrelated individuals (dollars)	9,397	±591	(X)	(X)	(X)	(X)
Worked full-time, year-round in the past 12 months	94,129	±7,605	2,730	±1,664	2.9%	±1.7
Worked less than full-time, year-round in the past 12 months	34,051	±3,384	10,661	±2,030	31.3%	±4.4
Did not work	48,829	±3,537	27,643	±2,881	56.6%	±3.3
Population in housing units for whom poverty status is determined	952,545	±1,627	82,358	±8,699	8.6%	±0.9

15. Completed Unlawful Discrimination Poster

