

C. POLICY STATEMENT

TITLE VI AND EXTERNAL AMERICANS WITH DISABILITIES ACT (ADA) NONDISCRIMINATION POLICY STATEMENT

The Arizona Department of Transportation (ADOT), as policy, assures nondiscrimination compliance on the grounds of race, color, national origin and disability as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Section 504 of the Rehabilitation Act, Americans with Disabilities Act of 1990 (ADA), Title II of the ADA, Executive Order 12898 (Environmental Justice), Executive Order 13166 (Limited English Proficiency), the Code of Federal Regulations 49 §21, and Code of Federal Regulations 23 § 200.

No person will be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any ADOT program or activity. Every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. This policy shall also apply to ADOT subrecipients, grant recipients, and contractors.

The ADOT Civil Rights Office and all program areas will work closely to implement their mutual Title VI and ADA nondiscrimination program responsibilities. Furthermore, each program area will work to discern and limit the adverse effects of its programs and activities on the health, safety or economics of minority and low income populations. Each program area will take full responsibility for preventing discrimination and ensuring nondiscrimination compliance in all ADOT programs and activities.

The Director signs assurances and delegates full authority to the External Civil Rights Program Administrator and the Civil Rights Office to oversee and implement ADA and Title VI regulations.

Arizona Department of Transportation



John S. Halikowski
Director



Date

D. DELEGATION OF AUTHORITY

TITLE VI AND EXTERNAL AMERICANS WITH DISABILITIES ACT (ADA) NONDISCRIMINATION PROGRAM

DELEGATION OF AUTHORITY

SUMMARY: Through this notice, the Director delegates all compliance authority for the Arizona Department of Transportation Title VI Nondiscrimination program and the External American's with Disabilities Act program to the External Civil Rights Program Administrator. The External Civil Rights Program Administrator reports to the Civil Rights Office Administrator.

DATE: Effective upon signature

FOR FURTHER INFORMATION CONTACT: Lucy Schrader, External Civil Rights Program Administrator, 206 S. 17th Ave. Rm 183 MD 155A Phoenix, AZ 85007, 602-712-8946, Lschrader@azdot.gov.

Section A. Authority Delegated

1. The External Civil Rights Program Administrator is hereby delegated authority and assigned responsibility for directing and managing all aspects of the Title VI and External ADA Nondiscrimination programs including providing direction and oversight for Civil Rights administrative services, setting departmental administrative policy, and effectively managing program staff.
2. In addition to what is described above, the External Civil Rights Program Administrator is hereby delegated authority to carry out the following responsibilities:
 - a. Provide guidance to leadership and management regarding all Title VI and External ADA responsibilities. This includes identifying facility-related priorities, developing plans, and providing directives for improving nondiscrimination conditions for ADOT employees, customers, and stakeholders.
 - b. Provide ADOT departments and field office staff with Title VI and External ADA program responsibilities. This includes liaison services for employees designated or identified by ADOT Leadership. Liaisons will be used for the delivery and oversight of Title VI and External ADA Program duties.
 - c. The External Civil Rights Program Administrator has full authority to review policies and/or programs developed, administered and/or managed by ADOT to detect possible conflicts with the Title VI and External ADA program federal requirements. The Civil Rights Administrator will perform any such additional duties as may be assigned to by the Civil Rights Office Administrator by applicable law(s) or regulation(s).

- d. The External Civil Rights Program Administrator will meet with the Director on a quarterly basis, or as needed, to provide guidance on the strengths and weaknesses of the agency's efforts to meet Federal and State compliance requirements.

Section B. Authority to Re-delegate

1. The External Civil Rights Program Administrator may re-delegate any of the authority delegated under Section A above.

Section C. Authority Excepted

1. The authority delegated in this document does not include the authority to sue or be sued or issue a waiver of Federal law or regulations.

Section D. Statutory/ Regulation Authorities

During the performance of duties, the External Civil Rights Program Administrator will comply with the following non-discrimination statutes and authorities; including but not limited to:

1. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252); and 49 CFR Part 21.
2. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601);
3. Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*);
4. Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*); and 49 CFR Part 27;
5. The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*);
6. Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended;
7. The Civil Rights Restoration Act of 1987, (PL 100-209);
8. Titles II and III of the Americans with Disabilities Act, (42 U.S.C. §§ 12131-12189); 49 C.F.R. parts 37 and 38;
9. The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123);
10. FMCSA Title VI/Nondiscrimination Regulation 49 C.F.R. Part 303 ;
11. Executive Order 12898;
12. Executive Order 13166 (70 Fed. Reg. at 74087 to 74100);
13. Title IX of the Education Amendments of 1972, (20 U.S.C. 1687 *et seq.*)



John S. Halikowski,
Arizona Department of Transportation- Director

DATED Sept 18, 2018