

ARIZONA DEPARTMENT OF TRANSPORTATION CIVIL RIGHTS OFFICE

TITLE VI NONDISCRIMINATION PROGRAM

2020 IMPLEMENTATION PLAN



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October 1, 2019

The Title VI Implementation Plan (IP) is designed to aid the Civil Rights Office (CRO) in its ability to provide oversight and ensure that there is Title VI compliance throughout ADOT. This document will be updated annually to reflect changes in law, administration, regulations, and/or policy. This document is intended to provide guidance to department personnel and other interested entities and is not intended to, does not and may not be relied upon to create any right or benefit enforceable by law by a party against the department.

For individuals with disabilities, this document will be made available upon request in alternate formats. In addition, a translation of this plan into alternate languages will be made available upon request. To obtain a copy in one of these alternate formats or for questions or concerns, please contact us at:

Arizona Department of Transportation
Felicia Beltran
Title VI Nondiscrimination Program Coordinator
206 S. 17th Avenue
Phoenix, AZ 85007
civilrightsoffice@azdot.gov

A digital copy of this Plan can be found at <https://azdot.gov/sites/default/files/2019/05/title-vi-implementation-plan.pdf>

ADOT Title VI Implementation Plan
October 1, 2019

ABOUT THE ARIZONA DEPARTMENT OF TRANSPORTATION

The Arizona Department of Transportation (ADOT) is a multi-modal transportation agency serving one of the fastest growing areas of the country. Among many things, ADOT is responsible for planning, building, and operating a complex highway system. In addition, ADOT is responsible for building and maintaining bridges and the Grand Canyon Airport. Finally, a major component of ADOT also includes the Motor Vehicle Division, which provides title, registration, and driver license services to the general public throughout the state of Arizona.

ADOT is funded by the people who purchase fuel, drive or own private and commercial vehicles, or use transportation services. Individuals and businesses invest money through fuel taxes, motor carrier fees, vehicle title, registration, and license fees to build and operate the state's transportation systems. About 80 percent of the money ADOT collects returns to the private sector in the form of paychecks and payment for transportation services and materials. In addition, ADOT is also annually awarded funds by the United States Department Of Transportation (USDOT) including the Federal Highway Administration (FHWA), Federal Transit Administration (FTA), and Federal Aviation Administration (FAA) to help support ADOT's agencies and programs, and their continued growth.

ADOT, with the support of USDOT, is proud to have created a transportation system that creates job opportunities through the planning, building, and maintaining of its projects and other innovative ideas. These projects, in turn, generate economic development and attract a varied workforce to join our community. ADOT consistently strives to successfully deliver a range of transportation projects through the efficient use of funds and the annual proposed budgets.

As a recipient of federal funds through USDOT, ADOT is held to a standard of nondiscrimination as further described in this document. These guidelines, identified as "Title VI Nondiscrimination Implementation Program Plan" (Title VI Plan), were developed in accordance with the federal compliance guidelines. Furthermore, this Title VI Plan has been reviewed by department directors and various agency administrators who are committed to the implementation of these policies.

To request further information, please contact Felicia Beltran, Title VI Nondiscrimination Program Coordinator at (602) 712-8946.

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1. INTRODUCTION

A. POLICY OVERVIEW AND OBJECTIVES

In compliance with Title VI of the Civil Rights Act 1964 the Arizona Department of Transportation (ADOT) assures through its policies and procedures that no person shall on the grounds of race, color, or national be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any ADOT or ADOT sponsored program or activity. In addition to Title VI, ADOT's Title VI Nondiscrimination program extends protections under other the following Nondiscrimination statutes: Section 162 (a) of the Federal-Aid Highway Act of 1973 (23 USC 324) (sex), Age Discrimination Act of 1975 (age), and Section 504 of the Rehabilitation Act of 1973/ Americans with Disabilities Act of 1990 (disability). While ADOT receives funds from various sources, there is no distinction between the sources of funding. Questions about ADOT's Title VI Program may be directed to:

Civil Rights Title VI Program
Attention: Felicia Beltran
Title VI Nondiscrimination Program Coordinator
206 S. 17th Avenue
Phoenix, AZ 85007
Email: Fbeltran@azdot.gov

Website: <http://www.azdot.gov/business/civil-rights/title-vi-nondiscrimination-program>

Title VI plan objectives:

- I. To be transparent with the public on ADOT's standard operating procedures to ensure nondiscrimination in all ADOT programs and activities.
- II. To assign and clarify roles, responsibilities, and procedures for ensuring compliance with Title VI and all related nondiscrimination statutes.
- III. To assure that all participants and beneficiaries affected by ADOT's programs, projects and activities receive the services, benefits, and opportunities to which they are entitled without regard to race, color, national origin, age, sex, disability, income status, or limited English proficiency.
- IV. To bring awareness to all ADOT employees of their roles and responsibilities to ensure nondiscrimination in all ADOT programs, services and activities, regardless of funding source.
- V. To establish procedures for identifying and eliminating discrimination when found to exist.
- VI. To establish processes for reviewing specific program areas within ADOT and with its external partners to determine effectiveness of the area's compliance activities at all levels.
- VII. To establish procedures to work closely with program areas that are known to have compliance violations. Aid for these areas will be in the way of a Title VI compliance program review implementing a corrective action plan, working directly to train staff and stressing the importance of Title VI overall compliance.
- VIII. To describe the process for filing and the process in investigating complaints by persons who believe that they have been subjected to discrimination under Title VI in any ADOT service, program, or activity or any program that is administered by its subrecipients.

B. STANDARD DOT TITLE VI ASSURANCES

ADOT's Director is required to sign Standard DOT Title VI Assurances in accordance with USDOT 1050.2A. A copy of ADOT's signed Standard Assurances may be found here:

<https://azdot.gov/business/civil-rights/title-vi-nondiscrimination-program/title-vi-implementation>



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), and 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. ADOT's subrecipients, grant recipients, and contractors must also comply with this policy.

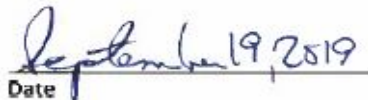
The ADOT Civil Rights Office and program areas will work closely to implement their mutual Title VI and ADA nondiscrimination program responsibilities. Furthermore, each program area will work to discern and limit the adverse effects of its programs and activities on the health, safety or economics of 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 ADA/Title VI Nondiscrimination Program Coordinator and the Civil Rights Office to oversee and implement ADA and Title VI regulations.

Arizona Department of Transportation



John S. Halikowski
Director


Date

TITLE VI AND EXTERNAL AMERICANS WITH DISABILITIES ACT (ADA)
DELEGATION OF AUTHORITY

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

DATE: Effective upon signature

FOR FURTHER INFORMATION CONTACT: Felicia Beltran, Title VI Nondiscrimination Program Coordinator, 206 S. 17th Ave. Rm 183 MD 155A Phoenix, AZ 85007, 602-712-8946, fbeltran@azdot.gov.

Section A. Authority Delegated

1. The Civil Rights Office Deputy Administrator is hereby delegated authority and assigned responsibility for directing and managing all aspects of the Title VI and 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 Civil Rights Office Deputy Administrator is hereby delegated authority to carry out the following responsibilities:
 - a. Provide guidance to leadership and management regarding all Title VI and 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 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 ADA Program duties.
 - c. The Civil Rights Office Deputy 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 ADA program federal requirements. The Civil Rights Office Deputy 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 Civil Rights Office Deputy 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.

TITLE VI AND EXTERNAL AMERICANS WITH DISABILITIES ACT (ADA)
DELEGATION OF AUTHORITY

Section B. Authority to Re-delegate

1. The Civil Rights Office Deputy 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 Title VI Nondiscrimination Program Coordinator will comply with the following nondiscrimination 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 § 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 § 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 U.S.C. § 471, Section 47123), as amended;
7. The Civil Rights Restoration Act of 1987 (PL 100-209);
8. Title II and III of the Americans with Disabilities Act (42 U.S.C. §§ 12131-12189); 49 C.F.R. § 37 and § 38;
9. The Federal Aviation Administration's Nondiscrimination Statute (49 U.S.C § 47123);
10. FMCSA Title VI/Nondiscrimination Regulation 49 C.F.R. § 303;
11. Executive Order 12898;
12. Executive Order 13166 (70 Fed. Reg. et 74087 to 74100);
13. Title IX of the Education Amendments of 1972 (20 U.S.C. 1987 et seq.)

Arizona Department of Transportation



John S. Halikowski,
Arizona Department of Transportation- Director

DATED September 19, 2019

2. ORGANIZATION AND STAFFING

A. STAFFING

ADOT Director

The Director is responsible for supervising and administering the overall activities of the department, its divisions and employees. As such, the Director signs all necessary nondiscrimination assurances to aid in ensuring all civil rights requirements are met. Duties or powers are delegated to carry out the efficient operation of the department.

Civil Rights Office Administrator

The Civil Rights Office Administrator reports to the ADOT Director. The Administrator's program oversight includes the following: Title VI/Nondiscrimination; Employee Nondiscrimination Program (Title VII); Internal Affirmative Action; and the Internal and External Americans with Disabilities Act (ADA) Programs. To comply with Code of Federal Regulations 49 part 21 and other regulatory statutes, the day-to-day Title VI roles and responsibilities are delegated to the Civil Rights Program Deputy.

Civil Rights Office Deputy Administrator

The Civil Rights Program Deputy reports to the Civil Rights Administrator on a regular basis. The Civil Rights Office Deputy Administrator assists the Administrator in program oversight of the following: Title VI/Nondiscrimination; Employee Nondiscrimination Program (Title VII); Affirmative Action; and the Americans with Disabilities Act (ADA) Programs. To comply with Code of Federal Regulations 49 part 21 and other regulatory statutes, the day-to-day Title VI roles and responsibilities are delegated to the ADA/Title VI Nondiscrimination Program Coordinators.

Title VI/ADA Nondiscrimination Program Coordinators

The Title VI/ADA Nondiscrimination Program Coordinators report to the Civil Rights Office Deputy Administrator on a regular basis. The Title VI/ADA Nondiscrimination Program Coordinators' oversight includes both the day-to-day implementation of the Title VI Nondiscrimination Program as well as the External ADA Program implementation. The Title VI/ADA Nondiscrimination Program Coordinators are the department experts whose responsibilities include:

1. Delegated authority to have a direct line of communication to the ADOT Director.
2. Providing guidance and technical assistance on Title VI matters with overall program responsibility for preparing required reports regarding Title VI compliance and initiating monitoring activities including developing procedures, monitoring and:
 - a. Promptly resolving deficiencies and documenting remedial action within a reasonable period of time not to exceed 90 days;
 - b. Collecting statistical data (race, color, sex, national origin and low-income status) of participants in and beneficiaries of ADOT programs;
 - c. Identifying and eliminating discrimination when found to exist.

3. Ensuring the Title VI Assurances are signed by the current ADOT Director.
4. Complying with ADOT's procedures to investigate Title VI complaints filed with ADOT against its subrecipients; investigate and address complaints filed against ADOT under non-FHWA funded programs.
5. Forwarding discrimination related Title VI complaints filed with ADOT against ADOT to the FHWA AZ Division Office.
6. Conducting Title VI reviews of program areas (Planning and Programming, Procurement and Contract Services, Communications and Government Relations, Environmental Planning, Right-of-Way, Transportation System Management and Operations (TSMO), Engineering Consultant and Construction Contract Administration, Research, Local Public Agencies Section (LPA), Aviation Development and Planning).
7. Regularly reviewing ADOT program directives in coordination with State Program officials, and where applicable, including Title VI and related requirements. ADOT's Title VI Nondiscrimination Program Coordinator will meet this requirement through review of Quarterly Liaison reports. When it is determined that directives do not meet Title VI requirements, the Title VI Program Nondiscrimination Coordinator will work with the program area liaison and program area management to develop recommendations to ensure compliance is achieved.
8. Conducting and coordinating Title VI training for ADOT.
9. Preparing and disseminating an annual report of accomplishments for the past year and goals for next year for FHWA.
10. Updating the Title VI program plans as necessary and submitting to Department of Transportation (DOT) authorities Federal Highway Administration (FHWA), Federal Aviation Administration (FAA), Federal Transit Administration (FTA), Federal Motor Carrier Safety Administration (FMCSA), and National Highway Traffic Safety Administration (NHTSA).
11. Developing Title VI information for distribution to the general public in other languages, as needed.
12. Monitoring public participation and awareness of Title VI policies and procedures for their effectiveness in reaching the public.
13. Developing and overseeing implementation of ADOT's Language Access Plan.
14. Reviewing environmental documents to ensure compliance with environmental justice and Title VI.

Title VI Nondiscrimination Program Managers (FHWA)

The Title VI Nondiscrimination Program Managers report to the Title VI Nondiscrimination Coordinator on a regular basis. The Title VI Nondiscrimination Program Managers works to assist the Title VI Nondiscrimination Coordinator in their review and responsibilities over all aspects of the Title VI program. In particular, the Title VI Nondiscrimination Program Managers have the delegated task to focus on internal and external Title VI responsibilities. The manager's duties include, but will not be limited to:

1. Providing guidance on Title VI matters for subrecipients and overall program responsibility for preparing required reports regarding Title VI compliance and initiating monitoring activities including developing procedures, monitoring and:

- a. Promptly resolving deficiencies and documenting remedial action within 90 days;
 - b. Ensuring subrecipients develop procedures for the collection of statistical data (race, color, sex, national origin and low-income status) of participants in and beneficiaries of federal aid programs;
 - c. Implementing and overseeing subrecipient Title VI plans and programs to ensure compliance; and
 - d. Identifying and eliminating discrimination when found to exist.
2. Ensuring the Title VI Assurances are signed by all subrecipients.
3. Complying with ADOT's procedures to investigate Title VI complaints filed with ADOT against its subrecipients; investigate and address complaints filed against ADOT when filed under non-FHWA funded programs.
4. Conducting Title VI reviews of program areas (Planning and Programming, Procurement and Contract Services, Communications and Government Relations, Environmental Planning, Right-of-Way, TSMO, Engineering Consultant and Construction Contract Administration, Research, LPA, Aviation Development and Planning).
5. Conducting subrecipient annual reviews based off of a high risk/low risk assessment.
6. Conducting Title VI training and technical assistance for subrecipients.
7. Developing technical assistance tools for distribution to subrecipients.
8. Complying with federal standards to ensure proper implementation of subrecipient's Limited English Proficiency plans.
9. Providing technical assistance, tools, and resources for aiding subrecipient compliance including developing data collection resources, training, and workgroups.

Title VI Liaison Program and Roles

To ensure compliance with Title VI in all aspects, ADOT has established a Title VI Liaison Program. The program's purpose is to ensure all ADOT policies, procedures, and practices are compliant with federal statutes, agency guidelines and regulations for FHWA, FTA, FAA, FMCSA and NHTSA. ADOT Title VI Liaisons are within the following program areas:

- | | |
|-----------------------------------|---------------------------|
| • Community Relations | • Construction |
| • Engineering Consultants Section | • Procurement |
| • Contracts and Specifications | • Local Public Agency |
| • Environmental Planning | • Right of Way/Properties |
| • Planning and Programming | |
| • Research Center | |

The Liaison Program consists of one or more liaisons for each program area. The liaisons' role is to work with the Title VI Nondiscrimination Program Managers to ensure their respective areas, programs, and subrecipients comply with Title VI regulations and assurances, collect, analyze and report to CRO demographic data of participants/beneficiaries of programs, meet the objectives of the ADOT Title VI Plan, assist in meeting federal and state reporting requirements, provide and coordinate training opportunities for their respective program area staff. Additionally, the role of the Title VI Liaison is to serve as the point of contact between the CRO and as a participant for internal program area reviews. The Title VI Liaisons provide technical assistance, guidance and advice to their respective program area staff. The Title VI Liaisons will meet on a quarterly basis to receive training on ADOT's Title VI program and to assist in developing ADOT's Annual Goals and Accomplishment Report.

Each program area Title VI liaison will provide Quarterly Reports describing the activities which intersect with the Title VI Nondiscrimination Program. In this report, the program area will provide the data they have collected throughout the quarter and explain the steps their program area has taken to comply with Title VI Program requirements in their areas. Each program area provides a supplement to their Quarterly Report with data collection specific to each program area of participants in and beneficiaries to be analyzed by the CRO. Specific data collected by program areas and analyzed by CRO is provided in the Data Collection and Analysis section of this Plan. The following are the general Title VI activities reported through Quarterly Reports by all program area liaisons:

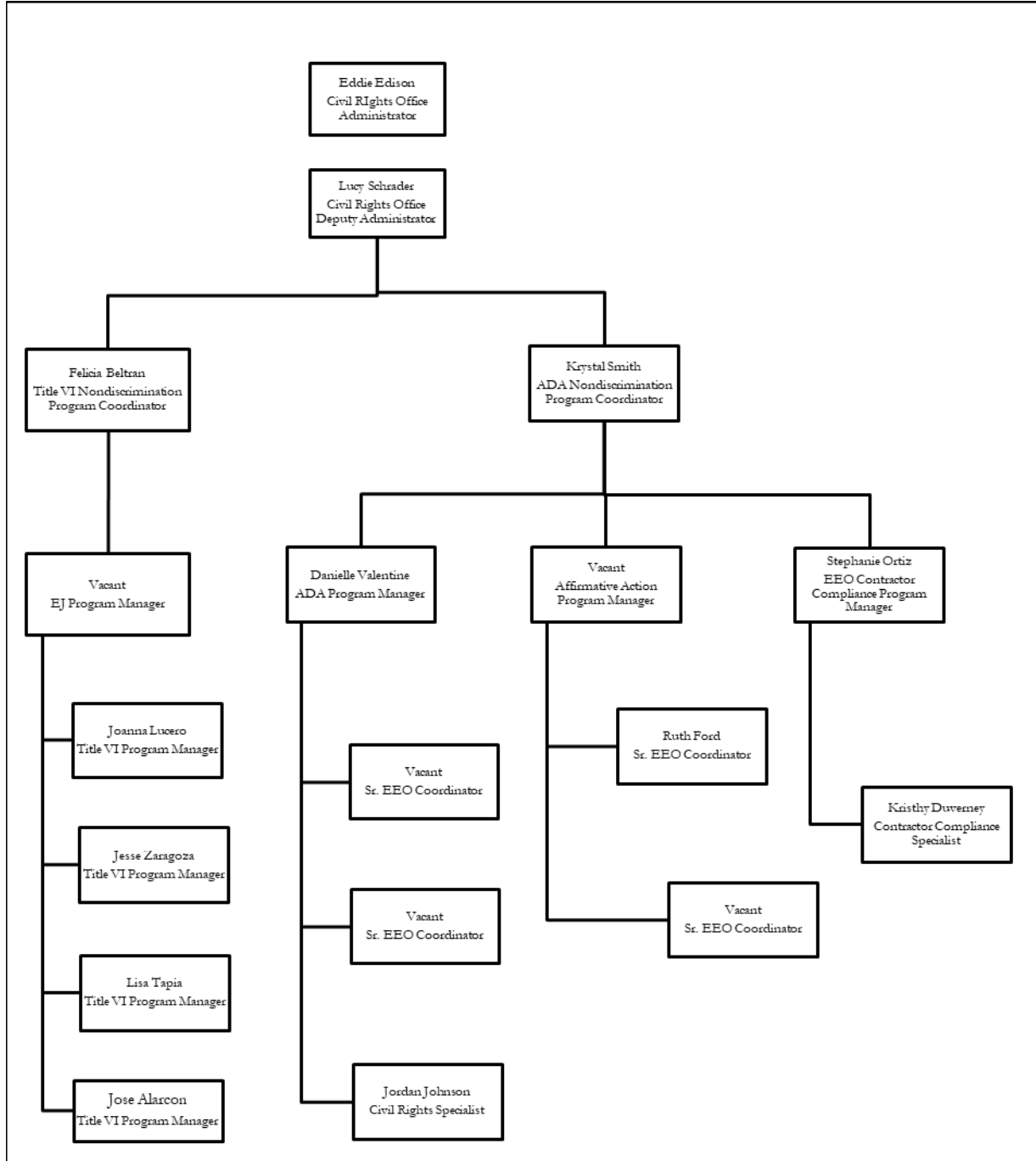
- On a project by project basis a description of the service area demographics, including the sources of data collected e.g. US Census or EJ Screen etc.;
- How Title VI information was disseminated to the public;
- Efforts made to minimize and mitigate discrimination;
- Attach Language Access Plan DOT Four Factor Analyses conducted, including sources of data collected e.g. US Census or EJ Screen etc.;
- The number of requests for LEP services and those provided;
- A description of any discrimination-related complaints received;
- Any proposed changes to policy or procedures;
- Title VI training attended by program area staff or request for training by CRO.

On a quarterly basis the CRO will review and evaluate the data reported in these reports to identify trends. Data collected and analyzed on Quarterly Reports will be a factor used in a high/low risk assessment to prioritize and identify areas which will subject the program area to a comprehensive onsite compliance review.

B. Organization Chart

<https://azdot.gov/about/inside-adot/organization-chart>

C. Civil Rights Office Organization Chart



3. DISSEMINATION OF TITLE VI INFORMATION

ADOT's website is designed to ensure Title VI information is readily accessible to the public. The website informs the public of their rights under Title VI and provides information on how to file a complaint. Title VI information available on ADOT's website includes:

A. Title VI Implementation Plan

ADOT's Title VI Implementation Plan is available on ADOT's website:

<http://www.azdot.gov/business/civil-rights/title-vi-nondiscrimination-program/title-vi-implementation>

B. Title VI Notice to the Public/Posters and Brochures

ADOT provides posters, brochures and self-identification survey cards at every public hearing and meeting. These Title VI program posters and brochures are available in English and Spanish and other languages, as needed. Furthermore, current copies of ADOT's Title VI Notice to the Public are available and accessible at ADOT buildings statewide.

<https://www.azdot.gov/business/civil-rights/title-vi-nondiscrimination-program/title-vi-implementation>

C. ADOT's Public Involvement Plan

The ADOT's Public Involvement Plan (PIP) is a living document that provides guidelines, techniques and examples that ADOT will use to interact with the public throughout transportation planning and during construction, operation and maintenance. The PIP will also demonstrate how ADOT will engage people of all races, cultures and income levels, including minority and low-income populations in the transportation decision-making process. The plan is intended for use by ADOT staff, ADOT consultants and any others interested in designing effective and project-specific PIPs. ADOT's PIP will continue to evolve in alignment with innovative and effective best practices and/or new statutes governing public involvement, and will be evaluated annually by ADOT Communications for compliance with federal requirements and best practices.

ADOT's Public Involvement Plan is available on ADOT's website:

<https://www.azdot.gov/planning/transportation-planning/public-involvement-plan>

D. Title VI/ADA Discrimination Complaint Form and Procedures (English and Spanish)

ADOT's Title VI/ADA Discrimination Complaint form and Procedures are available on ADOT's website:

<https://azdot.gov/business/civil-rights/title-vi-nondiscrimination-program/filing-complaint>

E. ADOT's Language Access Plan (LAP)

ADOT's LAP sets forth the compliance standards on how to identify any language needs to those with limited English proficiency (LEP), and provides resources on how to provide those services so LEP persons can have meaningful access to all areas of ADOT's programs and activities. LEP is a term used to describe individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. ADOT's LEP/Language Access Plan is designed to comply with Title VI and EO 13166 which prohibits recipients of Federal financial assistance from discrimination based on national origin.

ADOT's LAP is available on ADOT's website:

<https://azdot.gov/sites/default/files/2019/05/limited-english-proficiency-plan.pdf>

4. PROGRAM AREA REVIEWS

A. Program Areas

ADOT's comprehensive transportation program strives to examine diverse, integrated transportation options for moving people and goods to create jobs and deliver economic and quality-of-life benefits for Arizona residents and businesses. The following describes ADOT program areas, under the following seven chief areas with high-level Title VI responsibility, their Title VI reporting and the CRO review and analysis for nondiscrimination.

Public Involvement

The cornerstone of Title VI compliance in all ADOT programs is outreach and public involvement. The ADOT has a Public Involvement Program that is designed to provide early, continuous and extensive outreach to all communities and to ensure that project selection or impacts do not subject populations to disparate, adverse effects based on race, color, income level, or national origin (Limited English Proficiency). CRO staff will attend ADOT public meetings to ensure Title VI dissemination and that public involvement activities are conducted in compliance with ADOT's PIP.

All public meetings convened by ADOT to include the following program areas must abide by ADOT's PIP. The following are the procedures to ensure Title VI compliance for all ADOT public involvement activities.

The CRO requires all ADOT program areas that convene public meetings to submit a Title VI Meeting summary within two weeks of a public meeting. The Title VI Meeting summary requires reporting on the following activities:

- Name/Purpose of Meeting
- Date/Location and Summary of Meeting
- Number of attendees
- Accommodation requests for LEP and ADA
- Self ID Cards return with breakdown of race

- Provide meeting notices advertised
- Complaints received
- EJ populations identified as affected
- Demographic data collected and sources
- Provide photo of the Title VI display (brochures, Nondiscrimination Poster, Self ID cards)

The CRO will analyze the data reported and compile a report for each Title VI meeting summary submitted for the following Title VI compliance activities:

- Compliance with ADOT PIP;
- Project flyers and other similar documents contain ADOT's Title VI nondiscrimination language;
- The CRO also conducts a DOT Four Factor Analysis to ensure that such outreach was conducted in other languages as per the DOT Safe Harbor Provision for Limited English Proficiency;
- Choosing media outlets and other disbursement networks to ensure access to traditionally underserved and LEP customers;
- Ensuring that meetings, hearings and other public involvement events are held in accessible locations and at times to garner the best representation of the impacted community.
- Data collection resources include US Census, School Districts, Forms or Surveys, GIS systems, etc.
- Data reported through Self-ID cards or staff estimation is representative of the demography of the state and/or areas affected.

CRO provides meeting summaries to respective program areas that include recommendations and or best practices related to public involvement activities and methods to increase participation of those populations traditionally underserved.

I. Planning

Planning and Programming

All highway and transit projects in the state, funded under Title 23 and the Federal Transit Act, must be included in a federally approved State Transportation Improvement Plan (STIP). Projects in the STIP must be consistent with the statewide long-range transportation plan and metropolitan transportation improvement programs (TIPs). The program must reflect expected funding and priorities for programming, including transportation enhancements.

<https://azdot.gov/planning/transportation-programming/state-transportation-improvement-program-stip>

ADOT's planning efforts include developing a Five-Year Transportation Facilities Construction Program. ADOT's Five-Year Program is a lineup of projects that is revised annually. It serves as a blueprint for future projects and designates how much local, state and federal funding is allocated for those projects. The Five-Year Program covers the construction budget for highways, transit, airports and highway-support facilities. The program focuses on multimodal forms of transportation. Funding for the Five-Year

Program is generated by the users of transportation services, such as through the gasoline tax and the vehicle license tax.

An extensive public involvement process is conducted for both the STIP and Five-Year Program to include public comment and review periods and public hearings. All public involvement is done in compliance with Title VI requirements as stipulated in ADOT's PIP. Further information regarding community and stakeholder involvement in the planning and programming phase can be found at:

<https://azdot.gov/planning/transportation-programming>

Research Center

Projects administered by the Research Center focus on research that can be applied to improve ADOT processes and products. Research projects address the full range of topics of interest to the department. Projects are funded by the Federal Highway Administration (FHWA) State Planning and Research Program. Projects are managed by Research Center staff and conducted in partnership with the public and private sectors and university investigators under contract with ADOT. Research results are documented in reports that must adhere to the Research Center's Specifications for Preparing Research Reports. The reports are catalogued by the ADOT library and are available online. Any studies that involve the public's participation follow Title VI requirements as stipulated in ADOT's PIP. For example a LEP Four Factor Analysis is conducted to determine what languages the survey should be created in and or the type of interpreters that may be needed during the study.

<https://azdot.gov/planning/research-center>

II. Contracts and Finance

Procurement

This group is responsible for the expenditure of approximately 22% of the public monies, including federal assistance monies, allocated to ADOT each year in support of ADOT management and operations. These funds must be processed in accordance with the Arizona Procurement Code. This responsibility and authority is delegated to the Director of ADOT and, subsequently, to this group, based upon appropriate training, expertise, knowledge and past experience with a state government unit. The Procurement is responsible to ensure that all ADOT contracts/agreements/solicitations contain Title VI required language.

<https://azdot.gov/business/procurement>

Engineering Consultants Section and Contracts and Specifications

ADOT's Engineering Consultants Section (ECS) is responsible for prescribing and administering procedures for managing ADOT's professional services contracts which are exempt from the State Procurement Code (ARS 41-2501). It is ECS's responsibility to ensure these procedures and the administration of the contracts are compliant with applicable State and Federal regulations. ECS is committed to providing fair, equitable, efficient, timely, accurate, professional, and quality service to the Department and its

stakeholders, consistent with the Department's goals and objectives in meeting the transportation needs of the State of Arizona.

<https://azdot.gov/business/engineering-consultants>

The Contracts and Specifications program is responsible for advertising and administering procedures for ADOT construction contracts in compliance with State and Federal regulations. Current ADOT Advertisements and Future Projects are posted on the Contracts and Specifications website. The program area is dedicated to ensure nondiscrimination in the prequalification process for contractors.

<https://azdot.gov/business/contracts-and-specifications>

III. Environmental Planning

Environmental Planning oversees all environmental programs within ADOT. This group ensures that local, state, and federal environmental laws are complied with during the development, construction, and operation of ADOT projects. As far as Title VI goes, Environmental Planning is responsible for ensuring public participation and that non-discrimination occurs throughout the entire environmental review process from Project Scoping to approval of the decision document (i.e. CE, FONSI, or ROD).

ADOT has assumed FHWA responsibility for carrying out environmental approvals under both available programs concurrently: Responsibility for Categorical Exclusions (23 USC 326) and the Surface Transportation Project Delivery Program (23 USC 327). With this assignment of federal environmental review responsibility, Environmental Planning is responsible for complying with all applicable federal environmental laws, regulations, Executive Orders and policies, and is solely legally responsible for environmental decisions made on all ADOT federal-aid highway projects. The CRO has assumed compliance oversight responsibilities on NEPA documents to ensure Title VI compliance.

<https://azdot.gov/business/environmental-planning/contact-environmental-planning>

IV. Right of Way/Properties

The Right of Way (ROW)/Properties group is the real estate organization for ADOT. The group's primary functions include development of State Transportation Board resolutions, ROW plans, appraisals, property acquisitions, condemnations, residential and business relocations, and property management. This program area ensures the equitable treatment of business and persons displaced by highway projects, regardless of race, color, or natural origin by operating under the Federal Code of Regulations (49 CFR Part 24) to address the requirements established by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), as amended.

<https://azdot.gov/business/right-way-properties>

V. Construction

Transportation System Management and Operations (TSMO)

ADOT's Transportation System Management and Operations (TSMO) improve system efficiency, enhance public safety and security, reduce traffic delays of road users, and improve access to information for travelers, by implementing multimodal, intermodal, and often cross-jurisdictional systems, services and projects. Data is reported to CRO on an annual basis of types of maintenance activities conducted. Public notice of maintenance activities are also provided in alternative languages other than English.

<https://azdot.gov/business/transportation-systems-management-and-operations-tsmo>

VI. Communications: Community Relations; Government Relations and Public Information Office

Community Relations oversees communication with the public, communities and counties about ADOT and the agency's transportation activities. The Government Relations office is responsible for informing and involving Arizona's elected officials and staff at the local, state and federal levels in ADOT's activities affecting their constituencies. The Public Information Office serves as the lead for all ADOT media campaigns, contacts and inquires. The Communications Division is responsible for updating ADOT's PIP for compliance with federal requirements and best practices.

<http://www.azdot.gov/media>, <http://azdot.gov/media/blog>, <http://www.azdot.gov/projects>

VII. Local Public Agencies Section (LPA)

LPA Section ensures that federal-aid projects are developed and delivered by local agencies. The LPAs will administer their projects with financial integrity; comply with federal and state requirements and follow the guidelines of the LPA Section's "Oversight and Monitoring" (O&M) Work Plan. The CRO oversees Title VI compliance for the LPA Section of LPAs through LPA submitted annual reporting and compliance reviews conducted of LPAs by CRO.

LPA Section also provides a "Local Public Agency Project Manual," which serves as a comprehensive monitoring and reporting document and identifies Title VI eligibility requirements, work activities, budget, schedule, and resources for the ADOT LPA Section's O&M Work Plan.

<https://azdot.gov/business/programs-and-partnerships/local-public-agency>

LPA section works with the eight CA agencies to ensure compliance requirements set forth by Federal Highway Administration (FHWA) when implementing the Federal Aid Highway Program (FAHP) in Arizona. A link to Recertification processes is located at:

<https://azdot.gov/sites/default/files/2019/06/ca-assessment-packet.pdf>

5. INTERNAL PROGRAM AREA REVIEWS

ADOT's Title VI internal monitoring program is designed to reach at a minimum, the public facing DOT federal program areas on a three-year cycle. This means that each program area will undergo a high/low risk based assessment for compliance with Title VI at least once every three years.

ADOT must ensure that all of its programs and activities are operated in a nondiscriminatory manner. In order to monitor ADOT's Title VI compliance CRO reviews and analyzes Quarterly reports and Title VI Meeting summaries submitted by program areas describing Title VI demographic data collection and sources for race, color, national origin. Each program area also submits data through Quarterly reports and Title VI Meeting summaries on outreach methods, compliance effort with ADOT's Public Involvement Plan, Title VI dissemination, DOT LEP Four Factor Analysis results on a project by project basis and data sources, policy updates, Title VI training attended and complaints reported to CRO. Using a high/low risk assessment CRO staff will conduct comprehensive compliance reviews annually to:

1. Ensure compliance with Title VI.
2. Provide technical assistance in the program areas implementation of Title VI.
3. Correct deficiencies, when found to exist.

High/Low Risk Assessment for internal program reviews:

- Deficiencies on Quarterly Report
- Deficiencies on Title VI Meeting Summaries
- Quarterly meeting attendance by the Liaison
- Date of last program area training
- Complaints received

The comprehensive Title VI Onsite Compliance Review will follow the steps set out below:

Notification

1. Program areas will be notified by the CRO within 30 calendar of the upcoming Title VI review using DocuSign email. The program area Title VI Liaison will assist in the coordination and participate in the onsite review process.
2. A week prior to the onsite review, a reminder will be sent using DocuSign email to discuss agenda, logistics, expectations of the onsite visit, and to request policies, procedures and sample documents for a pre onsite review-desk audit.

Once identified for a comprehensive Title VI Onsite Compliance Review, a letter will be sent via DocuSign to the Program Area's Director, Civil Rights Office Administrator, Civil Rights Office Deputy Administrator and the Title VI Liaison. The letter will state:

- Date for the Title VI Onsite Compliance Review, 35 calendar days following the date of the notice letter;
- Date for all internal policies, procedures and Title VI Onsite Questionnaire to be submitted to the CRO, no less than 30 calendar days from the date of the letter; and,

- Onsite Review Process.

Contents of Title VI Onsite Questionnaire submitted to CRO:

- Data collection methods;
- Sampling contracts to ensure inclusion of required nondiscrimination provisions
- Sampling of public involvement material including meeting notices, project flyers, and other public documents demonstrating LEP compliance.
- Environmental justice efforts towards project development;
- LEP efforts;
- Policy updates/ changes;
- Training efforts
- Title VI complaints if any were received by the program area;

Deficiencies

If deficiencies are found:

1. Within 30 calendar days of the onsite review, deficiencies will be documented in a tailored report for the program area that will be provided to the ADOT Director, Program Area Director and the ADOT Civil Rights Office Administrator and Civil Rights Office Deputy Administrator.
2. By expectation, the program area should correct all deficiencies within a reasonable time period, not to exceed 90 calendar days of receipt of the CRO findings report.
3. Within 30 calendar days of the CRO finding report, a meeting must be scheduled with CRO to discuss possible technical assistance and an action plan towards full compliance.
4. Outstanding high priority vital items, such as missing Title VI assurances in contracts, noncompliance with ADOT's Public Involvement Plan, will be submitted within 30 calendar days of report mailing.
5. The program area will be asked to submit a formal action plan within 45 calendar days of CRO's findings report.
6. Within 90 calendar days, the program area MUST be fully compliant on outstanding deficiencies.
7. If not compliant, ADOT will make a formal funding recommendation to the ADOT Director and/or federal authority.

No Deficiencies

If no deficiencies are found:

1. A formal letter of full compliance will be provided to within 30 calendar days of onsite review along with a report of findings.
2. The report may still provide recommendations for strengthening the program area's Title VI Program.

Follow-up Monitoring

CRO will determine if additional monitoring is needed to ensure ongoing compliance with Title VI requirements.

6. SUBRECIPIENT REVIEW PROCEDURES

Subrecipients of Federal-aid in Arizona include metropolitan planning organizations (MPO), councils of governments (COG), LPAs, universities, private for profit and non-profit agencies, transit grantees, airport authorities and contractors/consultants.

The eight MPOs in Arizona are:

1. Central Yavapai MPO – CYMPO
2. Flagstaff MPO – FMPO
3. Lake Havasu MPO – LHMPPO
4. Maricopa Association of Governments (Phoenix metro area) – MAG
5. Pima Association of Governments (Tucson metro area) – PAG
6. Sierra Vista MPO – SVMPO
7. Sun Corridor MPO – SCMPO
8. Yuma MPO – YMPO

There are four COGs:

1. Central Arizona Association of Governments – CAG
2. Northern Arizona COG – NACOG
3. Southeastern Arizona Governments Organization– SEAGO
4. Western Arizona COG – WACOG

There are eight Certificate Acceptance Agencies (CA):

1. City of Chandler
2. City of Mesa
3. City of Phoenix
4. City of Scottsdale
5. City of Tempe
6. City of Tucson
7. Maricopa County Department of Transportation
8. Pima County Department of Transportation

Title VI Requirements for MPOs, COGs, and CA Agencies of Federal Highway Funds (FHWA)

As recipients of federal financial assistance, on an annual basis ADOT subrecipients to include MPOs/COGs and CA agencies must submit Title VI plans to the CRO for review by the Title VI Program Manager. Plans are evaluated for compliance by review of their submitted processes to implement policies and procedures prohibiting discrimination, including, but not limited to the following:

1. Title VI Nondiscrimination Statement of Policy, including:

- a) Express commitment to Title VI nondiscrimination program;

- b) Specific programs and activities covered by Title VI;
- c) A delegation of authority and responsibilities to appropriate Title VI personnel;
- d) The Agency Title VI Program Coordinator;
- e) Policy signed by the Chief Administrative Officer;
- f) Policy statement circulated throughout organization and made available to the public;
- g) List of all relevant federal statutes, regulations, executive orders, and other legislation;
- h) Provide the “Notice to the Public” and a list of locations where it is posted.

2. Subrecipient Title VI organization and staffing information, including:

- a) Identification of the Title VI Coordinator and program area;
- b) Description of the Civil Rights Title VI Coordinator showing relation to the top executive, as shown on an organizational chart;
- c) Outline the roles and responsibilities of the Title VI Coordinator and others assisting with Title VI obligations.

3. Federal-aid program emphasis areas, including:

- a) Description of program areas;
- b) Legal/operational authorities;
- c) Title VI compliance monitoring responsibilities for each area.

4. Title VI Standard Assurances and Appendices (DOT Order 1050.2)

5. Data collection procedures

- a) Describe how the organization collects data;
- b) Describe what data is collected;
- c) Describe how the data is analyzed;
- d) Describe how often data is collected;
- e) Describe how the data is related to the different program areas: For example: As for the subrecipient public outreach department, what data is collected from public meeting participants; how it is used to proactively evaluate public outreach opportunities under Title VI (race, color, national origin, disability, low income status and limited English proficiency)?

6. Complaint procedures, including:

- a) Process for filing complaints and provide complaint form;
- b) Description of investigative process;
- c) Responsible agency staff;
- d) Time limits to submit complaints and complete investigations;
- e) Provide investigative reports to ADOT CRO within 60 days of receipt of the complaint.

7. Annual Goals and Accomplishment Reports

- a) Number of program area reviews conducted, results of the review, actions taken and actions planned;
- b) Number and type of compliance reviews conducted for subcontractors/consultants;
- c) Title VI related training provided for agency staff and subcontractors/consultants;
- d) Summary of Title VI complaints filed with the agency;
- e) Number of compliance reviews planned for the upcoming year;
- f) Outcome of analyzed data for each department reviewed

8. Complying with Limited English Proficiency Requirements

- a) Provide an LEP Plan;
- b) Description of how the agency reaches populations with LEP;
- c) Describe how the agency uses the four factor analysis for each program

9. Environmental Justice

- a) Describe the process by which Environmental Justice requirements are met;
- b) Describe how the agency is collecting minority (race) and low income population data, in addition to other nondiscrimination population data.

10. Training Procedures

- a) Describe how and when members of the agency are trained on Title VI program requirements and responsibilities;
- b) Include procedures as to how and when training will be conducted for other stakeholders.

Title VI Requirements for Non-CA LPAs of Federal Highway Funds

The CRO has oversight within the state of an additional 15 counties, approximately 90 cities and towns and 22 Indian tribes (21 reservations) that have the potential to become a non-CA LPA.

As recipients of federal financial assistance, non-CA LPA agencies must provide ADOT CRO with the following methods of administration prohibiting discrimination, including, but not limited to the following in order to be eligible and to demonstrate evidence of compliance to receive federal funds from ADOT:

1. Signed Title VI Nondiscrimination Agreement which incorporates the following:

- a) Specific programs and activities covered by Title VI;
- b) Designate a responsible point of contact to coordinate Title VI efforts;
- c) Provide the "Notice to the Public" including a list of locations where it is posted;
- d) Collect demographic data on their programs and activities;
- e) Procedures to route complaints.

2. Title VI Standard Assurances and Appendices (DOT Order 1050.2)

3. Training Procedures

- a) Describe how and when members of the agency are trained on Title VI program requirements and responsibilities;
- b) Include procedures as to how and when training will be conducted for other stakeholders.

7. Data Collection, Reporting and Analysis

ADOT is required by federal regulation to collect statistical data on the race, color, national origin, sex and disability of participants in and beneficiaries of its programs. ADOT CRO staff works with Title VI Liaisons/program area staff on collecting and analyzing demographic data. Data collection efforts specific to each program area are collected through the Quarterly Reports and Meeting Summaries, previously discussed and then compiled and reported on an annual basis in ADOT's Goals and Accomplishment Report. Data collection and analysis will also aid in any future procedural updates to the Title VI Implementation Plan to ensure nondiscrimination in the delivery of ADOT's programs, services and activities. The following is a brief description of Title VI data collection for each program area and the analysis efforts conducted by the CRO.

I. Planning

Planning and Programming				
Data/Information Description	Collection Personnel	Internal System / Resource	External Source	Title VI Analysis Description
Public Involvement - STIP Development Meetings	Planning Specialist	Community Relations/ADOT Public Involvement Plan	None	Data used to track the number of public meetings held during the STIP development process.
Public Involvement - STIP Development Meeting Attendee Demographics	Planning Specialist	Community Relations	Self-Identification Cards	Data is used to compare meeting attendee demographics with the demography of the state or areas affected.
Public Involvement - Text of Formal Comments submitted during STIP development process	Planning Specialist	Civil Rights Office	Email, website submissions	Information used to assess nondiscrimination in public participation process.
Public Involvement - Text of Informal Comments submitted during STIP development process	Planning Specialist	Electronic Project File on [internal shared drive]	Oral comments documented by Planning staff at meeting.	Information used to assess nondiscrimination in public participation process.
Public Involvement - Civil Rights Personnel Meeting Attendance	Civil Rights Office staff	None.	None	Information used to assess Title VI Dissemination and compliance with ADOT's PIP.
Research Center				
Conduct a DOT Four Factor Analysis for all projects with public involvement.	Research Specialist	Electronic Project File on [internal shared drive]	U.S. Census - 5 Year ACS, 2010 Census;	Review of DOT Four Factor Analysis for accuracy and to ensure that collateral is produce in alternative language as per the DOT Safe Harbor Provision.
Collect demographic data on Race for project participants	Research Specialist	Electronic Project File on [internal shared drive]	U.S. Census - 5 Year ACS, 2010 Census	Data is used to compare study area race demographics with actual participants.

II. Contracts and Finance

Procurement, Engineering Consultants Section (ECS). And Contracts and Specifications (CNS)				
Data/Information Description	Collection Personnel	Internal System / Resource	External Source	Title VI Analysis Description
Construction Contracts - Provisions	CNS	Bid Express	None	Information used to assess whether Appendices A and E are included in all construction

				contracts.
Construction Contracts - Bidding	CNS	Advertisement Records and Construction Manual	None	Information used to assess whether Title VI references are included in all advertisements for construction contracts.
Construction Contracts - Prequalification	CNS	Bid Express	None	Data and information used to assess nondiscrimination in the prequalification process.
Professional Services Contracts - Provisions	ECS and Procurement	eCMS and APP	None	Information used to assess whether Appendices A and E are included in all construction contracts.
Professional Services Contracts - Bidding	ECS and Procurement	eCMS and APP	None	Information used to assess whether Title VI references are included in all advertisements for construction contracts. Policies assessed to ensure nondiscrimination.
Professional Services Contracts - Selection and Award	ECS, CNS and Procurement	Form 145 (Proposal Scoresheet), Proposal Records, Bidders List	None	Data and information used to assess nondiscrimination in the selection and award process. Demographics of all proposers compared to selectees.
Contract Advertisements	ECS, CNS, Procurement	ADOT Webpage	LEP Four Factor, US Census	Ensure advertisements meet the safe harbor requirements for providing information in additional languages.

III. Environmental Planning

Data/Information Description	Collection Personnel	Internal System / Resource	External Source	Title VI Analysis Description
Public Involvement - Project Area Demographics	Environmental Specialist	Internal Database - Communications	U.S. Census - 5 Year ACS, 2010 Census/Data collected from local schools, public surveys and local officials	Data is used to compare meeting attendee demographics with the demography surrounding the project.
Public Involvement - Meeting	Communications	Internal Database -	Self-Identification Cards	Data is used to compare meeting attendee

Attendee Demographics	Specialist	Communications		demographics with the demography surrounding the project.
Public Involvement - Text of Formal Comments	Environmental Specialist	Electronic Project File on internal shared drive, Environmental Reports	Email, website submissions	Information used to assess nondiscrimination in public participation process
Public Involvement - Text of Informal Comments	Environmental Specialist	Electronic Project File on internal shared drive	Email, website submissions	Information used to assess nondiscrimination in public participation process.
Public Involvement - Civil Rights Personnel Meeting Attendance	Civil Rights Office Staff	Internal spreadsheet on internal shared drive	None	Information used to assess Title VI Dissemination and compliance with ADOT's PIP.
Project Scoping	Environmental Specialist	Electronic Project File on internal shared drive	U.S. Census - 5 Year ACS, 2010 Census	Information used to assess potential impacts for each project alternative compared to the demographics of the populations affected.
Environmental Review - Number of Categorical Exclusions	Environmental Specialist	Quarterly report send CRO	None	Data used to track the number of Categorical Exclusions
Environmental Review - Number of Environmental Assessments	Environmental Specialist	Quarterly report send CRO	None	Data used to track the number of Environmental Assessments
Environmental Review - Number of Environmental Impact Statements	Environmental Specialist	Quarterly report send CRO	None	Data used to track the number of Environmental Impact Statements
Environmental Review - Demographics of Project /Study Area	Environmental Specialist	Project specific Public Involvement Plans	U.S. Census - 5 Year ACS, 2010 Census	Data used to as basis for comparison of project impacts
Environmental Review - Air Quality Impacts for Each Alternative	Environmental Specialist	NEPA Reports	Air Quality Report	Data compared for each alternative to assess disparities.
Environmental Review - Noise Impacts for Each Alternative	Environmental Specialist	NEPA Reports	Noise Impact Report	Data compared for each alternative to assess disparities.
Environmental Review - Right of Way Impacts	Environmental Specialist	NEPA Reports	Right of Way Form	Data used to compare demographic impacts to relocatees for each project alternative.
Environmental Review - Mitigation Measures	Environmental Specialist	NEPA Reports	None	Qualitative information assessed to determine whether impacts are addressed equitably

IV. Right of Way

Data/Information Description	Collection Personnel	Internal System / Resource	External Source	Title VI Analysis Description
Public Involvement - Right of Way Project meetings	Right of Way Specialist	Internal Database/Communications	U.S. Census - 5 Year ACS, 2010 Census/Data collected from local schools, public surveys and local officials	Data is used to compare meeting attendee demographics with the demography of the state or areas affected.
Relocation / Acquisitions	Right of Way Specialist	Reported Quarterly to CRO	Right of Way Form 1235 (relocatee profile), Appraisal Log, Self Identification surveys	Data used to assess demographics of relocatees and property acquisitions.

V. Construction

Data/Information Description	Collection Personnel	Internal System / Resource	External Source	Title VI Analysis Description
Construction	Construction Maintenance	Maintenance activities internal logs.	None	Review demographic information against maintenance activities conducted throughout Arizona for
Construction Contracts-Traffic Control	Construction Maintenance	Maintenance activities internal logs. NEPA reports	None	Data and information used to assess equity of vehicular access to project area for impacted persons compared to demographics of project area.

VI. Community Relations

Data/Information Description	Collection Personnel	Internal System / Resource	External Source	Title VI Analysis Description
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Four Factor Analysis- on a project by project basis	Community Relations Officer	Internal Database - Communications	U.S. Census - 5 Year ACS, 2010 Census, Self Identification Cards	Data is used to compare meeting attendee demographics with the demography of the state or areas affected.
Public Involvement Pan-Implementation	Community Relations Officer	Internal Database - Communications	None	Information used to assess nondiscrimination in public participation process
Public Involvement - Title VI Dissemination to the Public	Community Relations Officer	Communications on internal shared drive	None	Information used to assess whether Title VI references are included in all advertisements for public meetings and or hearings.
Public Involvement-LEP Requirements	Community Relations Officer	None.	U.S. Census - 5 Year ACS, 2010 Census/Data collected from local schools, public surveys and local officials	Ensure compliance with ADOT's LAP

VII. Local Public Agencies

Data/Information Description	Collection Personnel	Internal System / Resource	External Source	Title VI Analysis Description
Certification Process for all Certification Agencies (CA) and Local Public Agencies	LPA Staff	Internal database	None	Review Title VI elements for recertification for all CAs and LPAs.
Conduct CA onsite compliance reviews	LPA Staff	Internal database/share file	None	Review Title VI deficiencies if found and work with agency for compliance.
Contracts - Provisions	LPA Staff	Internal database/share file	None	Information used to assess whether Appendices A and E are included in all LPA contracts. This action is done in conjunction with ADOT's Field Reports section.

8. TITLE VI TRAINING

The CRO implements a Title VI/Nondiscrimination Training Program for ADOT's internal staff. CRO also implements an annual External Training Program for subrecipients.

Internal Training component is composed of four levels of training of varied intensity and content. Past training has included topics such as methods for identifying and eliminating complaints of discrimination, understanding and applying Title VI regulations and identifying elements of Title VI compliance within program areas.

1. Director and Division – This training will occur annually and functions as part training and debriefing regarding highlights from the previous reporting year. The training portion is high-level and is tailored to identify and address major challenges. These trainings will also be conducted at one on one staff meetings with the Director and or Division leadership.
2. Federal Program Area Staff – This training will occur annually and, more specifically, will be tailored to the specific functions and major challenges of each federal program area for Title VI compliance.
3. Title VI/ Nondiscrimination Liaison Level – This training is conducted quarterly and is intended to provide liaisons with an opportunity to discuss issues, ask questions regarding reviews conducted or to be conducted, review specific scenarios, and share experiences. It is also an opportunity to provide individualized training related to Title VI/Nondiscrimination requirements and how to apply the requirements to the specific federal program area. The training provided to the liaisons is intended to be a trickle-down approach for dissemination to staff under the liaisons.
4. All staff/new staff- CRO will offer a minimum of one hour of mandatory Title VI training to all DOT employees annually. The available training includes an independent study of viewing of elements contained in ADOT's Title VI Nondiscrimination Program, and reviews Title VI, ADA, EJ, and LEP requirements, complaint routing processes, and an emphasis on "knowing their role" as a DOT employee to ensure nondiscrimination in their activities and services provided to the public. Title VI training records for all ADOT employees are stored in ADOT training files.

External Training component is composed of two levels of training of varied intensity and content.

1. Subrecipients (MPO/COG/CA) will be chosen annually to receive a review, which will be followed by training. The content of the training is developed specifically to address the issues/challenges facing each subrecipient as communicated through the subrecipient annual submittals to CRO. A mandatory annual Title VI training will also be conducted by CRO.
2. Non-CA LPAs- will be identified from desk reviews conducted by CRO to ensure that each subrecipient is afforded an opportunity to attend a Title VI training session every three years.

9. COMPLAINT PROCEDURES

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964, amended and the Civil Rights Restoration Act of 1987 as they relate to any program or activity administered by ADOT, its subrecipients, consultants and contractors. Intimidation or retaliation as a result of a complaint is prohibited by law.

In addition to these procedures, complainants reserve the right to file formal complaints with other state or federal agencies or to seek private counsel. On Non-FHWA funded programs and activities, every effort will be made to resolve complaints informally by ADOT and subrecipient level.

Procedures

1. All complaints against ADOT or its FHWA Subrecipients in FHWA-funded programs and activities will be referred to FHWA Division Office for processing.
2. Information on FHWA HCR complaint process can be found here:
<https://www.fhwa.dot.gov/civilrights/file/>
3. All other complaints filed against ADOT programs not funded by FHWA fall under ADOT's authority and jurisdiction for investigation.
4. Any person, specific class of persons or entity that believes they have been subjected to discrimination as prohibited by the legal provisions of Title VI on the basis of race, color, national origin, disability, or retaliation may file a formal complaint with ADOT's CRO. A copy of the Discrimination Complaint Form may be accessed electronically at:
<https://azdot.gov/business/civil-rights/title-vi-nondiscrimination-program/filing-complaint>
5. The complaint must be filed within 180 days of the alleged discrimination, and include the date the alleged discrimination became known to the complainant or the last date of the incident.
6. The complaint must be signed by the complainant and shall include:
 - The Complainant(s) name, address and phone number
 - A detailed description of the alleged incident that led the complainant to believe discrimination occurred
 - The date of the alleged act of discrimination, the date when the complainant(s) became aware of the alleged discrimination, the last date of the conduct or the date or the date the conduct was discontinued
 - The names and job titles of those parties involved in the complaint
 - The facts and circumstances surrounding the alleged discrimination and the basis of the complaint (i.e., race, color, national origin, disability, or retaliation)
 - Names and contact information of persons whom the investigator can contact for additional information to support or clarify the allegations
 - The corrective action being sought by the complainant

7. Complaints may be filed by one of the following methods:
 - By completing and signing the Complaint Form and delivering it in person or by mail
 - By emailing or faxing the Complaint Form and sending the signed original to the CRO
 - By calling the CRO where information obtained will be used to complete the Complaint Form and, subsequently, forwarded to the complainant for review, and signature
 - By electronically submitting and digitally signing the Complaint Form
8. Upon receipt of a completed complaint, the CRO will determine jurisdiction, acceptability or need for additional information. Within five (5) days, CRO will acknowledge receipt of the complaint and the intended course of action.
9. For acceptance, a complaint must be:
 - In writing
 - Timely filed
 - Involve a covered basis (i.e., race, color, national origin, disability, or retaliation)
 - Within ADOT's authority
10. Complaints may be dismissed if the complainant:
 - Requests the withdrawal of the complaint
 - Fails to respond to repeated requests for additional information
 - Fails to cooperate in the investigation
 - Cannot be located after reasonable attempts to reach the complainant have been made
11. ADOT CRO will maintain a confidential log of all accepted and/or forwarded Title VI Complaints which will include:
 - Name of complainant(s)
 - Date the complaint was received
 - Date of the allegation
 - Description of the alleged discrimination
 - Other relevant information, as needed
 - Report date
 - Recommendations
 - Outcome/Disposition
12. Upon accepting a complaint, the CRO investigator will:
 - Provide the respondent an opportunity to respond to the allegations. The respondent will have 10 calendar days from the CRO's written notification to furnish a written response
 - Determine if more information is needed to resolve a case and may contact the complainant who will then have 10 calendar days to provide additional information

13. Within 45 days of accepting a complaint, an ADOT Investigator will:

- Gather all relevant information in a fair and impartial manner
- Conduct interviews of all concerned parties
- Prepare a final investigative report with a recommended disposition

14. Upon final determination, one of two letters will be issued to the complainant:

- A closure letter summarizing the allegations stating that there was no Title VI violation and that the case will be closed
- A Letter of Finding summarizing the allegations and the interviews regarding the alleged incident and explaining whether any additional action, additional training of the staff or other action will occur.

15. All allegations of discrimination will be taken seriously and every effort will be made to provide a fair and unbiased determination. Complainants may file a complaint directly with the USDOT agencies listed below:

- US Department of Transportation, Federal Highway Administration, Arizona Division 4000 North Central Avenue, Suite 1500, Phoenix, AZ 85012
- US Department of Transportation, Federal Aviation Administration 800 Independence Ave. SW, Washington, DC 20591
- US Department of Transportation, Federal Motor Carrier Safety Administration 1200 New Jersey Ave. SE, Washington, DC 20590
- US Department of Transportation, Federal Transit Administration FTA Office of Civil Rights, 1200 New Jersey Ave. SE, Washington, DC 20590
- US Department of Transportation, National Highway Traffic Safety Administration 1200 New Jersey Ave. SE, Washington, DC 20590

For questions or to file a complaint, please contact:

ADOT Civil Rights Office
Felicia Beltran or Krystal Smith
ADA/Title VI Nondiscrimination Program
Coordinators 206 S. 17th Ave.
Phoenix, AZ 85007
Phone: (602) 712-8946

If information is needed in another language, please contact ADOT's CRO at (602) 712-8946. Si se necesita información en Español, por favor comuníquese con la Oficina de Derechos Civiles de ADOT al (602) 712-8946.

10. COMPLIANCE AND ENFORCEMENT PROCEDURES

A. Subrecipient Compliance Review Process (MPOs/COGs/CAs)

The ADOT is a recipient of federal financial assistance. All recipients are required to comply with various nondiscrimination laws and regulations, including Title VI. ADOT and its subrecipients of federal-aid funds must ensure that all of its programs and activities are operated in a nondiscriminatory manner.

ADOT's CRO requires subrecipients to provide an annual report describing Title VI data collected from agency and subcontractors, outreach methods, Title VI implementation changes and upcoming Title VI program goals. Yearly reports are analyzed and categorized based on a high/low risk assessment. After yearly high/low risk assessment, the CRO will conduct compliance reviews of LPAs, MPOs and COGs, and other subrecipients of federal financial assistance to determine level of compliance with Title VI requirements. ADOT's CRO staff will conduct subrecipient compliance reviews annually to:

1. Ensure compliance with Title VI.
2. Provide technical assistance in the implementation of the Title VI program.
3. Correct deficiencies, when found to exist.
4. Ensure that each subrecipient is reviewed every three years.

High/Low Risk Assessment for MPO/COG/CA compliance reviews:

- Deficiencies identified within an initial Implementation Plan submittal
- Deficiencies identified in the Goals and Accomplishments Report
- Date of last onsite review conducted
- Complaints received

Notification

1. Subrecipients will be notified by the CRO within 30 calendar days of the upcoming comprehensive Title VI compliance review using DocuSign email.
2. A week prior to the onsite review, a reminder will be sent using DocuSign email to discuss agenda, logistics, expectations of the onsite visit, and to request policies, procedures and sample documents for a desk audit.

Once identified for a comprehensive Title VI Onsite Compliance Review, a letter will be sent via DocuSign to the agency's Director, Title VI Coordinator, Civil Rights Office Administrator, Civil Rights Program Deputy, ADOT's LPA Group or MPO/COG oversight group. The letter will state:

- Date for the Title VI Onsite Compliance Review, 35 calendar days following the date of the notice letter;
- Date for all internal policies, procedures and Title VI Onsite Questionnaire to be submitted to the CRO, no less than 30 days from the date of the letter; and,
- Title VI Onsite Compliance Review process.

Contents of Title VI Onsite Questionnaire submitted to CRO:

1. Data collection methods;
2. Sampling contracts to ensure inclusion of required nondiscrimination provisions
3. Sampling of public involvement material including meeting notices, project flyers, and other public documents demonstrating LEP compliance.
4. Environmental justice efforts in project planning;
5. LEP efforts;
6. Policy updates/ changes;
7. Title VI complaints if any were received by the program area;
8. Leadership changes.

Two weeks prior to an onsite review the below items are reviewed by CRO:

1. Annual Goals and Accomplishments Report
2. Title VI Nondiscrimination Plan
3. Title VI On-Site Compliance Review Questionnaire.

Onsite Review

1. CRO will review training efforts and the number of complaints reported if any in the subrecipient's required annual goals and accomplishment report or through the Title VI Onsite Questionnaire submitted.
2. At onsite reviews, CRO staff will conduct staff interviews and discuss reporting and data collection/analysis practices, review two FHWA-contracts for Assurances, take a photos of their Nondiscrimination notices to the public, review public notification practices, examine public participation practices, discuss LEP and EJ efforts, examine efficiency of Title VI complaint procedures and make verbal and written recommendations toward best practices.

Deficiencies

If deficiencies are found:

3. Within 30 calendar days of the onsite review, deficiencies will be documented in a report provided to the agency's director, Title VI Coordinator, ADOT's LPA Section or MPO/COG program, the ADOT Civil Rights Office Administrator and Civil Rights Deputy Administrator.
4. By expectation, the subrecipient should correct all deficiencies within a reasonable time period, not to exceed 90 calendar days of receipt of the report.
5. Within 30 calendar days of report mailing, a meeting must be scheduled to discuss possible technical assistance and an action plan towards full compliance.
6. Outstanding high priority vital items, such as signed Title VI assurances, will be submitted within 30 calendar days of report mailing.

7. Subrecipient will be asked to submit a formal action plan within 45 days of report mailing.
8. Within 90 calendar days, the subrecipient MUST be fully compliant on outstanding deficiencies.
9. If not compliant, ADOT will make a formal funding recommendation to the appropriate oversight division and/or federal authority.

No Deficiencies

If no deficiencies are found:

1. A formal letter of full compliance will be provided to the agency's Director, ADOT LPA group, MPO/COG program, Civil Rights Office Administrator, Civil Rights Office Deputy Administrator within 30 calendar days of onsite review along with a report of findings.
2. The report of findings may still provide recommendations for strengthening the subrecipient's Title VI Program.

Follow-up Monitoring

The subrecipient will continue to be responsible to submit annual FWA Title VI reports to the ADOT CRO. The CRO will determine if additional monitoring is needed to ensure ongoing compliance with Title VI requirements.

High/Low Risk Assessment for Non-CA LPAs compliance reviews:

On an annual basis CRO will run the following high/low risk assessment to select desk reviews for Non-CA LPAs also subrecipients of ADOT. ADOT's goal is to conduct desk reviews of at least 20% of those active no-CA LPAs funded from the previous year by ADOT. The CRO will work with the LPA's designated point of contact to facilitate and report desk review findings.

High/Low Risk Assessment for LPA Desk Reviews:

- Funding amount and type
- Complaints received
- Length of times between reviews

Desk reviews will include the following elements:

- Review that vital documents are translated for LEP persons;
- Review demographic data on their programs and activities;
- Title VI dissemination efforts;
- Review Title VI training records and complaint logs.

Deficiencies

If deficiencies are found:

1. Within 30 calendar days of the desk review, deficiencies will be documented in a report provided to the agency's director, ADOT's LPA Section, ADOT Civil Rights Office Administrator and Civil Rights Office Deputy Administrator.
2. By expectation, the non-CA LPA should correct all deficiencies within a reasonable time period, not to exceed 90 calendar days of receipt of the report.
3. Within 30 calendar days of report mailing, a meeting must be scheduled to discuss possible technical assistance and an action plan towards full compliance.
4. Outstanding high priority vital items, such as signed Title VI assurances, will be submitted within 30 calendar days of report mailing.
5. Non-CA LPA will be asked to submit a formal action plan within 45 calendar days of report mailing.
6. Within 90 calendar days, the non-CA LPA MUST be fully compliant on outstanding deficiencies.
7. If not compliant, ADOT will make a formal funding recommendation to the appropriate oversight division and/or federal authority.

No Deficiencies

If no deficiencies are found:

1. A formal letter of full compliance will be provided to the agency's director, ADOT's LPA Section, ADOT Civil Rights Office Administrator and Civil Rights Office Deputy Administrator within 30 calendar days of onsite review along with a report of findings.
2. The report may still provide recommendations for strengthening the non-CA LPA's Title VI compliance program.

Follow-up Monitoring

CRO will determine if additional monitoring is needed to ensure ongoing compliance with Title VI requirements.

11. ENVIRONMENTAL JUSTICE

In 1994, EO 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, was issued. EO 12898 emphasized a federal agency's responsibility to make environmental justice a goal by identifying and addressing the effects of programs, policies and activities on minority and low-income populations. This is accomplished by involving the public in developing transportation projects that fit within their communities without sacrificing equity, environmental justice, and safety.

Under NEPA Assignment an Environmental Planner sends a draft copy of all individually documented CEs prepared under 23 CFR 771.117(d) and Environmental Assessments and/or Environmental Impact Statements to the ADOT Civil Rights Office to review for Title VI and Environmental Justice compliance.

<https://azdot.gov/business/environmental-planning/guidance-federal-aid-projects/title-vi-and-environmental-justice>

12. LIMITED ENGLISH PROFICIENCY

The ADOT will be innovative and proactive in engaging individuals from different cultures, backgrounds, and businesses throughout its programs and activities. Limited English Proficiency (LEP) is a term used to describe individuals who do not speak English as their primary language and who have limited ability to read, speak, write, or understand English. ADOT's LEP/Language Access Plan is designed to comply with Title VI and EO 13166 which prohibit recipients of Federal financial assistance from discrimination based on national origin.

Authorities

The following matrix illustrates the authorities that require ADOT to provide LEP persons with meaningful access to programs, activities, and services.

Title VI of the Civil Rights Act of 1964	Limited English Proficiency Executive Order 13166
Federal law	Federal policy
Enacted July 2, 1964	Signed August 11, 2000
Considers all persons	Considers eligible persons
Contains monitoring and oversight compliance review requirements	Contains monitoring and oversight compliance review requirements
Factor criteria is required, no numerical or percentage thresholds	Factor criteria is required, no numerical or percentage thresholds
Provides protection on the basis of race, color, and national origin Focuses on eliminating discrimination in federally-funded programs	Provides protection on the basis of national origin; focuses on providing LEP persons' federally-funded programs with meaningful access to services using factor criteria under federally-funded programs
Annual Accomplishments and Upcoming Goals Report to FHWA	Annual Accomplishment and Upcoming Goals Report to FHWA

Roles and Responsibilities

Recipients of federal financial assistance are required to take reasonable steps to provide LEP individuals with meaningful access to their programs, activities, and services (EO 13166). The following chart, although not exhaustive, illustrates activities and responsibilities that are required to adhere to LEP directives. The chart also outlines the responsibilities of the CRO and the various ADOT Program Areas.

Each program area will be responsible for conducting a Four Factor Analysis and ensuring compliance with LEP requirements on a project by project basis. Quarterly, ADOT Program Area Title VI Liaisons will provide CRO documentation of Four Factor Analysis conducted on a project by project basis. ADOT CRO will conduct a secondary examination to ensure accuracy and consistency of the application of the Four Factor Analysis, and provide feedback if required. On a quarterly basis CRO will also analyze Four Factor results to identify potential disparate impacts to be addressed with the program area.

Activity	Responsibility ADOT Division / Program	Title VI Program
1. Assessing and addressing the needs of eligible persons (Conduct a Four Factor Analysis). Recommended table to be used: B16001 "language spoken at home by ability to speak English for population 5 years and over" from the 5 year American Community Survey.	X	
2. Taking reasonable steps or ensuring that responsible steps are taken to ensure meaningful access	X	
3. Developing and implementing monitoring control mechanisms to ensure delivery of service and ongoing compliance	X	X
4. Compliance, monitoring, and oversight	X	X
5. Providing technical assistance and guidance		X
6. Reporting accomplishments and goals	X	X

Program Areas will use the below LEP Four Factor Analysis

Factor 1: Identify the number and proportion of LEP persons served or encountered and eligible for service population by the ADOT Program/Project

Factor 2: Identify the frequency in which LEP persons encounter the ADOT Program/Project

Factor 3: Identify the nature and importance of program, activity, or services provided by the ADOT Program/Project

Factor 4: Identify available resources, including language assistance services varying from limited to wide ranging with varying costs by the ADOT Program/Project

AGENCY LEP FOUR FACTOR ANALYSIS

(NOT INTENDED TO RELINQUISH EACH PROGRAM AREA'S RESPONSIBILITY TO CONDUCT THIS ANALYSIS ON A PROJECT BY PROJECT BASIS)

In developing this plan; ADOT undertook a U.S. Department of Transportation four-factor LEP analysis which considers the following:

- 1) The number or proportion of LEP persons eligible in Arizona who may be served or likely to encounter ADOT programs, activities, or services.

Based on Arizona populations, Spanish and Navajo have been identified as the highest LEP languages and thus most likely to be encountered. The following chart identifies the languages by county that meet the Safe Harbor Threshold: LEP language group that constitutes 5% or 1,000, whoever is less, of the population of persons eligible to be served or likely to be affected or encountered.

State of Arizona Limited English Proficient Languages that meet the Safe Harbor Threshold by Counties

County	Language	Percent	Speak English less than "very well"	Total Population
Apache	Navajo	10.97%	7,289	66,467
Cochise	Spanish or Spanish Creole	8.56%	10,387	121,324
Coconino	Navajo	3.73%	4,792	128,315
Coconino	Spanish or Spanish Creole	2.04%	2,618	128,315
Gila	Spanish or Spanish Creole	2.32%	1,162	50,166
Graham	Spanish or Spanish Creole	4.05%	1,396	34,459
Greenlee	N/A	N/A	N/A	8,389
La Paz	Spanish or Spanish Creole	8.12%	1,575	19,403
Maricopa	Spanish or Spanish Creole	7.49%	280,415	3,745,433
Maricopa	Chinese	0.28%	10,653	3,745,433
Maricopa	Vietnamese	0.28%	10,582	3,745,433
Mohave	Spanish or Spanish Creole	3.31%	6,410	193,644
Navajo	Navajo	6.36%	6,340	99,646
Navajo	Spanish or Spanish Creole	1.55%	1,549	99,646
Navajo	Other Native North American languages	1.29%	1,284	99,646
Pima	Spanish or Spanish Creole	6.77%	63,489	938,413
Pima	Chinese	0.30%	2,817	938,413
Pima	Vietnamese	0.18%	1,688	938,413
Santa Cruz	Spanish or Spanish Creole	26.54%	11,576	43,619
Yavapai	Spanish or Spanish Creole	3.05%	6,300	206,720
Yuma	Spanish or Spanish Creole	22.75%	42,727	187,835

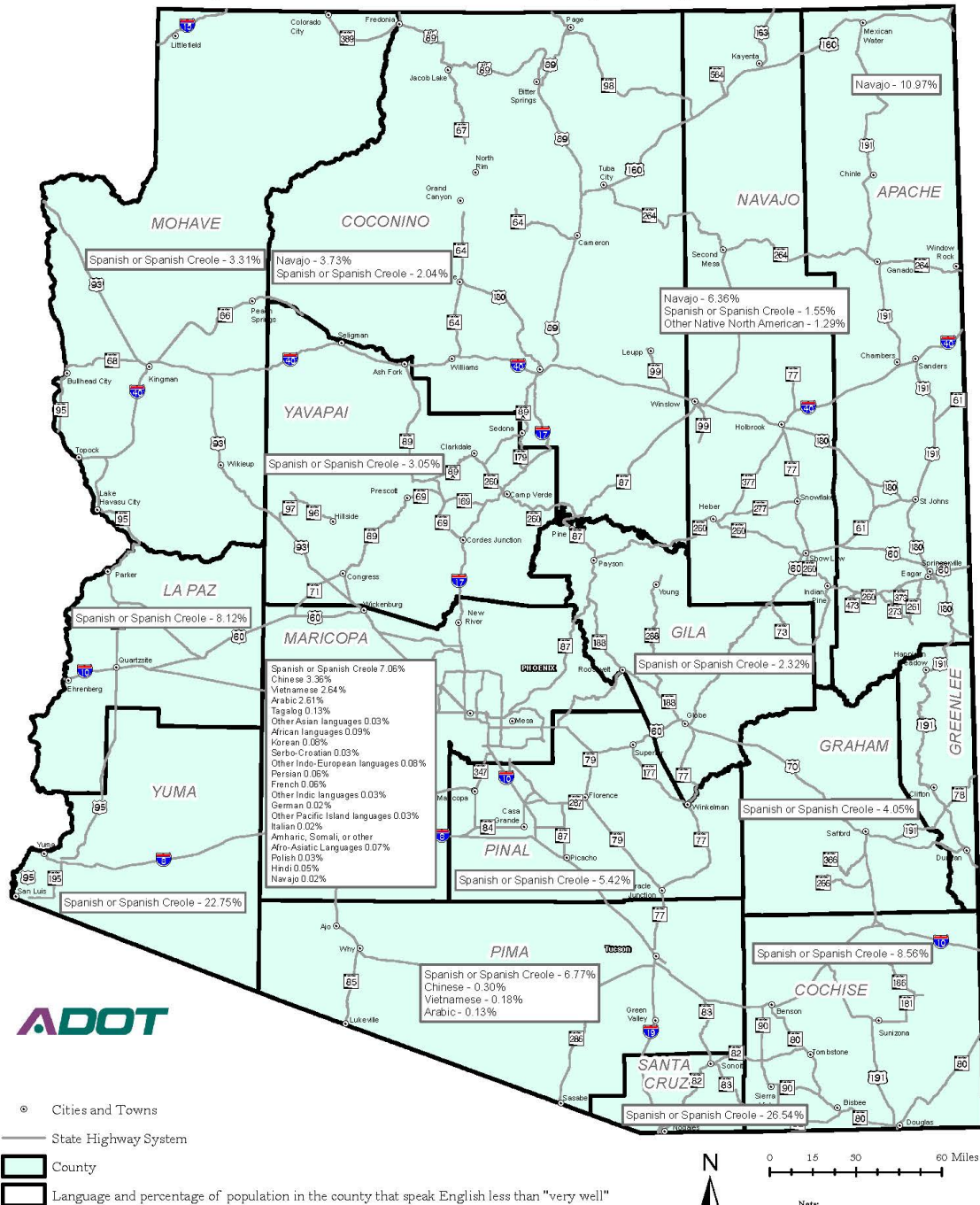
Source: U.S. Census Bureau (2015). Language Spoken at Home by Ability to Speak English for the population 5 years and over, 2011-2015 American Community Survey 5-Year estimates. Retrieved July 23, 2019 from

https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_15_5YR_B16001&prodType=table.

**Safe Harbor Threshold for written translations only: LEP language group that constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered.*

Limited English Proficient (LEP) -

Percent of Population of Arizona Counties That Speak English Less Than "Very Well"



*Language Spoken at Home by ability to speak English for the population 5 years and over in Arizona Counties 2011-2015 American Community Survey 5-Year Estimates
 **Source: U.S. Census Bureau (2016). Language Spoken at Home by Ability to Speak English for the population 5 years and over, 2011-2016 American Community Survey 5-Year estimates.
 Retrieved July 7, 2018 from https://factfinder.census.gov/saces/data/totals/all/data.html?_lang=en&_ss=15_5YR_B16001&prod=table.
 *Safe Harbor Threshold: LEP language group that constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered.

2) The frequency with which LEP individuals come in contact with ADOT programs and services.

ADOT program areas identified to have the highest public interactions are listed below:

- Motor Vehicle Division
 - Customer Service Program
 - Specialty Registration and Licensing Program
 - Division Operational Support Services
 - Commercial Licensing Program
 - Regulatory
(Third Party Program)
- Communications
 - Community Relations
 - Public Information
- Enforcement and Compliance Division
 - Office of Inspector General
 - Enforcement Services Program
(Executive Hearing Office)
- Business Operations
 - Civil Rights Office
 - Human Resources
 - Employee and Business Development Office
 - Audit and Analysis
 - Administrative Services Division
(Procurement)
(Grand Canyon National Park Airport)
- Infrastructure Delivery and Operations Division (IDO)
 - Engineering Consultant Section
 - Construction Group and Materials
 - Contracts and Specifications
 - Local Public Agency
 - Joint Project Agreement Section
 - Environmental Planning Group
 - Right of Way
 - Project Management Group
 - Public Private Partnership (P3) Initiatives
- Transportation Systems Management and Operations (TSMO)
 - Systems Maintenance
 - Emergency Management
 - Traffic Maintenance
 - Geospatial Analysis

- Multimodal Planning Division
 - Aeronautics
 - Transit
 - Corridor Planning
 - Grant Coordination
 - Research
 - Transportation Analysis
 - Planning and Programming
 - (Tribal Planning and Coordination)
 - Safety
 - Administrative Functions

- 3) The nature and importance of the program, activities or services provided by ADOT to the LEP population.

All of ADOT's programs are important; however, ADOT has identified those related to safety, public transit, ROW, environment, nondiscrimination, public involvement and communication are among the most important.

As such, publications and other material disseminated regarding these programs are routinely available in both English and Spanish. ADOT will strive to continue to provide alternative but meaningful formats to all LEP persons. Moreover, ADOT will evaluate its programs, services and activities to ensure that persons who may be LEP are always provided with meaningful access.

- 4) The resources available to ADOT and overall cost to provide LEP assistance.

ADOT makes every effort to make its programs, services and activities accessible to LEP individuals. ADOT proximately displays Title VI Nondiscrimination Notices to the Public within its facilities, public rest areas, and at public meetings. Additionally, Title VI/ADA complaint Procedures, and title VI Informational Brochures are distributed by program areas that come into contact with the public in both English and Spanish. Nondiscrimination language in both English and Spanish is also displayed on external notices/communications to the public to request language assistance. ADOT will continue to use available resources, both internal and external, to accommodate reasonable requests for translation and interpretation services free of cost, regardless of the language, when requested within reasonable notice.

ADOT has identified and proposes the following resources for LEP:

- 1) List containing direct contact information for staff who has volunteered to assist as interpreters and/or translators if needed. List will be verified and updated annually for each program area by the Title VI Liaison and will be published on the ADOTNet under the "Title VI Resources" tab.
- 2) Program areas that have contact with the public will use the US Census "I Speak" language cards to identify language needs in order to match them with available

services. Language cards will be verified and distributed annually by the program area Title VI Liaison.

- 3) Use of web based translation and telephonic interpretation services under contract with ADOT, when required.
- 4) Each program area will maintain a list of translation services for use, when required..

ADOT CRO makes the below Title VI information available in Spanish:

- 1) Title VI and Nondiscrimination Notice to the Public.
- 2) Complaint Procedures.
- 3) Complaint Form.
- 4) Title VI Informational Brochures.
- 5) Self-Identification Cards for use of demographic data.
- 6) Outgoing voice message for CRO's main phone line.

DOT Safe Harbor Stipulation

Federal law provides a "Safe Harbor" stipulation, based on the United States Department of Justice's (DOJ) guidance, so that recipients such as ADOT can ensure with greater certainty that they comply with their obligations to provide written translations in languages other than English. A "safe harbor" means that if a recipient (ADOT) provides written translations in certain circumstances; such action will be considered strong evidence of compliance with the agency's written-translation obligations under Title VI.

The failure to provide written translations under the circumstances does not mean there is noncompliance, but rather provides a guide for recipients that would like greater certainty of compliance that can be provided by a fact-intensive, four factor analysis. For example, even if a safe harbor is not used, if written translation of a certain document(s) would be so burdensome as to defeat the legitimate objectives of its program, it is not necessary. Other ways of providing meaningful access, such as effective oral interpretation of certain vital documents, might be acceptable under such circumstances.

Strong evidence of compliance with the recipient's written-translation obligations under 'safe harbor' includes providing written translations of vital documents for each eligible LEP language group that constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered.

This safe harbor provision applies to the translation of written documents only. It does not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable.

CONCLUSION:

ADOT understands that language needs will change as the Arizona population changes. Further, ADOT will comply with the requirement to assess its programs and services each year to determine compliance with various nondiscrimination regulations. As such, ADOT will revisit the LEP plan each year and make appropriate changes, as needed. For questions or concerns

regarding the ADOT's commitment to nondiscrimination or to request additional information about LEP services, contact Felicia Beltran, Title VI Nondiscrimination Program Coordinator at civilrightsoffice@azdot.gov, 602-712-8946.

LEP Guidance and Resources

The guidance document and the resources listed below are provided to assist program areas with implementing LEP requirements and may be used in conjunction with this LEP Plan.

- [The U.S. Department of Transportation Guidance to Recipients on Special Language Services to Limited English Proficient Beneficiaries, Federal Register/Vol. 66, No. 14/Monday, January 22, 2001.](#)
- [The U.S. DOJ Policy Guidance, Enforcement of Title VI of the Civil Rights Act of 1964-National Origin Discrimination Against Persons With Limited English Proficiency, Federal Register/Vol. 65, No. 159/Wednesday, August 16, 2000](#)
- [U.S. Department of Justice Clarifying Memorandum, dated October 26, 2001](#)
- [United States Census 2000 Language Identification Flashcard](#)
- [LEP.gov website](#)

13. ACRONYMS

ADA – Americans with Disabilities Act
ADOT – Arizona Department of Transportation
CA – Certificate of Acceptance
COG – Council of Governments (considered a subrecipient)
CRO – Civil Rights Office
FAA – Federal Aviation Administration
FHWA – Federal Highway Administration
FMCSA – Federal Motor Carrier Safety Administration
FTA – Federal Transit Administration
LPA – Local Program Administration
LEP – Limited English Proficiency
MPO – Metropolitan Planning Organization (considered a subrecipient)
NHTSA – National Highway Traffic Safety Administration

14. AUTHORITIES

Pertinent Nondiscrimination Authorities

[Title VI of the Civil Rights Act of 1964](#)

[The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970](#)

[Airport Improvement Act](#)

[The Civil Rights Restoration Act of 1987, \(PL 100-209\)](#)

[The Age Discrimination Act of 1975](#)

[504 of the Rehabilitation Act of 1973](#)

[Titles II Americans with Disabilities Act](#)

[Title III Americans with Disabilities Act](#)

[Federal Aviation Administration's Nondiscrimination Statute](#)

[Executive Order 12898](#)

[Executive Order 13166](#)

[Federal-Aid Highway Act of 1973](#)