

Federal Highway Administration Title VI Nondiscrimination Program: Implementation Plan & Goals and Accomplishments Report

ADOT Civil Rights Office

June 20, 2023

Agenda

- Welcome/Introductions
- Title VI Regulations and Requirements
- ADOT Title VI Oversight Overview
- Review the FHWA Title VI Implementation Plan Program required elements
 - Four sections, last section will be tailored to COG/MPO Only
- Annual Goals and accomplishments report
- Activity

Jesse Zaragoza Introduction

“Civil Rights opened the windows.
When you open the windows it does
not mean everybody will get
through. We must create our own
opportunities” - Mary Frances Berry

Jesse Zaragoza
FHWA Title VI/EJ Program Manager



ADOT Civil Rights Office

Title VI and Environmental Justice Team

Danielle Valentine
Civil Rights Compliance
Program Manager



Jesse Zaragoza
Title VI and Environmental
Justice/FHWA
Program Manager



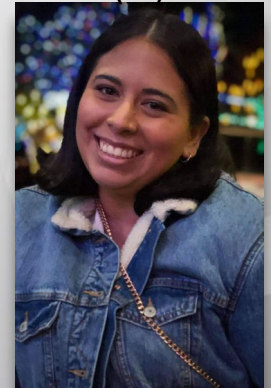
Sara Martinez
Civil Rights Specialist
(External)



Teresa Steege
Civil Rights Specialist
(Internal)



Josie Olmos
Civil Rights Specialist
(EJ)



Ice Breaker Questions

What process of implementing Title VI do you enjoy?

What is your favorite animated movie?



Federal Funding Requirements

Recipients of federal funds must comply with:

- Title VI of the Civil Rights Act of 1964
- Civil Rights Restoration Act of 1987



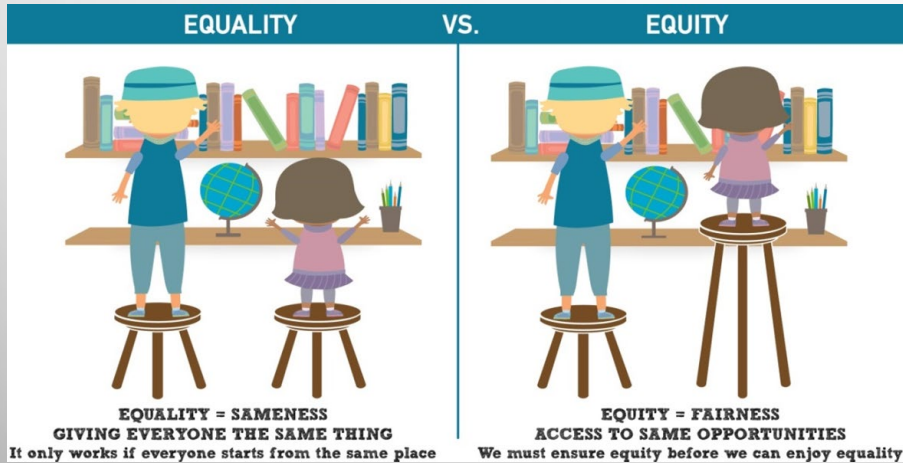
Follow the Federal Dollar

Title VI of the Civil Rights Act of 1964 (Title VI)

“No **person** in the United States shall, on the grounds of **race, color, or national origin**, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any **program or activity** receiving Federal Financial assistance.”

What Does Title VI Ensure?

Title VI ensures Recipients may not



Deny a service or benefit on the grounds of race, color, or national origin.

Provide a service or benefit that is different from what is provided to others.

Restrict an individual in the enjoyment of any advantage or privilege enjoyed by others.

Requirements per Title 23 CFR 200.9(b)

- (1) Establish a civil rights unit and designate a coordinator who has a responsible position in the organization and easy access to the head of the State highway agency. This unit shall contain a Title VI Equal Employment Opportunity Coordinator or a Title VI Specialist, who shall be responsible for initiating and monitoring Title VI activities and preparing required reports.

- (1) Adequately staff the civil rights unit to effectively implement the State civil rights requirements.

- (1) Develop procedures for prompt processing and disposition of Title VI and Title VIII complaints received directly by the State and not by FHWA. Complaints shall be investigated by State civil rights personnel trained in compliance investigations. Identify each complainant by race, color, sex, or national origin; the recipient; the nature of the complaint; the dates the complaint was filed and the investigation completed; the disposition; the date of the disposition; and other pertinent information. Each recipient (State) processing Title VI complaints shall be required to maintain a similar log. A copy of the complaint, together with a copy of the State's report of investigation, shall be forwarded to the FHWA division office within 60 days of the date the complaint was received by the State.

Requirements per Title 23 CFR 200.9(b)

- (4) Develop procedures for the collection of statistical data (race, color, religion, sex, and national origin) of participants in, and beneficiaries of State highway programs, i.e., relocatees, impacted citizens and affected communities.
- (5) Develop a program to conduct Title VI reviews of program areas.
- (6) Conduct annual reviews of special emphasis program areas to determine the effectiveness or program area activities at all levels.
- (7) Conduct Title VI reviews of cities, counties, consultant contractors, suppliers, universities, colleges, planning agencies, and other recipients of Federal-aid highway funds.
- (8) Review State program directives in coordination with State program officials and, where applicable, include Title VI and related requirements.

Requirements per Title 23 CFR 200.9(b)

(9) The State highway agency Title VI designee shall be responsible for conducting training programs on Title VI and related statutes for State program and civil rights officials.

(10) Prepare a yearly report of Title VI accomplishments for the past year and goals for the next year.

(11) Beginning October 1, 1976, each State highway agency shall annually submit an updated Title VI implementation plan to the Regional Federal Highway Administrator for approval or disapproval.

(12) Develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English.

Requirements per Title 23 CFR 200.9(b)

- (13) Establishing procedures for pre-grant and post-grant approval reviews of State programs and applicants for compliance with Title VI requirements; i.e., highway location, design and relocation, and persons seeking contracts with the State.
- (14) Establish procedures to identify and eliminate discrimination when found to exist.
- (15) Establishing procedures for promptly resolving deficiency status and reducing to writing the remedial action agreed to be necessary, all within a period not to exceed 90 days.

Civil Rights Restoration Act of 1987

- It states that Title VI shall be applied institution-wide
- Include all programs and activities of Federal-aid recipients, subrecipients, and contractors
- **Regardless if the program is federally assisted or not**



Follow the Federal Dollar

U.S. Department of Transportation

Federal Highway Administration

Arizona Department of Transportation

Certification Acceptance Agencies/Councils of
Governments/Metropolitan Planning Organizations

Agency Subrecipients/Contractors/Consultants

**Follow the
Federal Dollar**



Title VI Compliance Oversight

ADOT CRO's Title VI compliance oversight for all their FHWA subrecipients is ensured through:

- Title VI Implementation Plan
- Goals and Accomplishments Report
- On-site Compliance Reviews
- Training
- Technical Assistance

Title VI Implementation Plan

- A Title VI Implementation Plan includes the standard operating procedures (SOPs) for the Agency's Title VI Program
- It must be submitted annually to ADOT CRO on **August 1**
 - Once accepted, ADOT sends an approval letter, **within 90 days**
 - ADOT CRO offers Preliminary Reviews two months prior to the deadline
- Title VI Implementation Plans are intended to be:
 - Public documents
 - Convey the operations of the Title VI Program
 - User friendly and accessible to members of the public

Goals and Accomplishments Report

- The report must document the progress toward compliance with Title VI
 - Include accomplishments the Agency has achieved in the area of Title VI, such as program area review, training, and processing of Title VI complaints
 - List goals for the upcoming year in relation to the Title VI Program
- It must be submitted annually to ADOT CRO on **August 1**
 - Once accepted, ADOT sends an acceptance letter **within 30 days**



Title VI On-site Compliance Review

- ADOT CRO will visit the Agency to review its FHWA funded projects/programs and how the Title VI processes in the Implementation Plan are working in practice
- On-Site Reviews do not take place annually. These are determined by conducting a high-low risk assessment which considers factors such as:
 - Date of the last on-site review
 - Complaints
 - Deficiencies found in the initial review of the Title VI Implementation Plan and the Goals & Accomplishments Report

Training and Technical Assistance

- Annual FHWA Title VI Training is given by ADOT CRO
- ADOT CRO provides assistance to the Agency on Title VI subject matters at all times



FHWA Title VI Implementation Plan Program Elements Required under 23 CFR 200.9

Section 1	Section 2	Section 3
Policy Statement	Demographic Data Collection and Analysis	Review Agency Directives
USDOT Title VI Assurances	Program Area Reviews	Limited English Proficiency (LEP)
Organization and Staffing	Special Emphasis Program Areas	Environmental Justice (EJ)
Title VI Training	Subrecipient Review Procedures	Dissemination of Title VI Information
Complaint Procedures	Compliance & Enforcement Procedures	

FHWA/FTA Title VI Implementation Plan Program Elements Required under FTA Circular 4702.1B

Section 4
Demographic Profile
Demographic Maps
Committee Membership
Executive Board Review Approval

Policy Statement

- An **express commitment** to the Title VI Program
- Specific **programs and activities** covered by the Title VI Program
- The **Subrecipient Title VI Program Coordinator**
- A **delegation of authority and responsibilities** to appropriate Bureau/Division Managers
- The Policy should be **signed by the Chief Executive Officer** and **circulated** throughout the organization and made available to the public

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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 (Title VI), 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, services, and activities, whether federally funded or not. ADOT's subrecipients, grant recipients, contractors and entities authorized to conduct business on behalf of the agency 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 Coordinators and the Civil Rights Office to oversee and implement ADA and Title VI regulations.

DocuSigned by:

John S. Halikowski
Arizona Department of Transportation - Director

9/24/2022

Date

Signed USDOT Title VI Assurances

- Assurances
 - Signed by Agency Director
 - Dated within the current year
 - Include appendices A, B, C, D, & E
- Process
 - It describes how the Coordinator will ensure that all FHWA funded contracts, solicitations for bids, and Requests For Proposals (RFPs) for work include the required Assurance language

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ADOT

improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

- a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
- b. the period during which the Recipient retains ownership or possession of the property.


9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

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

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

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

Arizona Department of Transportation

by  DATED 3/30/2023

Jennifer Toth, Director

Signed USDOT Title VI Assurances

- Attach Appendix [A](#) and [E](#) to all contracts that are federally funded
- Attach Appendix [B](#), [C](#), & [D](#) to contracts that correspond to property or property rights
- “Specific Assurances” paragraph should be included in all:
 - Solicitations for bids
 - Requests For Proposals (RFP) for work
 - Requests For Quotations (RFQ) for work

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its *Federal Aid Highway Program*.

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all *Federal Aid Highway Program* and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

*"The **(Title of Recipient)**, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."*

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.

Signed USDOT Title VI Assurances – ADOT Subrecipient On-site Review

- Required Assurance language in FHWA funded contracts, and RFP or RFQ
- Process the Title VI Coordinator uses to ensure the Assurance language is always included in FHWA funded contracts, RFPs, RFQs

Organization & Staffing of Civil Rights Unit

- Relationship between the Title VI Coordinator and the head of the Agency
- Organizational chart
 - Description of the Civil Rights Unit
- Outline the roles and responsibilities of the various positions that assist with Title VI responsibilities
 - Title VI Coordinator
 - Title VI Specialist/Manager (*if applicable*)
 - Title VI Liaisons (*if applicable*)

Title VI Training

- Describe **how** and **when** Agency employees will be **trained** on Title VI Program requirements and responsibilities
- Include procedures as to **how** and **when** training will be conducted for **subrecipients, contractors, and consultants**



Title VI Training

ADOT Subrecipient On-site Review

- Sign in sheets
 - Training logs
- Title VI Training Topics
- Standardized trainings



Complaint Procedures

- Describe the Agency's procedures for prompt processing of Title VI complaints (race, color, and national origin) received by the Agency.
- Procedures must include:
 - A description of the complaint process identifying how and where a complaint would be filed, with which department or person, and all applicable timeframes.
 - A description of the process by which the Agency will track the complaints and keep the required data for each complaint received.
 - **ADOT CRO must be notified of any Title VI complaints related to an FHWA or FTA funded program or activity received by the Agency within 72 hours.**

Complaint Procedures

FHWA (CA Agencies)



Notify ADOT CRO within 72 hours of receipt



If Title VI complaint is related to a FHWA-funded program, service or activity, do not investigate Title VI complaint. Forward complaint to FHWA. FHWA will conduct investigation

FHWA/FTA (COG/MPO)



Notify ADOT CRO within 72 hours of receipt



If Title VI complaint is related to a FTA-funded program, service or activity, investigate FTA complaint following your Agency's procedures



If Title VI complaint is related to a FHWA-funded program, service or activity, do not investigate Title VI complaint. Forward complaint to FHWA. FHWA will conduct investigation

Complaint Procedures

ADOT Subrecipient On-site Review

- Personnel interviews
 - Front line staff member
 - Agency Title VI steward
- Topics
 - Title VI Nondiscrimination program
 - Language services requests
 - Complaint process
 - Notice to the Public
 - Title VI Training



A neon sign with the words "QUIZ TIME" in a stylized, bubbly font. The sign is composed of glowing blue and pink lines. The word "QUIZ" is in pink, and "TIME" is in blue. The sign is set against a dark blue brick wall background. The sign is enclosed in a rectangular frame made of blue and pink lines, with a small triangular shape at the bottom right corner.

QUIZ
TIME

Who should be trained on Title VI?

- A. Agency Staff
- B. Contractors, Consultants and Subrecipients
- C. Members of the Public
- D. A & B

Discussion Point: Title VI Training

- How do you train your staff on Title VI?
- What has been more effective for you?

BREAK



Demographic Data Collection

- Develop a process for demographic data collection and analysis of all FHWA funded programs/projects/activities.
- Process should include:
 - What program area, project, or activity will the demographic data be collected from?
 - What specific demographic data will be collected?
 - How will this demographic data be collected from the public?

Demographic Data Analysis

- Process should include:
 - How will the demographic data be analyzed for disparate impact?
 - How often will the Title VI Coordinator analyze the demographic data?
 - What additional demographic data will be used in the analysis of the disparate impact?
 - What will be used to compare your collected demographic data? (ex. US Census, EJ Screen, school districts, etc.)

Disparate Impact Analysis

- **Disparate impact (also called adverse impact)** discrimination happens when a recipient of federal funds adopts a procedure or engages in a practice that:
 - Disparately excludes from benefits or services based on race, color, or national origin
 - Inflicts disproportionate share of harm based on race, color, or national origin

Title VI analysis involves pairing two things:

Demographic Data + Impact or Benefit

Demographic Data Collection & Analysis

- Title VI Coordinator should ensure that all FHWA funded programs, projects, and activities have Title VI data collected
 - If the process has any interaction with the Public, Title VI data can be collected.

Demographic Data Collection & Analysis


– ADOT Subrecipient On-site Review

- Findings from Title VI demographic data analysis
 - Is an analysis being conducted on all FHWA funded programs/projects/activities?
- What steps can be standardized?
 - Forms/checklists that can be implemented

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TIME

How can we obtain demographic data?

- A. From public meetings/public hearings
 - B. From bidders/awardees
 - C. From US Census
 - D. A & C
 - E. All of them
- 

Program Area Reviews

- Describe the Title VI responsibilities of each FHWA funded program, project, or activity
- Include the program area review process for each FHWA funded program area, project or activity. The process should define:
 - Program area review's objective(s)
 - How demographic data will be incorporated into the Program Area Review
 - How will the Title VI Coordinator determine effectiveness
 - Risk assessment to determine program area review schedule

Program Area Reviews and Demographic Data Collection & Analysis

The demographic data collected can assist the Title VI Coordinator in choosing a program area for a Title VI Internal Program Area Review.

- Demographic data analysis trends may trigger program area reviews
- Lack of demographic data being collected may trigger program area reviews
- Opportunity to measure/review effectiveness of public participation activities

Program Area Reviews

– ADOT Subrecipient On-site Review

- Findings from Program Area Reviews
 - Is a review being conducted on all FHWA funded programs/projects/activities?
- What steps can be standardized?
 - Forms/checklists that can be implemented

Special Emphasis Program Areas

- Describe the process the Agency uses to identify their special emphasis program areas and how they address and identify trends or patterns of discrimination in those areas

Discussion Point: Program Area Reviews

- *When you conduct program area reviews, who do you invite to the review?
How do you select program areas?*

Subrecipient Review Procedures

- Describe the process for conducting reviews of the subrecipients. The process should define:
 - A **schedule** or **amount** of reviews anticipated per year,
 - The **types** of reviews and their objectives,
 - Where and when the **outcome** of the reviews will be reported,
 - What **activities** will be reviewed, and
 - How will the review determine **effectiveness**.

Compliance and Enforcement Procedures

- How are trends/patterns of discrimination:
 - Identified
 - Eliminated
- How are Title VI Program Area Reviews and Demographic Data Collection Analysis
 - Conducted
 - Determined compliant
 - Enforced

Compliance and Enforcement Procedures & Review of Agency Directives

- Title VI Coordinator should have a process to ensure Title VI compliance throughout all FHWA funded programs
 - Reporting process to Title VI Coordinator
 - Liaison program
- Process of reviewing directives for potential Title VI implications

Compliance and Enforcement Procedures

ADOT Subrecipient On-site Review

- Corrective actions the agency has taken:
 - Process updates
 - Training
 - Program area review

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QUIZ
TIME

How many program area reviews should your Agency conduct annually?

- A. 1
- B. 2
- C. 4
- D. It does not matter as long as there is a standardized process in place

BREAK



Limited English Proficiency (LEP)

- **Limited English Proficiency (LEP)** – an individual who has limited ability to read, speak, write, or understand English
- **Executive Order 13166** – states that people who are LEP should have meaningful access to federally conducted and federally funded programs and activities

Limited English Proficiency (LEP)

- Describe how the Agency provides meaningful access to LEP individuals to the transportation planning process.
 - Engage
 - Outreach

Limited English Proficiency (LEP)

- The process should include:
 - Identifying LEP individuals who need language assistance
 - Agency wide
 - Project by project basis
 - Language assistance measures (how language assistance will be provided)
 - Training staff
 - Providing notice to LEP individuals of language services available (free of charge)
 - Monitoring and updating the LEP process

LEP Four-Factor Analysis

1. **Demography** – Number or Proportion of LEP Individuals Served or Encountered in the Eligible Service Population
2. **Frequency** - Frequency With Which LEP Individuals Come in Contact With the Program
3. **Importance** - Nature and Importance of the Program, Activity, or Service Provided by the Program
4. **Resources** – Resources Available to the Recipient and Costs

Safe Harbor Threshold

- **Safe Harbor Threshold** – Written translation must be provided for vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, **whichever is less**, of the total population of persons eligible to be served or likely to be affected or encountered, by the program/activity.
 - Failure to provide written translations under these cited circumstances does not mean that the recipient is in noncompliance.
- The "safe harbors" provide a starting point for recipients to consider.

Census Table C16001

Pinal County, Arizona		
	Estimate	Margin of Error
Russian:	150	+/-127
Speak English "very well"	99	+/-90
Speak English less than "very well"	51	+/-52
Polish:	339	+/-150
Speak English "very well"	224	+/-104
Speak English less than "very well"	115	+/-69
Serbo-Croatian:	63	+/-71
Speak English "very well"	63	+/-71

U.S. Census Bureau

AMERICAN FactFinder

B16001 LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER
Universe: Population 5 years and over
2011-2015 American Community Survey 5-Year Estimates

Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Data and Documentation section.

Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.

Tell us what you think. Provide feedback to help make American Community Survey data more useful for you.

Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, it is the Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities and towns and estimates of housing units for states and counties.

	Pinal County, Arizona	
	Estimate	Margin of Error
Total	354,260	+/-148
Speak only English	287,724	+/-2,262
Spanish or Spanish Creole	63,070	+/-2,122
Speak English "very well"	43,331	+/-1,880
Speak English less than "very well"	19,739	+/-1,473
French (incl. Patois, Cajun)	1,172	+/-451
Speak English "very well"	1,050	+/-398
Speak English less than "very well"	122	+/-96
French Creole	4	+/-7
Speak English "very well"	4	+/-7
Speak English less than "very well"	0	+/-29
Italian	367	+/-364
Speak English "very well"	367	+/-364
Speak English less than "very well"	0	+/-29
Portuguese or Portuguese Creole	263	+/-200
Speak English "very well"	243	+/-186
Speak English less than "very well"	20	+/-26
German	1,100	+/-268
Speak English "very well"	999	+/-246
Speak English less than "very well"	101	+/-77
Yiddish	0	+/-29
Speak English "very well"	0	+/-29
Speak English less than "very well"	0	+/-29
Other West Germanic languages	86	+/-71
Speak English "very well"	44	+/-41
Speak English less than "very well"	41	+/-64
Scandinavian languages	77	+/-106
Speak English "very well"	77	+/-106
Speak English less than "very well"	0	+/-29
Greek	90	+/-79
Speak English "very well"	75	+/-78
Speak English less than "very well"	15	+/-26

Example:
Flagstaff, AZ

Pop: 64,361

5% is: 3,218

1,000 or 3,218

Miami, AZ

Pop: 1,920


5% is: 96

1,000 or 96

Limited English Proficiency (LEP)

ADOT Subrecipient On-site Review

- Actions taken based on the Four-Factor Analysis
- Is the process being followed for all FHWA funded projects?
 - Identifying LEP Individuals Who Need Language Assistance
 - Language Assistance Measures (how will language services be provided)
 - Providing Notice to LEP Persons of services available (free of charge)
- Accessibility of Language Assistance services during public meetings.
- Has a program area review been conducted for this process?
- High LEP language - Title VI Complaint Form phone number?

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QUIZ
TIME

What are vital documents that need to be translated?

- A. Collateral containing important information regarding participation in a FHWA or FTA program
- B. Forms that require a response from the public
- C. Notices advising LEP individuals of the availability of free language assistance
- D. All of them

Environmental Justice (EJ)

Fundamental principles of Executive Order 12898 from US DOT:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including interrelated social and economic effects, on **minority populations** and **low-income populations**.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by **minority populations** and **low-income populations**.

Environmental Justice (EJ)

- Equitable distributions of benefits and burdens
- FHWA EJ Directive 6640.23A
- Applies to FHWA recipients of funding
- Promote Public information and Participation in minority and low-income communities



Environmental Justice & Public Involvement

- Meaningful engagement methods for minority and low income populations.
 - Identification of low-income and minority groups within the project area
 - Multiple outreach methods
- Provide more than one method to participate
- Consideration of potential barriers that may exist for low income and minority groups to participate in your programs, services and activities.

Virtual Public Involvement

- How can LEP individuals participate during the meeting?
- Are you providing more than one method to access your virtual meeting?
- Before Public Meeting
 - How are you disseminating the information to EJ & LEP individuals
- During Public Meeting
 - How are you disseminating the Title VI Nondiscrimination Notice to the Public?
 - How is data collected?
- After Public Meeting
 - What does the data collection analysis show about your EJ efforts?
 - What program area reviews have been conducted on the Public Involvement process?

Public Involvement – *ADOT On-site Review*


- Public meeting dissemination efforts
 - Advertisements
 - Project web pages
 - Checklists/Templates
 - Specific efforts made to engage LEP, low-income, and minority individuals

Disseminate Title VI Information

ADOT Subrecipient On-site Review

- Title VI Nondiscrimination Notice to the Public poster locations
- Title VI Nondiscrimination brochures
- Approved FHWA Title VI Nondiscrimination Implementation Plan posted on website
- Notification of Title VI complaint form



A neon sign with the words "QUIZ TIME" in a stylized, bubbly font. The sign is composed of glowing pink and cyan lines. The word "QUIZ" is in pink, and "TIME" is in cyan. The sign is set against a dark blue brick wall background. The sign is enclosed in a rectangular frame made of alternating pink and cyan lines, with a small triangular point at the bottom right corner.

QUIZ
TIME

Where should I have the Title VI Nondiscrimination Notice to the Public posters?

- A. In the main lobby
- B. In the restrooms
- C. In the parking lot
- D. A & C

FHWA/FTA Title VI Implementation Plan Program Elements Required under FTA Circular 4702.1B

Section 4
Demographic Profile
Demographic Maps
Committee Membership
Executive Board Review Approval

Demographic Profile

This section must include a summary of the demographic profile of the metropolitan area.

- Include demographic information of the service area using the most recent census data available


Demographic Maps

This section must include maps that show the impacts of the distribution of state and federal funds in the aggregate for public transportation

- Make sure to include demographic data in the map in addition to funding distribution

Committee Membership

This section must include a table depicting the non-elected committee and council members, broken down by race and description of the process used to encourage the participation of minorities on its committees



Executive Board Review Approval

The plan must include a statement that the Executive Board or Regional Council must review and approve the Title VI Implementation Plan.

- A copy of the minutes indicating such approval must be provided



Annual Goals and Accomplishments Report

- Monitor progress
 - Have the goals from the previous year been met?
- ADOT Subrecipient On-site Review
 - Goals from the previous years and progress from last on-site review

Goals should include:

- **Number of reviews planned for the next year**
 - Program Area Reviews
 - Sub-recipient Reviews
- **Number and description of sessions planned for FHWA Title VI training**
 - Internal (to Agency staff)
 - External (Trainings that the Title VI Coordinator plans on attending)
- **Any other Title VI related goals the Agency anticipates for the upcoming year**

Accomplishments should include:

- **Program Area Reviews**
 - Number of reviews, findings, and actions taken
- **Subrecipient Reviews**
 - Number of reviews, results, and actions taken
- **Training**
 - Number of trainings, topics covered, audience, number of attendees, and follow up (if any)
- **Title VI Complaints**
 - Summary for each complaint, disposition, and current status

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QUIZ
TIME

What counts as an accomplishment?

- A. Adding a translating feature in the Agency's webpage
- B. Conducting program area reviews
- C. Creating a new method for Title VI training delivery
- D. All of them
- E. B & C

Questions?

Important Dates

- August 1, 2023
 - Title VI Implementation Plan
 - Goals and Accomplishments Report
- July 1, 2023 - June 30, 2024
 - Plan is effective for one year
- May 1, 2023 - June 23, 2023
 - Window for Preliminary Reviews

Thank you!



CONTACT US

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Activity

Designing a Title VI Training

