



Title VI Nondiscrimination Program for Certification Acceptance with Federal Highway Administration

Presentation by ADOT External Civil Rights
June 4, 2025

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Agenda

- ADOT Compliance Oversight
- ADOT FHWA Title VI Implementation Plan Checklist
- Title VI Plan Element requirements
- Goals and Accomplishments Report requirements

Title VI of the Civil Rights Act of 1964

“No person in the United States shall, on the ground 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.”

ADOT External Civil Rights (ECR) Title VI Oversight

- Title VI Implementation Plan
- Goals and Accomplishments Report
- On-site Compliance Review
- Partnership and Technical Support
- Annual FHWA Title VI Nondiscrimination Training

Title VI Nondiscrimination Plan

- Describes your Agency's standard operating procedures for how Title VI of the 1964 Civil Rights Act is implemented in your Agency.
 - The processes for your Agency's programs and activities in relation to Title VI.
- User friendly and accessible to members of the public
- Updated annually

Title VI Nondiscrimination Plan

- Policies and procedures for implementation in the current State Fiscal Year
 - State Fiscal Year 2026 Plan
 - July 1, 2025 - June 30, 2026
 - Due to ADOT ECR on August 1, 2025


Title VI Plan Requirement

- ADOT FHWA Title VI Requirements
 - 23 CFR 200.9
 - USDOT Order 1050.2A Assurances
 - 42 USC 2000d
 - 49 CFR. 21.5(b)
- ADOT FHWA Title VI Implementation Plan Checklist

ADOT FHWA Title VI Implementation Plan Checklist - Updates

- Additional details to provide greater clarity
- The requirement for Environmental Justice has been removed, due to the rescission of Executive Order 12898 (Environmental Justice).

Title VI Plan - Elements

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1. Policy Statement
 2. Standard DOT Assurances
 3. Organization & Staffing Notice to the Public
 4. Program Review Procedures
 5. Subrecipient Review Procedures
 6. Data Collection/Reporting/Analysis
 7. Title VI Training
 8. Complaint Procedures
 9. Dissemination of Title VI Information
 - a. Language Assistance
 - b. Public Outreach
 10. Review of CA Directives
 11. Compliance & Enforcement Procedures

1. Policy Statement

The Policy Statement:

- Prohibits discrimination in access to benefits, services, and programs receiving FHWA federal funding
- Ensures an equal opportunity for all individuals



1. Policy Statement

- An express commitment to the Title VI Program
- Specific programs and activities covered by the Title VI Program
- The Agency Title VI Program Coordinator
- A delegation of authority and responsibilities to appropriate Managers



1. Policy Statement

- Circulated throughout the organization and made available to the public
- **The Policy should be signed by the Chief Manager, Chief Executive Officer, or Director of Transportation**
- **Includes basis of Title VI (race, color, national origin)**

2. USDOT Order 1050.2A Assurances

- The agency is assuring ADOT and FHWA that the Agency will adhere to the nondiscrimination policies
- Enforces Title VI compliance procedures
- Prevents Discrimination



2. USDOT Order 1050.2A Assurances in Title VI Nondiscrimination Plans

- Attach the most recently signed USDOT Assurances, including Appendices
- Signed annually, by the head of Agency
 - Head of the operating administration
 - Transportation Director
 - Chief Executive Officer

2. USDOT Order 1050.2A Assurances in FHWA funded contracts

All FHWA funded contracts should include the required Title VI language from USDOT 1050.2A.

1. Attach Appendix [A](#) and [E](#) to all contracts that are federally funded
2. Attach Appendix B, C, & D when applicable (Real Estate)
3. Title VI language paragraph (from page 2 of the USDOT 1050.2A Assurances)

2. USDOT Order 1050.2A Assurances

Title VI/Non-Discrimination Assurances DOT Order No. 1050.2A



3. Organization & Staffing

- This section describes the roles that support the Agency's Title VI program
- Who can be included in the Organization and Staffing section?
 - Staff that work with the public with FHWA funded projects
 - Staff that receive Title VI complaints
 - Staff that assist with Title VI compliance oversight

3. Organization & Staffing



- Identify the Title VI Coordinator within the Agency
- Show how the Title VI Coordinator has direct access to the head of the agency
- Include an Organizational chart
 - Demonstrates the placement of the Title VI Coordinator
 - Includes the name of the Title VI Coordinator

4. Program Area Review Procedures

- This section should describe the Agency's process to conduct Title VI reviews of each of its program areas that receive FHWA funds
 - The program area review should describe how each of its program areas' Title VI effectiveness will be measured.



4. Program Area Review Procedures

- Describe each program area in the Agency's FHWA Title VI program
 - *Example:*
 - Procurement
 - Communications
 - Planning

23 CFR 200.9(b)(5),(6) & (13), 23 CFR 200.9(a)(4)



4. Program Area Review Procedures

- Describe the steps/process that will be followed for a program area review.
 - What activities will be reviewed for the program
- Include when the program review will be conducted, how often, and by whom.

23 CFR 200.9(b)(5),(6) & (13), 23 CFR 200.9(a)(4)



4. Program Area Review Procedures

- Describe how each program will be reviewed for effectiveness with Title VI.
 - Example: Review if Agency Title VI processes are being followed for:
 - public involvement
 - FHWA funded contracts
 - Title VI trainings of staff, consultants, subrecipients

5. Subrecipient Review Procedures

- This section should describe the Agency's process to ensure Title VI compliance of any FHWA subrecipients.
- This section is required even if the Agency does not currently have any subrecipients.



5. Subrecipient Review Procedures

- Describe the activities reviewed
 - What specific activities will be reviewed
 - How will the review determine effectiveness
- Describe how and when subrecipients will receive Title VI training from the Agency
 - When will the Agency provide Title VI training or technical support to their subrecipient

6. Data Collection & Analysis



Data Collection

- Describe how the agency collects Title VI data for all program areas in the Agency's FHWA Title VI program
- Detail what data is collected from each program area

6. Data Collection & Analysis



Data Analysis

- **Title VI Data Analysis involves pairing**
 - Demographic Data + Impact or Benefit
- Explain how Title VI collected data is analyzed/interpreted for Title VI compliance or potential patterns of discrimination

FHWA Data Analysis (Resource)

FHWA website includes a sample data source that gives examples on Title VI data collection and analysis.

[FHWA Title VI Data Source Assessment](#)

6. Data Collection & Analysis - Title VI Analysis

- Example from FHWA Data Resource

Data Description	Public Involvement - Project Area Demographics
External Source	U.S. Census - 5 Year
Title VI Analysis Description	Data is used to compare meeting attendee demographics with the demography surrounding the project.

6. Data Collection & Analysis - Title VI Analysis

- Example from FHWA Data Resource

Data Description	Professional Services Contracts -Selection and Award
External Source	None
Title VI Analysis Description	Data and information used to assess nondiscrimination in the selection and award process. Demographics of all proposers compared to selectees.

7. Title VI Training

- All Agencies should provide Title VI Training to their pertinent staff, annually
 - Staff that interact with the public
 - Staff that work with the FHWA funded projects
 - Staff that oversee FHWA funded contracts
 - This can include subrecipients, contractors, or consultants



7. Title VI Training

- Include the training topics, frequency of training, and who will facilitate the training
 - Include the training process for new employees
- Describe how consultants are informed of the Agency's Title VI processes
- Describe how and when subrecipients will receive Title VI training from the Agency



7. Title VI Training

- Title VI training topics
 - Complaint procedures
 - Language assistance procedures for your Agency
 - Data collection processes (self-id surveys)
- Training can be different depending on how Title VI applies to the position
- Consultants who are doing work on behalf of the Agency must comply to their Agency's Title VI Nondiscrimination plan

8. Complaint Procedures

- This section should describe how the Agency will ensure that Title VI compliance is implemented by all their FHWA subrecipients.
- All FHWA Title VI & ADA complaints are to be forwarded to ADOT for processing, within 72 hours.



8. Complaint Procedures

- Complaint must be filed within 180 days of the alleged discriminatory actions
- Complaints should be in writing and signed; they may be filed by mail, fax, in person, or e-mail
- Include the agency phone number for complainant to call agency to have the complaint allegations transcribed



8. Complaint Procedures

- Include the FHWA, Agency, and ECR contact information
- Agencies should detail the procedures for investigating the complaint and attach the log used for the Title VI investigations
- Agencies must investigate the complaint within 60 days of receipt
- Title VI complaint form

9. Disseminate Title VI Information



- Public Outreach
 - Describe how your Agency provides Title VI information to the public in all its activities using FHWA funds
- Language Assistance
 - Describe how it is disseminated in additional languages, as needed

9. Disseminate Title VI Information



- Public Outreach
 - Describe your Agency's processes to inform the public of Title VI information
 - Informing the public of the protected basis under Title VI and in turn for the project utilizing the FHWA funds.
 - Information on how to file a Title VI complaint against a project

9. Disseminate Title VI Information



- Public Outreach
 - Describe the tools, techniques, and strategies used to involve and educate the public of the project or Title VI information
 - Notice to the Public
 - Describe how your Agency conducts Title VI compliance in virtual public participation

9. Disseminate Title VI Information

Public Outreach

Common methods of dissemination:

- Title VI language on mailers, agendas, etc
- Notice to the Public
- FHWA Title VI Nondiscrimination brochures
- FHWA Title VI Nondiscrimination Implementation Plan posted on website

The Notice to the Public posters should be posted in areas accessible to the public.

ADOT's Notice of Availability of Reasonable Accommodations Language

Pursuant to Title VI of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA) and other nondiscrimination laws and authorities, **ADOT does not discriminate on the basis of race, color, national origin, sex, age, or disability.** Persons that require a reasonable **accommodation based on language** or disability should **contact [contact name] at 855.712.8530 or projects@azdot.gov.** Requests should be made **as early as possible** to ensure the State has an opportunity to address the accommodation.

De acuerdo con el Título VI de la Ley de Derechos Civiles de 1964, la...

9. Disseminate Title VI Information



- Language Assistance
 - Indicate how the agency informs the public that translation and interpretation services can be available.
 - There should be no indications that language assistance will only be available if requested within a specified time frame.
 - Language services should be available, if requested.

9. Disseminate Title VI Information



- Language Assistance
 - The Title VI Plan should include a Four Factor Analysis for the Agency's boundaries.
 - The Title VI Plan should include a statement that a Four Factor Analysis will be conducted on a project by project basis.

9. Disseminate Title VI Information



- Language Assistance
 - Conduct a Four Factor Analysis for the Agency's boundaries.
 - Languages can be gathered using the U.S. Census Bureau table C16001:
<https://data.census.gov/>
 - This data should be renewed annually.
 - Take note of any languages that meet the *Safe Harbor Threshold.

9. Disseminate Title VI Information

- Language Assistance
 - Safe Harbor Threshold - five percent (5%) or 1,000 persons, whichever is less, of the total population

Flagstaff, AZ

Pop: 72,880

5% is: 3,644

1,000 or 3,644

Miami, AZ

Pop: 1,354

5% is: 67

1,000 or 67

Tools for Ensuring Language Assistance

I speak ...

A

Amharic

እኔ አማርኛ ነው ምናገረው.

Arabic

أنا أتحدث اللغة العربية

Armenian

Ես խոսում եմ հայերեն

B

Bengali

আমি বাংলা কথা বলতে পারি

Bosnian

Ja govorim bosanski

Bulgarian

Аз говоря български

Burmese

ကျွန်တော်/ကျွန်မ မြန်မာ လို မြောက်တယ် ပါတယ်။

3



- Translated materials
- I-Speak cards
- Volunteer Bilingual staff
- Vendors for interpretation/translation services
- Online translating resources

9. Disseminate Title VI Information

- Language Assistance

Below are the Four Factors involved in the analysis:

1. Demography - where you gather the data
2. Frequency - determine frequency of the language(s)
3. Importance - determine the importance of the program/activity
4. Resources - what resources are available to your Agency, or available for your project

9. Disseminate Title VI Information - U.S. Census Bureau table C16001

- Language Assistance
 - Languages can be gathered using the U.S. Census Bureau table C16001:
<https://data.census.gov/>
 - Demonstration
 - City of Flagstaff
 - Project boundaries

10. Review of CA Directives

- Agency must also describe process for reconciling issues if directives have Title VI implications.
 - If it is determined to have Title VI implications, then the Agency needs to interpret how the Local Government Directive impacts each program area from a Title VI perspective



10. Review of CA Directives

- Agency must describe the process of reviewing directives for potential Title VI implications.
 - Agency's should periodically review their local directives



11. Compliance and Enforcement Procedures

Purpose of Compliance and Enforcement procedures:

- Ensure Agencies and Agency staff members adhere to the Agency's standards, and internal policies.
- Prevent violations, detects any instances of non-compliance, and takes appropriate actions to address violations and ensure long-term adherence



11. Compliance and Enforcement Procedures

- Describe how the Agency:
 - Identifies the trends and patterns of discrimination.
 - Will address deficiencies or when noncompliance is determined.



Implementation Plan Wrap-Up

- Plan should have the submittal date, and the effective date
- Plan should contain the Agency Title VI Standard Operating Procedures (SOP)
- Agencies will submit a Plan every year, with newly signed FHWA Title VI Assurances and Policy Statement.

Implementation Plan Wrap-Up

- A Four Factor Analysis should be included and updated annually
- Publish the ADOT External Civil Rights approved FHWA Title VI Nondiscrimination Plan on your Agency's public website

Goals and Accomplishments Report

- The “Annual Goals and Accomplishments Report” is where updates and accomplishments should be stated.
- Prepare a yearly report of Title VI **accomplishments** for the past year and **goals** for the next year

Accomplishments should include:

1. **Program Area Reviews** - Number of reviews, results, and actions taken; any corrective actions being taken
2. **Subrecipient Reviews** - Number of reviews, results, and actions taken

Accomplishments should include:

3. **Training** - Number of trainings, topics covered, audience, number of attendees, and follow up (if any)
4. **Title VI Complaints** - Summary for each complaint with current status

Goals should include:

1. Number of reviews planned for the next year
 - Program Area Reviews
 - Sub-recipient Reviews
2. Number and description of sessions planned for FHWA Title VI training
 - Internal (to Agency staff)
 - External (has the Title VI Coordinator attended any trainings)

Goals should include:

3. Any other Title VI related goals the Agency anticipates for the upcoming year



Important Dates

- Implementation Plan due August 1, 2025
 - Assurances must be signed each year
- Goals and Accomplishments due August 1, 2025





Contact US

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