

## FHWA Title VI Implementation Plan Checklist

This checklist details the FHWA Title VI requirements for a Title VI Nondiscrimination Plan for ADOT subrecipients.

Title VI Requirements for Title VI Nondiscrimination Plan	Yes	No	Comments
<p><b>1. <u>POLICY STATEMENT</u></b></p> <ul style="list-style-type: none"> <li>● The policy statement should be signed by the City Manager, Chief Executive Officer, or Director of Transportation.</li> <li>● Includes basis of Title VI (race, color, national origin).</li> </ul>			
<p><b>2. <u>USDOT Order 1050.2A ASSURANCES</u></b></p> <ul style="list-style-type: none"> <li>● Signed annually by the head of the Agency: City Manager, Chief Executive Officer, or Director of Transportation.</li> <li>● Include Assurances A, B, C, D, E.</li> <li>● Include the Agency's name in the Assurances.</li> <li>● USDOT Order 1050.2A should not be altered.</li> </ul> <p><a href="#">23 CFR 200.9(a)(1)</a>, <a href="#">49 CFR 21.7</a> and <a href="#">USDOT Order 1050.2A</a></p>			
<p><b>3. <u>ORGANIZATION &amp; STAFFING</u></b></p> <ul style="list-style-type: none"> <li>● Identify the Title VI Coordinator.</li> <li>● Show how the Title VI Coordinator has direct access to the head of the agency.</li> <li>● Include an Organizational chart that shows the placement of the Title VI Coordinator position.</li> </ul> <p><a href="#">23 CFR 200.9(b)(1)&amp;(2)</a></p>			
<p><b>4. <u>PROGRAM AREA REVIEW PROCEDURES</u></b></p> <ul style="list-style-type: none"> <li>● Describe each program area in the Agency's FHWA Title VI program.</li> <li>● Describe how each program will be reviewed for effectiveness with Title VI.</li> <li>● Describe the steps/process in a transportation-related program review. <ul style="list-style-type: none"> <li>○ Include the activities reviewed for the program.</li> </ul> </li> <li>● Include any program reviews conducted for the PIP or any other transportation plans related to FHWA.</li> <li>● Include when the program review will be conducted, how often, and by whom.</li> </ul> <p><a href="#">23 CFR 200.9(b)(5),(6) &amp; (13)</a> and <a href="#">23 CFR 200.9(a)(4)</a></p>			
<p><b>5. <u>SUBRECIPIENT REVIEW</u></b></p> <ul style="list-style-type: none"> <li>● If the Agency does have FHWA subrecipients: <ul style="list-style-type: none"> <li>○ List all FHWA subrecipients.</li> </ul> </li> </ul>			

<ul style="list-style-type: none"> <li>○ Include how often subrecipients are reviewed. <ul style="list-style-type: none"> <li>■ Describe the types of reviews and its purpose.</li> <li>■ Describe the activities reviewed.</li> </ul> </li> <li>○ Describe how and when subrecipients will receive Title VI training from the Agency.</li> <li>● If the Agency does not have any FHWA subrecipients: <ul style="list-style-type: none"> <li>○ Include a statement that the Agency does not currently have any subrecipients.</li> </ul> </li> </ul> <p>23 CFR 200.9(b)(7)</p>			
<p><b>6. <u>DATA COLLECTION/REPORTING/ANALYSIS</u></b></p> <p><b><u>Data Collection</u></b></p> <ul style="list-style-type: none"> <li>● Describe how the agency collects Title VI data for any/all program areas in the Agency’s FHWA Title VI program.</li> <li>● Detail what Title VI data is collected from each program area.</li> </ul> <p><b><u>Data Analysis</u></b></p> <ul style="list-style-type: none"> <li>● Describe how and when the data is analyzed. <ul style="list-style-type: none"> <li>○ Title VI analysis involves pairing. Demographics + Impact or Benefit.</li> </ul> </li> <li>● Explain how Title VI collected data is analyzed or interpreted for Title VI compliance or patterns of discrimination.</li> </ul> <p><b>Note:</b> Please see the <a href="#">FHWA Title VI - Sample Data Sources Assessment</a> for examples of data collection and analysis. 23 CFR 200.9(b)(4)</p>			
<p><b>7. <u>TITLE VI TRAINING</u></b></p> <ul style="list-style-type: none"> <li>● Include the <u>topics</u> in the Title VI training, the <u>frequency</u> of training to all pertinent Agency staff, and include who is responsible for <u>facilitating</u> the training.</li> <li>● Include the Title VI training processes for new employees, if any.</li> <li>● Describe how consultants are informed of the Agency’s Title VI processes.</li> </ul> <p>23 CFR 200.9(b)(9)</p>			
<p><b>8. <u>TITLE VI COMPLAINT FORM AND PROCEDURES</u></b></p> <ul style="list-style-type: none"> <li>● Complaint must be filed within 180 days of the alleged discriminatory actions.</li> <li>● Agency must forward all FHWA Title VI complaints to ECR within 72 hours of receipt.</li> <li>● Complaints should be in writing and signed; they may be filed by mail, fax, in person, or e-mail.</li> <li>● Include the agency phone number for the complainant to call the agency to have the complaint allegations transcribed and then send a written complaint to the complainant for a signature.</li> </ul>			

<ul style="list-style-type: none"> <li>● Include the FHWA, Agency, and ECR contact information.</li> <li>● A complaint form should contain at least the following information: <ul style="list-style-type: none"> <li>○ A written explanation of what has happened.</li> <li>○ A way to contact the complainant.</li> <li>○ The basis of the complaint (e.g., race, color, national origin).</li> <li>○ The identification of a specific person/people and the respondent (e.g., agency/organization) alleged to have discriminated.</li> <li>○ Sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives FHWA funds; a consultant, contractor or sub-recipient of Agency.</li> <li>○ The date(s) of the alleged discriminatory act(s) became known to the complainant or the last date of the incident.</li> </ul> </li> <li>● A statement that a complaint log will be maintained including the basis; 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.</li> <li>● Consider having a complaint form in any language that meets the Safe Harbor Threshold.</li> </ul> <p><b>General Note:</b> FHWA retention for Title VI discrimination investigative case files and complaint logs is 4 (four) years.  <a href="#">23 CFR 200.9(b)(3)</a></p>			
<p><b>9. <u>DISSEMINATION OF TITLE VI INFORMATION</u></b></p> <p><b>PUBLIC OUTREACH</b></p> <ul style="list-style-type: none"> <li>● Describe your Agency’s processes to inform the public of Title VI information, include any tools, techniques, or strategies used to involve and educate the public of the project or Title VI information: <ul style="list-style-type: none"> <li>○ Informing the public of the protected basis under Title VI and in turn for the project utilizing the FHWA funds.</li> <li>○ Information on how to file a Title VI complaint against a project.</li> </ul> </li> </ul> <p><b>NOTICE TO THE PUBLIC</b></p> <ul style="list-style-type: none"> <li>○ Include the name and contact information of the Title VI Coordinator.</li> <li>○ Indicate where in the office the notice(s) of the public is located. Example: front desk, lobby, etc.</li> <li>○ Include bases of Title VI (race, color, national origin).</li> <li>○ Include information on filing a Title VI complaint.</li> </ul> <p><b>VIRTUAL PUBLIC INVOLVEMENT (VPI)</b></p> <ul style="list-style-type: none"> <li>○ Describe how your Agency conducts Title VI compliance in virtual public outreach.</li> </ul>			

<p><b>LANGUAGE ASSISTANCE</b></p> <ul style="list-style-type: none"> <li>● Describe the method that the agency will follow in order to assess language needs for their FHWA funded activities. <ul style="list-style-type: none"> <li>○ A Four Factor Analysis is encouraged to assess language needs but it is not required. <ul style="list-style-type: none"> <li>■ Languages can be gathered using the U.S. Census Bureau table C16001: <a href="https://data.census.gov/">https://data.census.gov/</a>.</li> <li>■ Include the most recent data available.</li> <li>■ Take note of any languages that meet the *Safe Harbor Threshold.</li> <li>■ For languages that include "unspecified" languages, you can include the Agency's data if you are aware of what these specific languages are.</li> </ul> </li> </ul> </li> <li>● Describe how the Agency will record all language requested services.</li> <li>● Describe the tools and resources that the Agency will utilize to provide language services.</li> <li>● Indicate how the agency informs the public that translation and interpretation services can be available.</li> <li>● 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.</li> </ul> <p>23 CFR 200.9(b)(12)</p>			
<p><b>10. <u>REVIEW OF CA DIRECTIVES</u></b></p> <ul style="list-style-type: none"> <li>● Describe the process of reviewing directives for potential Title V noncompliance implications.</li> <li>● Describe the process for reconciling issues if directives have Title VI implications.</li> </ul> <p>23 CFR 200.9(b)(8)</p>			
<p><b>11. <u>COMPLIANCE AND ENFORCEMENT PROCEDURES</u></b></p> <ul style="list-style-type: none"> <li>● Describe how the Agency identifies the trends and patterns of discrimination.</li> <li>● Describe how the Agency will address deficiencies or when noncompliance is determined.</li> </ul> <p>23 CFR 200.9(b)(14) &amp; (15)</p>			