



Title VI Program Implementation Plan Requirements

Certified Local Agency Training
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U.S Department of Justice, Understanding and Abiding by Title VI of the Civil Rights Act of 1964

Video: <https://vimeo.com/6123163>



Topic Overview

- Civil Rights Act of 1964
- Title VI Implementation Plan Requirements
- Annual Accomplishments Report
- Reporting Timeline
- ADA Transition Plan
- Resources



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.

(Pub. L. 88-352, title VI, §601, July 2, 1964, 78 Stat. 252.)



President Lyndon B. Johnson signs the Civil Rights Act of 1964. (AP Photo)



Title VI Implementation Plan





What is an Implementation Plan?

- Title VI Implementation Plans are used to ensure compliance with Title VI of the Civil Rights Act of 1964, and to give Certified Local Agency (CLA) employees, members of the general public, ODOT and the FHWA a consistent and easy to understand “roadmap” of the CLA’s Title VI program.
- A Federal-aid recipient must have a formal plan to prevent discrimination in **all** of its programs and activities.





Why do I Need a Title VI Implementation Plan?

- All ODOT subrecipients of FHWA funds are required to submit a Title VI Implementation Plan to the ODOT Office of Civil Rights that complies with the reporting requirements of 49 CFR part 21.
- These requirements are in place to ensure that there is a relationship between ODOT and its Subrecipients; allowing a review process of these documents to show that the spirit and intent of the Title VI of the Civil Rights Act of 1964 is being met.





How do I Build a Title VI Implementation Plan?

12 Required Elements:

1. Assurance Document
2. Policy Statement
3. Organization & Staffing
4. Program Review Procedures
5. Subrecipient Review Procedures
6. Data Collection/Reporting/Analysis
7. Title VI Training
8. Complaint Procedure
9. Public Participation
10. Environmental Justice Procedures
11. Compliance and Enforcement Procedures
12. Limited English Proficiency Plan



Annual Accomplishments Report



What is an Annual Accomplishment Report?

- Certified Local Agencies who are required to submit a Title VI Plan, must also prepare an Annual Accomplishments Report (AAR). This report documents the Title VI Program compliance activities related to transportation projects as well as any changes that occurred during the year.
- The AAR must be submitted to the ODOT Office of Civil Rights.





How do I Build an Annual Accomplishment Report?

3 Required Elements:

1. **Goals and Accomplishments**
2. **Changes/Updates**
3. **Data Analysis of Title VI Data**



Title VI Reporting Timeline

Implementation
Plan

Every 3 years

Accomplishments
Report

Annually

Onsite Review

Every 3 years





Americans with Disabilities Act

Federal-aid Essentials for Local Public Agencies

Video: <https://www.fhwa.dot.gov/federal-aidessentials/catmod.cfm?id=32>





What is The Americans with Disabilities Act?

- The Americans with Disabilities Act (ADA) is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public. The purpose of the law is to make sure that people with disabilities have the same rights and opportunities as everyone else.

(ADA National Network)



What are ADA Transition Plans?

- ADA Transition Plans identify actions needed on your projects to correct barriers to individuals with disabilities. The transition plan is developed by CLAs via the means of a self-evaluation.
- This plan itemizes structural barriers and details the necessary steps and timetable to complete required modifications identified in the self-evaluation. It is a “living” document that you must update as often as necessary to make sure that all modifications have been completed.



Who Needs an ADA Transition Plan?

- Public entities with 50 or more employees (including part-time and full-time employees) are required to develop a transition plan detailing any structural changes that would be undertaken to achieve program access and specifying a time frame for their completion.





How do I Build a Transition Plan?

4 Required Elements:

1. Barriers
2. Modifications
3. Steps
4. Timetables





Transition Plan Essentials

- CLAs must designate at least one responsible employee to coordinate ADA compliance and include their contact information in the Transition Plan.
- CLAs must provide an opportunity for interested individuals to participate in the self-evaluation and transition planning processes by submitting comments.
- CLAs should ensure they evaluate all critical areas.
- CLAs must submit the Transition Plan to ODOT Office of Civil Rights.





Conclusion

Three separate “living documents” that must be regularly updated and submitted to the ODOT Office of Civil Rights.

1. Title VI Implementation Plan-Every 3 Years
2. Accomplishments Reports-Annually
3. ADA Transition Plan-On Going





Thank you.

Helpful Resources:

Limited English Proficiency (LEP)

<https://www.lep.gov>

Federal Highway Administration Office of Civil Rights

<https://www.fhwa.dot.gov/civilrights>

Oregon Dept. of Transportation Office of Civil Rights

<https://www.oregon.gov/odot/business/ocr/pages/index.aspx>

Oregon Dept. of Transportation Local Government

<https://www.oregon.gov/ODOT/LocalGov/Pages/index.aspx>

U.S Department of Health & Human Services Office of Civil Rights fact sheet on Section 504 of the Rehabilitation Act

<http://www.hhs.gov/ocr/civilrights/resources/factsheets/504.pdf>



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Session Sources:

23 CFR Part 200 – Title VI Program and Related Statutes-
Implementation and Review Procedures

49 CFR part 21- Nondiscrimination in Federally-Assisted
Programs of the Department of Transportation-Effectuation of
Title VI of the Civil Rights Act of 1964

U.S. Department of Transportation
www.fhwa.dot.gov/federal-aidessentials

National Network Information, Guidance, and Training on the
Americans with Disabilities Act
<https://adata.org/learn-about-ada>

U.S. Department of Justice Civil Rights Division
https://www.ada.gov/regs2010/titleII_2010/title_ii_primer.html#responsibilities