



FY 2019-2020 Title VI/Nondiscrimination Annual Work Plan & Accomplishment Report

Civil Rights Division

January 30, 2020

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Introduction

The Texas Department of Transportation (TxDOT), as a recipient of Federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person shall on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment per 42 U.S.C. § 2000d-3), color, national origin, sex, age or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any Department programs or activities.

This report updates the Federal Highway Administration (FHWA) Texas Division Office on an annual basis regarding how TxDOT is monitoring the implementation of the Title VI/Nondiscrimination Plan. In accordance with Title 23 Code of Federal Regulations (CFR) 200.9 and FHWA's Title VI/Nondiscrimination Program, this report documents TxDOT's Title VI Program accomplishments for fiscal year (FY) 2019 and goals for FY 2020.

FY 2019 Accomplishments

In FY 2018, FHWA identified shortfalls with meeting all the timelines for goals set for that FY. In response, TxDOT worked with FHWA to identify those areas of the Title VI program that needed immediate assistance. On April 19, 2018, the Executive Director for TxDOT sent an email to Division Directors and District Engineers to inform them of the Title VI program and requirements and reemphasize the obligation of Title VI compliance in all TxDOT programs and activities. The Title VI Program Administrator reminded DD Liaisons of this correspondence from the Executive Director during all the Program Area Review meetings held in Spring/Summer FY 19.

While prioritizing the accomplishments, TxDOT worked with FHWA to develop target goals in the FY 19 Action Plan. A detailed breakdown of all the action items within the FY 2019 Title VI/Nondiscrimination Plan and a status of the deliverables for each item are included in Table 1.

Table 1. Action Items Identified in the FY 19 Plan

Create and Administer Internal Title VI Training				
Action Item	Due Date & Working Timeline	Participants	Goals	Completed Task (yes or FY20)
Schedule Title VI Assessment & Strategy Meetings	Ongoing	CIV I-Team Title VI Liaisons	Establish an interdisciplinary team that meets on a quarterly basis, or more frequently when needed.	Yes
<i>Status: In August 2018, CIV reached out to Districts and Divisions to reengage the Title VI liaisons and I-Team to assist CIV in the implementation of the Title VI program. On September 4, 2018, the first Title VI liaison training was held via WebEx. CIV held the following Quarterly meetings in FY 19 via WebEx: first Quarterly meeting of FY19 held on-location, from the Houston District on December 11, 2018; the second Quarterly meeting on March 19, 2019; the third Quarterly meeting on June 27, 2019, and the fourth Quarterly meeting on September 26, 2019. The quarterly meetings provide an open dialogue between the liaisons and CIV about specific details in the Title VI program.</i>				
Develop Presentation(s)	(FY 2018-2019)	CIV	Additional Internal Title VI training will be developed based on input obtained from Title VI liaisons and information within federal guidelines	Yes
<i>Status: Developed a presentation from FHWA training materials and existing presentations for webinar with subrecipients that was held on August 8, 2018. In FY 2019, the Title VI Program Administrator developed numerous presentations tailored to the audience needs. In FY 2019, the Title VI Program Administrator visited with 11 Divisions and seven Districts to provide training to Title VI liaisons, discuss data collection, and Title VI program objectives. On August 28 and 29, 2019, CIV's Title VI team and FHWA's Resource Center Specialist on Title VI provided training; the first day targeted TxDOT staff the first day; and</i>				

the second day targeted subrecipients. The topics on both days included the basics of Title VI with class exercises to evaluate scenarios for the application of Title VI. In addition, the subrecipient training included an introduction to the Compliance Assessment Tool for Subrecipients.

Schedule Training/Info Webinars	(FY 2019)	CIV	Tentative Classroom/Webinar Training Schedule submitted for TxDOT's Title VI/ADA Subrecipient Training	Yes
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Status: CIV conducted Title VI training with FHWA for Local Public Agencies (LPAs) and TxDOT employees who work with local agencies on August 29, 2019. During the training, the CIV Title VI team provided a framework for the newly developed Compliance Assessment Tool and supporting documentation. The Title VI and ADA Administrators have been coordinating with the Local Government Office within TxDOT to identify the LPAs with active projects in the program.

Update Brochures & Posters	(FY 2019)	CIV	Additional documents and content will be added to the website as they are ready and approved for print and distribution	Yes
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Status: The Title VI posters and brochures have been delivered to the District and Division offices. The Title VI liaisons were the point of contact to receive the information via interoffice mail. These materials are now being shared on the CIV website as a PDF for download. The overall website information is under review for up-to-date and user-friendly content. For additional information on the brochure and poster roll-out, see Title VI Meetings with Liaisons section, pgs. 10-11.

Update Website	(FY 2019)	CIV	Additional documents and content will be added to the website as they are ready and approved for uploading	Yes
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Status: CIV evaluated TxDOT Title VI information and outreach materials on the website for clear and current content. CIV continues to update the website, as needed.

Identify other resources that will be helpful to the Title VI Program	Ongoing	CIV	Identify contacts at other DOTs at WASHTO Civil Rights Conf. in Austin. Conduct Peer Exchange with Florida Department of Transportation (FDOT) and identify best practices for TxDOT's Title VI Program Implementation.	Yes
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Status: Title VI Program Administrator reviewed previous data collection efforts from the various program areas. Based on this information, he conducted interdisciplinary team meetings with the Divisions to provide an overview of the Title VI program and gain a better understanding of the various Divisions. The Title VI Program Administrator also met with five Districts to talk about the Title VI program, review the questionnaire, and assist the Title VI liaisons with identifying points of contact for the information request. The WASHTO Civil Rights Conference, held in March, was a great success and provided networking opportunities with FHWA and other state DOTs. The Title VI Program Administrator shared information on TxDOT's Title VI program implementation and gained a new perspective on other Title VI programs around the country. CIV conducted a Peer Exchange with FDOT and FHWA in April 2019. For additional information, see External Monitoring Program section, page 15.

Create and Administer External Title VI Training

Schedule 2019 Title VI Training	(FY 2019)	CIV Title VI Liaisons LPAs	Training held at least once fiscal year with additional training held when possible	Yes
<p>Status: CIV conducted a one-day Title VI training with FHWA for LPAs on August 29, 2019. TxDOT covered the basics of Title VI, CIV rolled out the new compliance assessment tool, reviewed the online questionnaire and introduced the self-certification process for Title VI in 2020.</p>				
Develop Presentation(s)	Ongoing	CIV GCD	Develop Title VI Training for availability on TxDOT's external website: www.txdot.gov .	Yes
<p>Status: The Title VI Program Administrator developed a variety of presentations from FHWA training materials and Title VI guidelines. In FY 2019, CIV began presenting information internally at TxDOT and externally to agencies on the Title VI program. Based on the Compliance Assessment Tool for Subrecipients, CIV will modify training modules for external consumption on the website. Prior to posting the information, CIV will evaluate if General Counsel Division (GCD) should do a legal review. During the Florida peer exchange, the CIV team identified a similar training module used by FDOT. FDOT's online training serves as a model for TxDOT's initiative that is under further development. The training provided to subrecipients on August 29th will be on TxDOT's external website.</p>				
Schedule Training/Info Webinars	(FY 2019)	CIV	After approved and branded, training will be available on TxDOT.GOV. In addition, there is a tentative schedule for TxDOT's ADA/Title VI Subrecipient Monitoring Training. A copy will be included in the Accomplishment Report for 2019.	Yes
<p>Status: Developed training materials for webinar to talk through the TxDOT guidance for LPAs. An LPA training schedule is not available yet. However, the Title VI Program Administrator is available for guidance and training opportunities upon request. Alamo Community College contacted CIV in November to provide training and guidance on implementing a Title VI program. Following the Peer Exchange, CIV worked with IMD to develop questions for the Compliance Assessment Tool. Associated guidance and templates are under development. For more information on subrecipient regional training, refer to the FY 20 goals section of this report.</p>				
Update Brochures, Posters, & Memos	Ongoing	CIV Liaisons	Additional documents and content will be added to the website as they are ready and approved for print and distribution	Yes
<p>Status: The Title VI posters and brochures were delivered to all District and Division offices. Prior to the mail out, the new materials were shared with the Title VI liaisons on December 11th and again on March 19th. Title VI liaisons distributed the materials, advised on where to display the materials at their offices, and have been performing "spot checks" for the information. The Title VI posters and brochures have been placed on the website as a PDF for download. The Distribution included: 100 English/50 Spanish Title VI Posters, 1,000 English/1,500 Spanish Brochures, and 700 Title VI postcards that are double-sided English with Spanish translation.</p>				
Review/Update	(FY 2019)	CIV	Combine Title VI with ADA in a	No

the Technical Assistance Guide			Subrecipient Technical Assistance Guide	
<p><i>Status: The CIV Title VI team has been revising the <u>Technical Assistance Guide for Subrecipients</u> for consistency with the new Compliance Assessment Tool. The guidance will provide a detailed description of the requirement and the information necessary to fill out the online interactive questionnaire. Title VI plan templates will be provided to LPAs in order to complete and submit any deficient information requested in the Compliance Assessment Tool. Following the peer exchange with FDOT, Program Administrators for ADA and Title VI met to discuss the blending of Title VI and ADA questionnaire to accommodate LPAs while informing them of all their requirements. The first opportunity for consolidating some information will be in 2020 at the earliest. Regional training opportunities for Title VI and ADA will be available to LPAs and upon request.</i></p>				
Internal Program Review				
CIV will draft internal guidance document (memorandum) to all internal program areas reiterating the requirements of Title VI and internal reviews.	(FY 2019)	CIV Marc Williams Bill Hale	Distribute correspondence to all internal program areas.	Yes
<p><i>Status: TxDOT Executive Director sent an email to Division Directors and District Engineers on April 19, 2018, highlighting the Title VI program and the reporting requirements performed by CIV.</i></p>				
Identify documents that should be reviewed for compliance	(FY 2019)	CIV I-Team Title VI Liaisons	Review strategy based on input from other DOT's Title VI programs and Title VI federal guidance.	Yes
<p><i>Status: The Strategy meetings began in December 2018 with Program Areas to provide a better understanding of TxDOT documentation that should be evaluated for language compliant with Title VI requirements and associated regulations. Based on the meetings, the Title VI Program Administrator identified documentation in CST, TPP, ROW, and ENV for language and criteria that should be evaluated for Title VI.</i></p>				
Develop a plan, strategy and process for this document review	(FY 2019)	CIV I-Team Title VI Liaisons	Developing a plan based on input from other DOT's Title VI programs and Title VI federal guidance.	Yes
<p><i>Status: Based on the evaluation of program specific documentation, CIV worked in a collaborative effort with Divisions to develop questions and schedule for reviews to be summarized in the Accomplishments and Goals Report.</i></p>				
Complete Document Reviews	(FY 2019)	CIV	Will complete document reviews after the plan, strategy, and process is complete.	FY 20
<p><i>Status: CIV identified documentation for review and is working with the Divisions to revise Title VI language to current standards. A complete summary of findings will be included in the FY 20 Accomplishments and Goals Report.</i></p>				

Review Construction Proposals	(FY 2019)	CIV I-Team Title VI Liaisons CST & Districts	Will get with Division liaison to randomly select 3 construction proposals of various dollar amounts from each District for consistency with Title VI Program requirements.	Yes
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Status: The Title VI Program Administrator has been meeting with CST and select Districts to better understand the process and documentation associated with RFQs, RFPs, and letting projects for construction.

External Program Reviews

Build a combined subrecipient list	Ongoing	CIV	Update the Subrecipient List	Yes
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Status: The Title VI Program Administrator has been meeting with TxDOT's Local Government Office to develop the most accurate list of active subrecipients receiving federal funding. The current list includes government agencies with active or initiated funding agreements with TxDOT. A best practice identified during the FDOT peer exchange is the requirement for LPAs to initiate a certification process for ADA and Title VI. The self-certification process requirement will eliminate the need for CIV to request a list but rather maintain an active list of LPAs with active funding agreements and verifying their compliance through the Compliance Assessment Tool results.

Title VI Reviews	(FY 2019)	Subrecipients (Cities, Counties, & MPOs)	Evaluating the process and list for subrecipient reviews.	Yes
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Status: In April of FY 2019, CIV conducted a Peer Exchange with FDOT and FHWA. The outcome of the Peer Exchange included the Subrecipient Compliance Assessment Tool (SCAT) program as a best practice. CIV returned to Texas and began developing a TxDOT specific Title VI questionnaire that will be available online. The questionnaire will be combined with ADA questions, already established. The online platform will allow CIV to gauge a larger audience of subrecipients, determine where the agency is deficient, and provide technical assistance necessary to have a compliant Title VI Program.

CIV Program Desk Audit

Conduct research on how other DOTs are collecting /analyzing data and revising Title VI Technical Guidance	Ongoing	CIV	Research DOTs with established Title VI programs for identifying best practices and specific monitoring criteria to share with Program Area leadership and I-Team. Collectively develop criteria for surveying the various program areas and the Districts.	FY 20
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Status: The Title VI Program Administrator has been reviewing previous Title VI monitoring questionnaires and surveys for relevant information to be carried forward in future data collection activities. Meetings with liaisons were held once a quarter on December 11th, March 19th, June 27th, and September 26th. I-Team meetings with liaisons and staff were held with 11 Divisions and five Districts. Information during these meetings included an overview of the Title VI program at TxDOT and a discussion of the content of the questionnaire to be further developed for data collection. The data collection for DD will not

be a “one size fits all”, but rather a tailored list of questions targeting how Title VI applies to that work group function. The I-Team meetings provide a better understanding of the Title VI Program to Divisions and serve as a collaboration tool for the FY 19 Accomplishments and Goals Reporting. The next steps include an electronic reporting platform for each office to input their Title VI data to be included in the reporting.

Title VI Reminder at TxDOT Leadership Meeting	Ongoing	Division Directors and District Engineers	Appear regularly on agenda for Senior Leadership Meetings with Division Directors and District Engineers	Yes
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Status: CIV met with Division Directors, District Engineers, and other Senior Leaders on July 10, 2018, as a follow up to the Executive Director’s email on April 19th.

Plan and schedule Implementation	Ongoing	CIV, Program Area leadership, I-Team	Plan and schedule Implementation of reviews.	Yes
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Status: The I-Team meetings established the criteria for the Program Review Questionnaires. The sampling criterion has been established for each program area and generally for the five selected Districts. The questionnaire information will be distributed through the liaisons to their respective offices. An informally established return date was established between CIV and the liaisons for October 1st. The Title VI Program Administrator answered questions and provided guidance to ensure the data was returned to CIV for analysis in the Accomplishments and Goals Report. CIV is developing the capability for liaisons to report electronically to CIV.

CIV will review/analyze each desk audit response	Ongoing	CIV I-Team Title VI Liaisons	Complete reviews as part of the 2019 Title VI Nondiscrimination Plan.	Yes
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Status: Once CIV receives the data, the Title VI Program Administrator reviews the responses and prepares a summary of findings for the Accomplishments and Goals Report. Examples for program Review Questionnaire responses are included as Attachment 9.

CIV will submit questions/issues to the Title VI Liaisons.	Ongoing	CIV I-Team Title VI Liaisons	Developing review process based on input from internal liaisons and other DOT’s and FHWA Title VI guidance.	Yes
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Status: The Title VI Program Administrator conducted interdisciplinary visits with 11 Divisions and five Districts to develop program review questions. If any issues are identified in questionnaire responses back to CIV, the Title VI Program Administrator will prepare a corrective action plan for the Division Director or District Engineer. The corrective action plan will address the remedy for the issue and a timeline for correction. Increased awareness of Title VI was one of the primary objectives in FY 2019. The Title VI Program Administrator works closely with liaisons to check-in, identify, and resolve potential issues before the August 31st deadline.

CIV will prioritize, program areas and complete extended	Ongoing	CIV	Will develop and prioritize plan based on the results from reviews in 2019 and the goal set in the	Yes
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audits.			2020 Title VI Nondiscrimination Plan.	
<p><i>Status: FHWA approved the FY 20 Title VI/Nondiscrimination Plan on November 14, 2019. CIV continues to provide updates to FHWA on the progress of and milestones met in the Title VI program. The Title VI Program Administrator is working with ENV, ROW, and CST to address areas of further training in those divisions and update guidance document language. The guidance document edits will further identify when to involve considerations for Title VI.</i></p>				

Title VI/Nondiscrimination Accomplishments

This section contains the Title VI/Nondiscrimination accomplishments of TxDOT's Civil Rights Division (CIV) that are not included in the following sections: *Internal Monitoring Program, External Monitoring Program, Title VI/Nondiscrimination Training Summary, Title VI/Nondiscrimination Complaints Summary, or Limited English Proficiency.*

Dissemination of Title VI Information

TxDOT's website was updated to ensure Title VI information is readily accessible to the public. The website informs the public of their rights under Title VI as well as provides information on how to file a complaint with a downloadable complaint form. Title VI information available on TxDOT's Web site includes:

- TxDOT's *Title VI/Nondiscrimination Plan*
- Title VI Nondiscrimination Agreement between TxDOT and FHWA
- Title VI and Related Statutes Nondiscrimination Statement (English and Spanish)
- Title VI Nondiscrimination Assurances
- TxDOT's *Title VI/Nondiscrimination Annual Work Plan & Accomplishment Report*
- TxDOT's *External Discrimination Complaint Form* (English and Spanish)
- Title VI Poster (new; developed in FY 2019)
- *Title VI Requirements for Subrecipients* (new; developed in FY 2018)
- TxDOT's *Title VI/Nondiscrimination Technical Assistance Guide for Subrecipients*
- *Limited English Proficiency document* (new; developed in FY 2017)
- TxDOT's *Language Assistance Plan*

Title VI Liaisons

Personnel from program areas within each of the 34 divisions and 25 districts serve as Title VI liaisons. They are responsible for ensuring Title VI compliance in their respective vocational area through promoting awareness, policy development, procedures, and program monitoring. The Title VI Interdisciplinary-Team (I-Team) is comprised of program area Title VI liaisons and identified subject matter experts (SMEs) working with the Title VI Program Administrator at CIV.

At the beginning of each fiscal year, CIV requests the designation of one or two employees from each District and Division (DD) to serve as the Title VI liaison(s) for the next fiscal year. For FY 2019, CIV sent out an email prior to the first Quarterly Meeting in December 2018 to reestablish points of contact for liaisons in each DD. A list of Title VI liaisons in the various offices is included in ***Attachment 1.***

Title VI Meetings with Liaisons

Quarterly Meetings

The Title VI Program Administrator reestablished points of contact with DDs in November and conducted the first Title VI Quarterly Meeting of FY 19 from the Houston District on December 11th. Quarterly meetings with DD liaisons are designed to:

- Cover topics detailed in the FY Title VI/Nondiscrimination Plan;
- Provide updates on milestones met regarding the Title VI Program goals;
- Discuss case studies and scenarios for Title VI related issues as preventative measures for preventing discrimination;
- Notify liaisons of upcoming Civil Rights training and conferences;
- Advise liaisons of reporting requirements;
- Create an open forum between the CIV Team and DD liaisons to openly discuss issues and answer questions related to Title VI; and
- Allow CIV to identify areas to improve the Title VI Program.

A summary of the Quarterly Meetings are as follows:

Quarterly Meeting 1 (December 11, 2019):

During the first quarterly meeting, the new look for Title VI posters and brochures were shared with Title VI liaisons, see ***Attachment 2***. Liaisons were notified they were the point of contact for their respective offices and to expect arrival of the information through interoffice mail. Liaisons were advised to display the posters in areas where TxDOT is most likely to interact with the public; such as an office lobby, sign in table, or receptionist area. The Title VI Program Administrator introduced the newly adopted plan for FY 2019 and reviewed changes made from the previous FY 2018 plan. CIV provided a brief overview of Limited English Proficiency (LEP) requirements, how TxDOT complies with E.O. 13166, and translation services available at TxDOT through a purchase order in Procurement Division.

Quarterly Meeting 2 (March 19, 2019):

In the second quarterly meeting, DD liaisons were asked to provide feedback on the distribution of Title VI Posters and Brochures. Liaisons commented on whether or not they received the information through interoffice shipment. CIV reminded liaisons about display criteria and urged liaisons to do “spot checks” around their office to make sure posters were up. Title VI Program Administrator talked about the WASHTO Civil Rights Conference in Austin. He provided a synopsis of the of two Title VI sessions at the conference, including data collection and analysis and a review of two case studies pertaining to Title VI. CIV provided a link for liaisons to view all the information from the conference if they were unable to attend. The strategy for FY19 Title VI Program Area review was discussed with liaisons that included District reviews. CIV introduced the new process for LEP reporting and

provided reporting guidance procedures. CIV notified liaisons that LEP training was scheduled for the first week of April to review program requirements, methodically and go through the new procedures for reporting on SharePoint.

Quarterly Meeting 3 (June 27, 2019):

In the third quarterly meeting, the implementation of FY19 Title VI/Nondiscrimination Plan was discussed with DD liaisons. Specifically, the Program Areas and District review processes were discussed and the importance of reporting was stressed by the Title VI Program Administrator and FHWA's Civil Rights Specialist. CIV reported on TxDOT's experience at the peer exchange with FDOT including best practices, strategies, and identifiable areas for innovation. CIV indicated the big take-away for the Title VI Program was the guidance and technical assistance program provided to Florida subrecipients. Liaisons were then notified of a one-day training opportunity to be conducted by FHWA and CIV in August. CIV then conducted a refresher training for LEP reporting on the SharePoint site.

Quarterly Meeting 4 (September 26, 2019):

The fourth and final FFY 19 quarterly meeting discussed the Title VI trainings held in August and liaisons were reminded of the availability of presentation slides in CIV's Title VI intranet page on Crossroads. Title VI liaisons were encouraged to discuss the training and share their experience. A part two, to the training in August is planned for Spring/Summer of 2020. CIV then reviewed the new technical assistance program for subrecipients that will be launched in 2020. The remainder of the meeting was an open dialogue between CIV and Title VI liaisons providing input on Title VI Program successes, areas for improvement, and the overall awareness of Title VI at TxDOT.

A copy of the agenda, presentation slides, and meeting notes are included as ***Attachment 3***. The agendas are provided to the liaisons through the webinar invite and presentation slides and notes are provided to liaisons after the meeting and on the CIV webpage under Title VI.

Internal Monitoring Program

This section describes CIV's FY 2019 accomplishments and FY 2020 goals related to internal monitoring, including the data collection and Limited English Proficient (LEP) components, of TxDOT's Title VI program.

Federal Program Area Reviews Conducted During FY 2019

In FY19, in coordination with FHWA, CIV established a goal for further development of program area reviews in FY 20. In FY 19, CIV met with TxDOT's Construction (CST), Design, (DES) Environmental (ENV), Maintenance (MNT), Planning & Public Involvement (TPP), Professional Engineering Procurement Services (PEPS), Public Transportation (PTN), Right of Way (ROW), Travel (TRV), Procurement (PRO), and Research and Technology (RTI) Divisions. In FY 19, CIV also established an annual district office rotation to include five districts selected for a Title VI program review. The five Districts for FY 19 included: San Antonio (SAT), Laredo (LRD), Pharr (PHR), Corpus Christi (CRP), and Yoakum (YKM).

Interdisciplinary Meetings FY 19

The Title VI Interdisciplinary Team (I-Team) at TxDOT is comprised of CIV staff, and DD liaisons selected for a Title VI program review that fiscal year. The I-Team supports CIV with Title VI compliance by:

- Identifying activities that may have potential Title VI impacts;
- Promoting Title VI awareness in their respective offices;
- Providing technical assistance to CIV;
- Coordinating Title VI compliance reviews conducted in DDs;
- Self-monitoring and implementation of corrective;
- Documenting Title VI activities identified in the Nondiscrimination Plan;
- Referring Title VI allegations and complaints to CIV for further investigation;
- Ensuring the collection and analysis of statistical data to determine transportation investment benefits and burdens; and
- Developing Title VI information for public dissemination and, where appropriate, in languages other than English.

DDs are identified for a program review during development of the Goals and Accomplishments report for the previous year. DDs can also be selected during a FY if a Title VI issue is identified. During the reporting period, the Title VI Program Administrator schedules meetings with the DDs to renew the basic understanding of Title VI and review the requirements under the current Title VI Plan. The second half of the meeting is intended to review the reporting questionnaire with subject matter experts (SMEs). A follow-up meeting is sometimes scheduled to have all the SMEs and working groups within an office represented during the questionnaire completion. The objective is to evaluate the questions for relevancy and create a collaborative effort to complete the questionnaire and develop areas to evaluate the following fiscal years. A copy of a presentation from a Title VI Program

Review meeting is included as **Attachment 4**. A summary of all the Program Review meetings is included in Table 1.

Table 2. FY 19 I-Team Program Review Meetings

I-Team		Date
Divisions	CST	2/13/19
	PEPS & FIN	2/14/19
	ROW & RTI	2/25/19
	PTN	2/26/19
	MNT	3/11/19
	TPP & TRV	3/25/19
	PRO	4/08/19
	DES	4/09/19
Districts	CRP	6/17/19
	SAT	6/20/19
	LRD	6/24/19
	YKM	7/01/19
	PHR	7/02/19

Limited English Proficiency

Each DD is required to develop its own plan for providing language assistance to address the needs of the LEP population it serves. Annually, each DD must reevaluate the changes in demographics, services and programs, and other factors that should be considered when determining LEP needs. Monitoring and evaluating the accessibility and quality of language assistance needs of LEP persons ensures that LEP persons can meaningfully access agency programs and activities. This annual assessment will help guide DDs in determining what changes, if any, are needed to update their LEP plans. CIV conducted LEP Training on April 9, 2019, to review the standard operating procedure created for LEP reporting on the SharePoint site. The training was a requirement for DD LEP contacts and Title VI liaisons to attend. A copy of the training materials is included as **Attachment 5**.

Each DD is responsible for submitting quarterly reports to CIV documenting the number of LEP individuals served and the type of service provided. CIV works with DDs throughout the year to ensure the LEP requirements are met and reported quarterly and annually to the FHWA.

Title VI Contract Requirements

In FY 2019, CIV verified with the Construction Division (CST), Professional Engineering Procurement Services Division (PEPS), and Procurement Division (PRO) that the required nondiscrimination language and provisions were included in contract templates. In FY 20 CIV will continue to work with Divisions in each federal program area to ensure implementation of contracting requirements is met.

External Monitoring Program

This section describes CIV's accomplishments in FY 2019 and goals for FY 2020 for ensuring subrecipients' compliance with Title VI.

Subrecipient Monitoring Program FY 2019

TxDOT is required under 23 CFR 200.9(b)(7) to conduct Title VI compliance reviews of cities, counties, planning agencies, and other subrecipients of federal financial assistance. The previous review process included official notification, a desk audit, the issuance of a report of findings, and recommendations, if applicable. The difficulty with the desk audit method was that it allowed for a limited review of subrecipients around the state. Florida Department of Transportation (FDOT) has successfully adopted a program that utilizes an interactive online tool to monitor compliance and identify subrecipients in need of immediate assistance. A peer exchange was sponsored by FHWA to visit FDOT and gain a better perspective on how FDOT manages their external monitoring program.

Results of the Peer Exchange in FY 2019

The objective of the peer exchange in April was to develop and identify innovative strategies used in FDOT's Title VI program for potential implementation at TxDOT. CIV realized easily accessible goals should be quickly executed in the short term, but long-term planning strategies were needed for proper implementation of the proposed External Monitoring Program. CIV observed FDOT's Civil Rights Office and the Local Government Program work very closely with one another to provide a comprehensive service to Florida subrecipients.

The benefits of an internal working relationship with TxDOT's own Local Governments Office were quickly realized as a result of this peer exchange. TxDOT made a decision to shift from a compliance heavy approach to a more technical assistance focused role with the LPAs. This new approach will facilitate more subrecipients reviews and help CIV to better identify agencies that need technical assistance to establish a Title VI Program. During this reporting period, CIV has been developing its Title VI Compliance Assessment Tool for subrecipients which includes guidance and forms. Additional information on this peer exchange is included as ***Attachment 6***.

Monitoring of Subrecipients

Achieving Title VI compliance is a cooperative effort between TxDOT and local public agencies (LPAs) acting as the subrecipient. The *Title VI Compliance Assessment Tool Technical Assistance Guide* will be developed as a resource to assist subrecipients in understanding and complying with the requirements of Title VI and navigating the compliance assessment tool. This guide will be available on TxDOT's Web site at: <http://www.txdot.gov/inside-txdot/division/civil-rights/title-vi.html>.

Implementation

The Title VI Compliance Assessment Tool will be an interactive process that guides the subrecipient through a list of nine questions aimed at documenting Title VI compliance and necessary for self certification. Questions from the compliance assessment tool include:

1. Does your Agency have a signed Title VI Policy Statement and Title VI Assurances?
2. Does your Agency have a current Title VI/Nondiscrimination Plan?
3. Does your Agency have a Title VI Coordinator?
4. Does your agency have an external discrimination complaint handling and processing procedure?
5. Does your agency include Title VI contract provisions in solicitations, contracts and awards?
6. How does your agency ensure that Limited English Proficient (LEP) individuals have access to the agency's programs and services? (Requirements are described under the four-factor analysis in [Executive Order 13166](#). Additional resources are found at www.lep.gov)
7. What outreach efforts does your Agency utilize to solicit input from minority populations within your jurisdictional boundaries in order to ensure nondiscrimination in its public participation process?
8. Identify data collection resources for analyzing demographic information in the areas within your jurisdictional boundaries.
9. How does your agency advise the public of Title VI/Nondiscrimination policies and procedures?

Subrecipients will provide answers to questions and provide supporting documentation through the online tool. TxDOT will provide technical assistance to subrecipients in the process of achieving self-certification and periodically verify agency compliance with onsite technical assistance visits. Self-certification for Title VI compliance is a three-year reoccurring process in cooperation with TxDOT's Local Government Office. Maintaining compliance with Title VI will be the responsibility of the subrecipient. TxDOT will provide technical and program assistance to those subrecipients who are unable to demonstrate compliance after completing the compliance assessment tool. TxDOT will provide templates and guidance necessary to bring the LPA's Title VI program into compliance. Once technical assistance has been provided, the LPA will have a 90-day period to correct any Title VI program deficiencies. In the event a LPA fails or refuses to produce information demonstrating compliance with Title VI, the LPA may be subject to:

- Terminating further technical assistance provided by TxDOT until remedial actions have been taken; and
- Referral of the findings to FHWA for further investigation.

If a subrecipient receives a discrimination complaint, it is the obligation of the LPA to notify TxDOT. TxDOT will be required to evaluate allegations and conduct investigation for Title VI. The complaint handling procedures and findings will be in cooperation with FHWA guidance under 23 CFR Part 200. A sample of the Compliance Assessment Tool is included as *Attachment 7*.

Title VI/Nondiscrimination Training Summary during FY 2019

On November 7, 2018, the Title VI Program Administrator provided training on Title VI and TxDOT's subrecipient program to Alamo Community College. The training included a detailed explanation of the desk audit review criteria found in the Title VI/Nondiscrimination Technical Guidance for Subrecipients.

CIV staff provided Title VI basic training briefings to five district offices and ten divisions during program review meetings in FY 2019. Upon request, CIV provided Title VI basic training to the Houston and Tyler District liaisons and staff. In July 2019, the Title VI Program Administrator was invited to the San Antonio District Supervisor's Meeting where he provided a Title VI and LEP program overview and answered questions.

On August 28 and 29, 2019, CIV hosted Title VI training in cooperation with FHWA's Resource Center. Mohamed Dumbuya, a Civil Rights Specialist with FHWA co-presented with CIV's Title VI Team. The information provided covered Title VI requirements, basic applications of Title VI, and the identification and resolution of potential Title VI issues. The first day was exclusive to TxDOT staff and the second day was intended for local governments and TxDOT staff that work with local governments. The first day of training had 98 registered with 28 additional folks participating through WebEx. The second day had 102 participants registered. The training flyers, program and sign-in sheets for both days are included in **Attachment 8**. Training materials are available to subrecipients and other external users through the TxDOT website at www.txdot.gov. The objective is to create a greater awareness of the Title VI program at TxDOT and eliminate any discriminatory practices, whether intentional or unintentional, through education and awareness.

The Title VI Program Administrator also developed a Title VI briefing with corresponding notes for Title VI liaisons to clearly communicate with other TxDOT staff about Title VI. The briefing assists liaisons representing the program and provides every TxDOT employee the basic understanding of Title VI requirements. The presentation has currently been used by liaisons in three Districts with positive results reported back during the fourth Quarterly Meeting.

CIV developed training for all TxDOT employees to create a basic understanding of Title VI requirements and the TxDOT Title VI/Nondiscrimination Plan. In FY 20, CIV will work with Enterprise Learning Management (ELM) to build a training module for internal use.

Title VI/Nondiscrimination Complaints Summary

Complaints can be received by CIV, a DD, or through TxDOT's Customer Service Tracking and Reporting System used to track complaints submitted by citizens, businesses, and public officials. If discrimination was alleged by the public, that complaint is transferred to CIV for processing.

In FY 19, CIV did not receive any external discrimination complaints.

FY 2020 Goals

While administering the FY19 Plan, the Title VI Program Administrator developed what the goals would be in FY 20. A detailed breakdown of all the action items identified within the FY 2020 Title VI/Nondiscrimination Plan and associated deliverables are included in Table 3.

Table 3. Action Items Identified as Goals in the FY 20 Plan

Create and Administer Internal Title VI Training			
Action Item	Due Date & Working Timeline	Participants	Goals
Schedule Title VI Assessment & Strategy Meetings	Ongoing	CIV I-Team Title VI Liaisons	Establish and interdisciplinary team that meets on a quarterly basis or more frequently when needed.
<p><i>Status: CIV held the first Quarterly meeting of FY 20 with Title VI liaisons and LEP contacts. Three other Quarterly meetings will be held throughout FY20 in March, June and September. The agendas will be developed from the liaison and I-Team input, topics in the Title VI/Nondiscrimination Plan, Program Review updates, and training and conferences pertaining to Title VI. The quarterly meetings will continue to provide an open dialogue between the liaisons and CIV about the Title VI program and keep liaisons informed.</i></p>			
Develop Presentation(s)	(FY 2020)	CIV	Additional Title VI training will be developed based on input obtained from Title VI liaisons and information within federal guidelines
<p><i>Status: In FY20 TxDOT will host a complementary Title VI training from concepts presented on August 28th and 29th in FY19. The topics will include data collection and analysis with practical applications. Title VI briefings for Title VI liaisons to provide to TxDOT staff were developed by CIV that includes presentation slides and corresponding notes. The information was piloted by the YKM, PHR and CRP Districts in FY 19 with great success. The Goal in FY20 is to require more liaisons to brief TxDOT staff over a two year period. In FY 20 CIV will provide course material to Enterprise Learning Management (ELM) to build a training module for internal us.</i></p>			
Schedule Training/Info Webinars	(FY 2020)	CIV	Tentative Classroom/Webinar Training Schedule submitted for TxDOT's Title VI/ADA Subrecipient Training
<p><i>Status: The Title VI and ADA Administrators have been coordinating with the Local Government Office within TxDOT to identify the LPAs with active projects and revise language in the Advanced funding Agreements. In 2020 CIV plans to host Title VI/ADA regional training in five locations around the State. The program will be piloted for one year before becoming a requirement in FY 2021. In the new subrecipient program, the agency will fill out the compliance assessment tool, allowing CIV to identify which LPA is in the most need of technical assistance for Title VI and ADA. Technical assistance will involve provided guidance and templates necessary to move a noncompliant Title VI Program into compliance.</i></p>			
Update Brochures & Posters	(FY 2020)	CIV	Additional documents and content will be added to the website as they are ready and approved for print and distribution

Status: The Title VI posters and brochures have been updated and delivered to the District and Division office and shared on the CIV website as a pdf for download. The Title VI liaisons will identify if additional Posters and Brochures are needed and CIV will send materials through inter-office mail. CIV has identified additional need for LEP awareness and I-Team development and is working with Title VI liaisons to develop the content.

Update Website	(FY 2020)	CIV	Additional documents and content will be added to the website as they are ready and approved for uploading
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Status: CIV will continue to evaluate the need for modifications and anticipates a new configuration in 2020.

Identify other resources that will be helpful to the Title VI Program	Ongoing	CIV	Identify contacts at other DOTs at WASHTO Civil Rights Conf. in Austin. Conduct Peer Exchange with FDOT and identify best practices for TxDOT's Title VI Program Implementation.
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Status: In FY19, Title VI Program Administrator established a working relationship with FDOT's Title VI Coordinator and civil rights specialist at FHWA. In FY20, he will continue to reach out to other DOTs where best practices have been identified for FY21 Goals.

Create and Administer External Title VI Training

Schedule 2020 Title VI Training	(FY 2020)	CIV Title VI Liaisons LPAs	Training held at least once fiscal year with additional training held when possible
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Status: The ADA and Title VI Administrators are planning to conduct five regional trainings for subrecipients in 2020. CIV is also working with TxDOT's Local Governments Office to implement the Compliance Assessment Tool as a requirement for LPAs with active funding agreements. Agency certification process will be based on a three-year period.

Develop Presentation(s)	Ongoing	CIV GCD	Develop Title VI Training for availability on TxDOT's external website: www.txdot.gov .
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Status: The Title VI training last August 29th will be posted and available to the public. Based on the Compliance Assessment Tool for Subrecipients, CIV will modify training modules for external consumption on the website. Prior to posting the information, CIV will evaluate if GCD should do a legal review. Title VI and ADA Administrators are developing the curriculum for regional training in five locations around the State with full implementation by 2021.

Schedule Training/Info Webinars	(FY 2020)	CIV	After approved and branded, training will be available on TxDOT.GOV. In addition, there is a tentative schedule for TxDOT's ADA / Title VI Subrecipient Monitoring Training. A copy will be included in the Accomplishment Report.
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Status: The Title VI Program Administrator has developed training materials and is available for guidance and training opportunities upon request. CIV will conduct regional Title VI training in 2020 and eventually make the Compliance Assessment Tool a requirement for the LPA participating in the Local Government Certification Program.

Update Brochures, Posters, & Memos	Ongoing	CIV Liaisons	Additional documents and content will be added to the website as they are ready and approved for print and distribution
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<i>Status: CIV will continue to track the distribution of posters and brochures and develop new Title VI awareness materials for the LPA regional training.</i>			
Review/Update the Technical Assistance Guide	(FY 2020)	CIV	Combine Title VI with ADA in a Subrecipient Technical Assistance Guide
<i>Status: The CIV Title VI team is finalizing the <u>Technical Assistance Guide for Subrecipients</u> and program templates that accompany the Compliance Assessment Tool. The guidance will provide a detailed description of the requirements and the information necessary to fill out the online interactive questionnaire.</i>			
<u>Internal Program Review</u>			
CIV will draft internal guidance document (memorandum) to all internal program areas reiterating the requirements of Title VI and internal reviews.	(FY 2020)	CIV ADM	Distribute correspondence to all internal program areas.
<i>Status: TxDOT Administration will send out a reminder of the requirements for Title VI, prior to distribution of Program Reviews. The reminder will highlight TxDOT's Title VI Plan and Program and the reporting requirements performed by Civil Rights Division.</i>			
Identify documents that should be reviewed for compliance	(FY 2020)	CIV I-Team Title VI Liaisons	Review strategy based on input from other DOT's Title VI programs and Title VI federal guidance.
<i>Status: CIV will continue to develop the Title VI program with liaisons and I-Team and identify other potential areas for review in the upcoming FY 20 Program Reviews.</i>			
Develop a plan, strategy and process for this document review	(FY 2020)	CIV I-Team Title VI Liaisons	Developing a plan based on input from other DOT's Title VI programs and Title VI federal guidance.
<i>Status: CIV is creating electronic questionnaire for submission for Program reviews. The submission would be tracked on CIV SharePoint site and identify those offices who haven't submitted information.</i>			
Complete Document Reviews	(FY 2020)	CIV	Will finish document reviews after the plan, strategy, and process are completed.
<i>Status: CIV will be selecting documentation for review and the summary of findings will be included in the FY 20 Accomplishments and Goals Report.</i>			
Review Construction Proposals	(FY 2020)	CIV I-Team Title VI	Will get with Division liaison to randomly select three construction proposals of various dollar amounts from each District for consistency with

		Liaisons CST & Districts	Title VI Program requirements.
<p><i>Status: The Title VI Program Administrator will continue to meet with Construction Division to better understand the process and documentation associated with RFQs, RFPs and letting projects for construction. He will finalize a schedule for an annual documentation review. Results from this process will be described in detail in the FY20 Accomplishments Report.</i></p>			
External Program Reviews			
Build a combined subrecipient list	Ongoing	CIV	Update the Subrecipient List
<p><i>Status: In coordination with TxDOT's Local Government Office, CIV has been developing a list of active subrecipients receiving federal funding through Advanced Funding Agreements. Local Government Office and CIV are collaborating on a strategy to make the Title VI/ADA Compliance Assessment Tool a requirement for three year agency certification. The agency certification process requirement will eliminate the need for CIV to request a future list but rather maintain a current list of LPAs with active funding agreements. CIV role will be to verify Title VI Program compliance through the Compliance Assessment Tool results and providing technical assistance.</i></p>			
Title VI Reviews	(FY 2020)	Subrecipients (Cities, Counties, & MPOs)	Evaluating the process and list for subrecipient reviews and assistance.
<p><i>Status: CIV is further developing the Compliance Assessment Tool to include ADA. Title VI and ADA Program Administrators are working on notification to be sent to LPAs with active funding agreements, prior to the regional training in 2020. The early notification will allow the LPAs time to complete the Compliance Assessment Tool and identify agencies that need technical assistance at the regional training. CIV will pilot a minimum of 20 subrecipients through the Compliance Assessment Tool and provide technical assistance in FY 2020.</i></p>			
CIV Program Desk Audit			
Conduct research on how other DOTs are collecting/analyzing data and revising Title VI Technical Guidance	Ongoing	CIV	Research DOTs with established Title VI programs for identifying best practices and specific monitoring criteria to share with Program Area leadership and I-Team. Collectively develop criteria for surveying the various program areas and the Districts.
<p><i>Status: CIV will continue to evaluate collection methods of other DOTs. CIV is further developing an electronic reporting platform for each office to input their Title VI data to be included in the reporting. This was identified during the Florida Peer Exchange in April of 2019. Internal electronic reporting is goal for FY20 reporting period.</i></p>			
Title VI Reminder at TxDOT Leadership Meeting	Ongoing	Division Directors and District Engineers	Appear regularly on agenda for Senior Leadership Meetings with Division Directors and District Engineers
<p><i>Status: In October 2019, FHWA Division Administrator provided a reminder of the Title VI program at the TxDOT Senior</i></p>			

Leadership Meeting prior to Short Course. FHWA urged Districts and Divisions to identify issues early and work with the Title VI Program Administrator to resolve any Title VI issues early before it rises to the level of a complaint. As a result, Districts and Divisions have been contacting CIV to work early on identified issues that may have Title VI implications.

Plan and schedule Implementation	Ongoing	CIV, Program Area leadership, I-Team	Plan and schedule Implementation of reviews.
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Status: The Title VI Program Administrator will cover FY 20 Program Reviews in the first Quarterly meeting with liaisons on December of 2019.

CIV will review/analyze each desk audit response	Ongoing	CIV I-Team Title VI Liaisons	Complete reviews as part of the 2020 Title VI Nondiscrimination Plan.
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Status: Once the data has been received, the Title VI Program Administrator will review the responses and prepare a summary of findings for the Accomplishments and Goals Report for FY 20.

CIV will submit questions/issues to the Title VI Liaisons.	Ongoing	CIV I-Team Title VI Liaisons	Developing review process based on input from internal liaisons and other DOT's and FHWA Title VI guidance.
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Status: The Title VI Program Administrator will schedule Program Review visits with I-Team in the Spring of 2020.

CIV will prioritize, program areas and complete extended audits.	Ongoing	CIV	Will develop and prioritize plan based on the results from reviews in 2020 and the goal set in the 2021 Title VI Nondiscrimination Plan.
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Status: Based on the FY20 Goals and CIV will continue to provide updates to FHWA on the progress of and milestones met in the Title VI program. The Title VI Program Administrator and liaisons will identify goals to be set throughout FY20.

Goals and Action Plan (FY 2020)

Construction Division

The Construction Division (CST) performs inspection testing and provides administrative oversight for all department construction contracts. The division is responsible for contractor pre-qualification, bid proposal issuance and awarding (letting) construction and maintenance contracts. CST provides consultation to districts on project management, administration, inspection, and testing throughout the project life cycle. CST will monitor construction project work for practices that adhere to the Title VI/Nondiscrimination Plan. They will ensure that policies and procedures for monitoring construction activities, reviewing and approving change orders, and inspections are all applied in a nondiscriminatory manner.

CST Goals for FY 2020

Topics for internal review with the I-Team will include:

- Information regarding TxDOT mitigation commitments made during the environmental process, documented in the final engineering plan set, and the practices for completion of the task during construction to fulfill those commitments;
- Data regarding procedures for temporary traffic and pedestrian routing during phasing of construction to preserve pedestrian and ADA access;
- Demographic profiles of project areas under construction and internal procedures for maintaining Title VI compliance; and
- Title VI complaints received regarding construction process or specific projects around the State.

Title VI Liaison

The Division Resource Management Analyst has been designated as the liaison to serve on the I-Team after the previous liaison retired in August 2019.

Training

CIV will coordinate with the Title VI liaison to schedule a Title VI briefing and facilitate a discussion with CST staff to review previously developed questions on the Title VI Questionnaire. CIV is working on an electronic reporting platform for the program area Questionnaire to be provided in FY20. The information sharing meeting will provide CIV with a better understanding of CST functional areas and how Title VI needs to be considered within CST.

Contract Administration

Special Provision 000–002, Nondiscrimination, which includes the required language from the U.S. DOT Standard Title VI Assurances, is programmed to automatically include the required language in each proposal and contract.

Limited English Proficiency

In FY19, CST will continue to submit quarterly reports to CIV for LEP services provided, interactions, and complaints. CST will also evaluate the office LEP Plan for effectiveness and evaluate consistency with guidance in the Language Assistance Plan from CIV.

Complaints

CST immediately reports any concern or complaint regarding Title VI to CIV.

Data Collection

CIV and the I-Team will work with CST to review standardized questions across all Federal Program areas and develop tailored questions specifically for CST in an electronic questionnaire. The data will be collected to further analyze potential Title VI issues throughout the construction process.

Design Division

The Design Division (DES) guides the development of construction projects from conception to the release of detailed plans for construction bidding. DES prepares construction contracts for bid in most areas of highway design-from roadway geometrics to landscape design. DES will assure that all aspects of the design phase, including final design are executed in accordance with the TxDOT Title VI/Nondiscrimination Plan. The design process includes solicitation of proposals, consultant selection, preliminary design work, development of alternatives on larger projects, and finalizing the design before a project goes to letting for construction. The design process requires effective outreach strategies to solicit and incorporate, where practicable, input from the public to be considered into the final design.

DES Goals for FY 2020

Topics for internal review with the I-Team will include:

- Data on consultant contracts including award amounts and demographic data on consultant firm ownership;
- Number of public meetings and public hearings held during the design phase and in what proximity to the project area;
- Demographic profile of project area under design and internal procedures for maintaining Title VI compliance; and
- Title VI complaints received regarding transportation planning or public involvement process conducted during the design phase of a project.

Title VI Liaison

A Landscape Architect is designated as the Title VI liaison to serve on the I-Team.

Training

CIV will coordinate with the Title VI liaison to schedule Title VI training and facilitate a discussion with DES staff to better understand the functions of DES operations. The information sharing will provide CIV with a better understanding of DES functional areas and how Title VI needs to be considered within DES. The Title VI liaison attended the Title VI training held on August 28, 2019. CIV invited the FHWA's Resource Center to return in FY 20 to hold a Title VI Data Collection and Analysis training. DES staff took Consultant Management and Administration classes, which includes language and direction regarding Title VI Nondiscrimination compliance.

Dissemination of Title VI Information

Title VI information is included in manuals, contracts, etc.

Complaints

DES works with districts to address accessibility requests or complaints on state roadways and TxDOT facilities. DES reports Title VI issues to CIV and identifies the district in which the complaint originated.

Contract Administration

DES follows the TxDOT's Professional Engineering Procurement Services Division (PEPS) procedures regarding the bidding and award process to ensure it is being conducted in a Title VI Nondiscrimination compliant manner. Additionally, DES utilizes standard contracts developed by PEPS, which includes the required language from the U.S. DOT Standard Title VI Assurances in the Terms and Conditions.

Operations Manual

Manuals developed include Title VI language to ensure nondiscrimination and are made available on TxDOT's website.

Planning and Public Involvement

Preliminary mapping and analysis has been conducted to determine effectiveness of project delivery of Statewide Curb Ramp projects to ensure project locations adequately serve minority and low-income populations.

The *Project Development Process Manual* includes sections outline procedures for public meetings and public hearings. These sections include information on obtaining public input on a project and incorporating that input into the project's design and development. Project managers are tasked with including, but not limited to, checking the MPO's public involvement requirements and if the project is in an area with a predominant LEP population, publishing meeting notices in a non-English language, and having an interpreter at the meeting.

Not every design project includes public participation and the process may change from one project to the next.

Limited English Proficiency

If required, bilingual staff fluent in Spanish and Greek will be utilized to assist in communicating with LEP individuals. Additionally, in coordinating public meetings in an area with a predominant LEP population, staff will publish meeting notices in English and in the predominant non-English language, and will also have an interpreter at the meeting. A review of the LEP implementation plan will be done annually for any changes and updates that may be necessary.

Data Collection

The Statewide Curb Ramp Program is part of TxDOT's ADA Transition plan, wherein the agency conducted a 'self-assessment' and developed a plan to bring our system and services into compliance. The aim of this program is to upgrade all pedestrian facilities on the state highway system to ensure that no one is denied benefits or services because of their race, color, national origin, sex, age, or disability.

The analysis should examine the four criteria:

- Population Density with the presumption that larger population areas have higher overall pedestrian activity.
- Average Household Income provides evidence of communities that are more dependent on public transit or utilizing the sidewalk as a means of travel. It is imperative that curb ramp and sidewalk projects are constructed to benefit the most users.
- USA Median Age evaluates the population of older groups that may be more dependent on ADA compliant facilities than a younger population. However, a younger population is also an indication of children and prioritizing safe routes to schools
- USA Diversity Index identifies areas of high minority populations. This does not provide specific race or national origin of a community.

The projects will be analyzed to make sure that they were being done in areas where the most need is anticipated and the Title VI populations benefit from the program in a manner that is nondiscriminatory. Monitoring demographic data and project distribution may reveal techniques to provide the greatest benefit.

Environmental Affairs Division

The Environmental Affairs Division (ENV) will assure that the environmental effects of a project and the proposed mitigation measures to offset the impacts are developed in accordance with the TxDOT Title VI/Nondiscrimination Plan. The NEPA process, Title VI of the Civil Rights Act and related statutes, and Executive Orders on EJ and LEP are incorporated in the environmental process to ensure nondiscrimination and identify and address any disproportionately high health and environmental impacts to minority and low-income populations and LEP populations. Furthermore, the environmental process considers all social, economic, and environmental effects of a proposed project to preemptively identify any Title VI issues that may exist. Environmental Affairs Division will ensure a reasonable study area is developed for assessing community impacts and that potential impact to minority and low-income populations is considered in the type of environmental documentation done on a project. Once a project receives environmental clearance, the mitigation commitments are clearly documented in environmental document, plans for construction, Environmental Permits, Issues and Commitment (EPIC) sheets and any other associated permits. Commitments must be met and verified prior to the final acceptance of a project in the final sequence of construction. Because there is a substantial time gap between the beginning and end of an environmental commitment, TxDOT Districts must ensure that commitments are communicated from the time of environmental clearance through the maintenance, and operation of the facility.

ENV Goals for FY 2019

Some considerations for internal review that will be a topic with the I-Team include:

- The methods for identifying minority populations and conducting a community impact assessment reports for Title VI purposes;
- The number and types of environmental clearances performed (CE, EA or EIS);
- Data on the demographics of public meeting participation and representative attendance from the community being impacted by a proposed project;
- Strategies for engaging minority and Limited English Proficiency populations for reducing any barriers that may exist in the transportation decision-making process;
- Procedures followed during the environmental process to incorporate formal and informal public comments into the transportation decision-making process; and
- Title VI complaints received regarding the environmental process or public involvement conducted during the environmental review phase of a project.

Title VI Liaison

An Environmental Specialist who is a subject matter expert in community impacts has been designated as the Title VI liaison and serves on the Title VI I-Team.

Training

CIV will coordinate the Title VI liaison to schedule Title VI training and facilitate a discussion with ENV staff to better understand the functions of all ENV operations. The information sharing will provide CIV with a better understanding of ENV functional areas and how Title VI needs to be considered within ENV. The liaison and seven other ENV staff attended the Title VI training on August 28th and provided positive feedback during the fourth Quarterly meeting. The FHWA Resource Center and CIV are scheduling a data collection and analysis training in FY 20 to increase the overall understanding and evaluation for Title VI in projects.

Dissemination of Title VI Information

ENV displays the Title VI poster in the Division office and provides a Title VI information and brochure upon request or directs the requester to TxDOT's CIV Web page.

Complaints

If complaints are received, ENV would immediately report to CIV and identify the district project in which the complaint is originating.

Contract Administration

Contract Services Division (CSD) and PRO templates are utilized to ensure that bid proposals and consultant contracts include the required Title VI language.

Procurement

For each Request for Proposal (RFP), a HUB goal is established. All proposals are posted on the Electronic State Business Daily and strongly encourage HUB usage. All Division scientific services contracts are set with a 26% goal based upon guidance received from CIV. The actual Hub-Subcontracting Plan that is submitted with the proposal determines the actual HUB goal which varies by contract.

Operations Manual and Planning and Public Involvement

The Environmental Compliance Toolkits, produced by the division and available on TxDOT's website, specifically focus on preparing environmental documentation for projects. There are two manuals in the toolkit that address Title VI compliance: the *Environmental Handbook for Public Involvement* and the *Environmental Handbook for Community Impacts, Environmental Justice, Limited English Proficiency and Title VI*. Operating manuals are reviewed and updated accordingly; the Public Involvement Handbook was updated in June 2017. Coordination is also done with the TxDOT's Public Involvement section to develop and deliver effective public participation plans that include all population groups.

Project sponsors can follow established procedures to implement the Executive Orders on EJ and LEP in the development of environmental documents for a proposed project.

Community impacts specialists also review environmental documents to assess the adequacy of these efforts to explain to a community. The compliance review program also

verifies that that compliance with the Executive Orders is adequately documented in the project record.

Planning and Public Involvement

Procedures are established for project sponsors to follow in order to identify Title VI populations and ensure their participation in the development of environmental documents. Environmental impact criteria identify when public meetings and hearings are required, including notice requirements and basic conduct of the meeting. Project sponsors (or consultants) must also develop responses to comments from members of the public. Environmental documents must describe the efforts to address comments made by the public, agencies, and stakeholders and received within a comment period. Maps are often incorporated into environmental documentation to illustrate impacts and proposed mitigation. Environmental Assessments (EAs) and Environmental Impact Statements (EIS) are always made available to the public for review before a Finding of No Significant Impact (FONSI) or Record of Decision (ROD) are made respectively. The EIS process consists of two phases that result in a Draft EIS and a Final EIS before the ROD.

Limited English Proficiency

The FY19 LEP Annual Report indicated that there were no LEP encounters throughout the year. The Title VI Program Administrator met with the ENV Title VI liaison and determined the LEP encounters are being tracked and reported at the District level. Staff are available to translate Spanish written and orally. A review of the LEP implementation plan is completed annually for any changes and updates that may be necessary.

Data Collection

Data is collected and analyzed on a project-by-project basis. Project sponsors (either the TxDOT District or an LPA) collect demographic information from the U.S. Census and poverty guideline information from the U.S. Department of Health and Human Services (DHHS). These sources may be supplemented with other information, if appropriate for the particular project. This data is analyzed to describe the population affected by the project and to determine if any impacts may be disproportionately borne by EJ populations. The data and analysis are recorded in the project file for each project and summarized in the environmental documentation.

Environmental Justice Plan/Process

Procedures require project sponsors to use the most recent Census data and the poverty threshold established by DHHS when identifying minority and low-income populations. Project sponsors are encouraged to supplement this data with data from other sources as well as field observations, when appropriate, and when data is available. Project sponsors must identify minority, low-income, and LEP populations, and must develop appropriate outreach strategies for these groups when conducting public participation.

Maintenance Division

The Maintenance Division (MNT) oversees the preservation, upkeep, inspection, evaluation, and restoration of all Texas highways and right-of-way. MNT also coordinates TxDOT's maintenance contracts, manages Safety Rest Areas, various vegetation management programs, the Pits and Quarries Program, and provides support and guidance to TxDOT districts during natural disasters and emergencies. MNT will monitor maintenance projects and activities for practices that adhere to the Title VI/Nondiscrimination Plan. MNT will ensure that policies and procedures for monitoring maintenance activities are applied in a nondiscriminatory manner.

MNT Goals for FY 2020

Some considerations for internal review that will be a topic with the I-Team include:

- Demographic profiles of project areas identified for maintenance activities and internal procedures for maintaining Title VI compliance.
- Data regarding procedures for temporary traffic and pedestrian routing during maintenance activities to preserve pedestrian and ADA access;
- Title VI complaints received regarding maintenance process or specific projects around the State.

Title VI Liaison

The current designated Title VI liaison is the Deputy Division Director who also serves on the I-Team.

Training

CIV will coordinate the current Title VI liaison to schedule FY 20 Title VI training and facilitated discussion for a better understanding of functions in MNT operations. The continued informational sharing between CIV and MNT will provide a better understanding of functional areas where Title VI needs a consideration. MNT did not have representation at the August 28th Title VI training with FHWA and CIV. However, the Title VI Program Administrator extended the offer to conduct half-day makeup Title VI training early in calendar 2020 and prior to the data collection and analysis training later next spring/summer. MNT liaison has asked to be in the makeup Title VI training.

Complaints

If Title VI issues are identified or a complaint is received, MNT would immediately report to CIV and the district in which the complaint is originating.

Contract Administration

Special Provision 000–002, Nondiscrimination, which includes the required language from the U.S. DOT Standard Title VI Assurances, is programmed to automatically include the required language in each proposal and contract that is Federally Funded.

Limited English Proficiency

The FY 19 LEP Annual Report indicated that there were no LEP encounters throughout the year. LEP encounters do not happen often. However, Spanish is a language most often encountered. Employees are utilized to assist in providing language assistance as necessary and the PRO has statewide contracts with purchase orders for translation services. Additionally, in FY 19, quarterly reports were submitted to CIV. A review of the LEP implementation plan will be done annually for any changes and updates that may be necessary.

Data Collection

TxDOT's statewide maintenance operations are a fully state funded program. However, disaster relief contracts are federally funded. The maintenance program covers all 254 counties. The state highway system has approximately 200,000 lane miles throughout all the counties in Texas. Routine maintenance work is performed on all these lane miles. Because of the nature and breadth of the maintenance program it's not always feasible to perform demographic data collection on every maintenance activity. However, CIV will work with MNT to develop a threshold for looking at larger maintenance projects and studying the distribution of these projects in historically underserved areas of the state.

Planning Division

The Transportation Planning/Programming Division (TPP) has the primary responsibility for ensuring multi-modal statewide transportation planning initiatives are developed. TPP is also responsible for the Texas Transportation Plan, the Texas Freight Mobility Plan, the Unified Transportation Program and the Statewide Transportation Improvement Program. TPP is involved in traffic data collection, estimation and forecasting, geographic information systems data, mapping for the department's transportation system, roadway inventory reporting and the Highway Performance Monitoring System. All these processes require the consideration of social, economic, and environmental effects of a proposed plan or program to avoid biased or any discriminatory practices. TPP will assure that all aspects of the planning process and monitoring of Metropolitan Planning Organizations (MPOs) are executed in accordance with the TxDOT Title VI/Nondiscrimination Plan. Where appropriate, TPP will solicit and incorporate input from minority and low-income populations into the transportation plan.

TPP Goals for FY 2019

Some considerations for internal review that will be a topic with the I-Team include:

- Data on consultant contracts including award amounts and demographic data on consultant firm ownership;
- Number of public meetings and public hearings held during the planning phase and in what locations;
- Demographic data and information regarding the distribution of State and Federal funds under consideration in the proposed planning projects;
- Procedures followed to ensure Title VI issues are identified, and where possible identified and addressed during the early planning process;
- Information on public involvement activities followed during the planning process to incorporate formal and informal public comments into the transportation decision-making process; and
- Title VI complaints received regarding transportation planning or public involvement process conducted during transportation plan development.

Title VI Liaison

A Special Projects Coordinator and a Business Operations Administrator have been designated as the Title VI liaisons for TPP and serve on the Title VI I-Team.

Training

CIV will coordinate the Title VI liaisons in FY 20 to schedule Title VI training and facilitated discussion to better define the functions of all TPP operations. The information sharing will with CIV will expand the program review Questionnaire for TPP. TPP had representation on both days of training on the 28th and 29th with FHWA and CIV. The second day was attended by the Local Government Office and TPP staff that provide technical planning assistance to

LPA's. TPP will be notified of the data collection and analysis training for Title VI as well as the regional trainings around the state for the subrecipient program.

Dissemination of Title VI Information

TPP distributes the Title VI brochures at all the public meetings and hearings. The division provides this information to any contractors or vendors used for public involvement via project-specific Public Outreach and Public Involvement Plans. TPP planning staff also have an enlarged 24" X 36" version of the Title VI Poster that is regularly on display at public meetings.

For FY 20, TPP staff will continue to provide Title VI information to staff, consultant/contractors, and to the public at all public meetings and hearings. Title VI information is included by reference in the Texas Transportation Plan, Statewide Transportation Improvement Program (STIP) and the Unified Transportation Program (UTP).

Complaints

If Title VI issues are identified or a complaint has been received, TPP would immediately report to CIV.

Contract Administration

TPP Utilizes the standard contract forms/notices of intent developed by CSD and PEPs, which ensure the required Title VI language is included and up-to-date. The division contract administrator is to develop and/or review all contracts/procurement processes to ensure that nondiscrimination clauses are incorporated into contracting templates.

DBE or HUB goals are assigned and mandatory in TxDOT contracts, thus ensuring nondiscrimination in the award and administration of DOT assisted contracts and creating a level playing field in which firms owned and controlled by minority or socially and economically disadvantaged individuals can compete fairly for DOT assisted projects.

Operations Manual

The *Transportation Planning Manual* provides a framework for long-term planning, development, and preservation of the transportation system in the state of Texas. An update to the manual is being finalized. The requirements of Title VI, including Executive Order 12898 for Environmental Justice and Executive Order 13166 for Limited English Proficiency, are included in the update.

CSD's policies are followed for the bidding and award processes. TPP follows public involvement/participation procedures outlined in the Texas Administrative Code (TAC), Code of Federal Regulations (CFR), and National Environmental Policy Act (NEPA) for plan and program development. This guidance – taken as a whole – addresses the American Disabilities Act (ADA), Title VI, LEP and EJ.

Planners have responsibility for the oversight and administration of the MPO Unified Planning Work Programs (UPWPs) for both Transportation Management Areas (TMAs) and non-TMAs. TMAs are subject to a joint federal/state formal review process every four years for certification of the planning and public involvement processes, and all related plans/programs (UPWP, Metropolitan Transportation Plan (MTP), and Transportation Improvement Program (TIP)) for compliance under CFR and Title VI.

Planning and Public Involvement

TPP utilizes GIS capabilities or equivalent systems to map identified EJ and LEP populations based on most recent Census data. These EJ and LEP maps are included in the public participation plan subject to the approval of the Public Information Office and Division Director. These maps are included internally for TxDOT planning purposes, but not for external use.

TPP is responsible for conducting public meetings and hearings for the Statewide Long-Range Transportation Plan (Texas Transportation Plan 2050), Statewide Transportation Improvement Program (STIP), Unified Transportation Program (UTP), and any corridor study or Regional Mobility Authority actions. Voluntary sign-in sheets and related items were used to identify what communities were represented at these public meetings and hearings.

Limited English Proficiency

A review of the LEP implementation plan will be done annually for any changes and updates that may be necessary.

Environmental Justice Plan/Process

District staff members and PIOs assist with respect to public involvement activities around the state. The transportation planning process requires TxDOT to identify planning assumptions under federal law – one of which is to use the most recently published U.S. Census Bureau data in the development of plans and programs.

Data Collection

The following mechanisms in collecting data, are used and also distributed:

- “TxDOT Wants Your Input” flyer
- Texas STIP Demographic Survey
- TTP 2050 Demographic Survey (English and Spanish)
- TTP 2050 Public Meeting Comment Form (English and Spanish)
- Public Transportation Survey (English and Spanish)
- Informational Flyers (English and Spanish)

Public Involvement

Within TPP is the Office of Public Involvement (OPI). OPI develops training that educates TxDOT employees on effective strategies for engaging the public. OPI works with the DD offices to provide assistance with advertisements post meetings notices to the TxDOT website and develop presentation aids for meetings with the public.

OPI Goals for FY 2020

Some considerations for internal review that will be a topic with the I-Team include:

- Public Involvement strategies that are project based procedures for developing a plan as well as implementation of the plan to effectively engage the public;
- Data on public meetings and hearings held with the number of people from the public in attendance and the demographic profile of the area affected by the project;
- Information on the process for recording and incorporating formal and informal comments received at a public meeting into the decision-making process;
- Information regarding services requested and/or provided to LEP persons at a public meeting or event; and
- Title VI complaints received regarding public involvement process or project specific outreach conducted during transportation project development.

Title VI Liaison

A Public Involvement Specialist has been designated as the Title VI liaison to serve on the I-Team.

Training

CIV will coordinate the Title VI liaison to schedule Title VI training and facilitate a discussion with OPI staff to better understand the functions of all OPI operations within TPP. The information sharing will provide CIV with a better understanding of OPI functional areas and how Title VI needs to be considered within OPI. The OPI group will get an invite to the Title VI data collection and analysis training next year with scenarios for public involvement application.

Contract Administration

Special Provision 000—002, Nondiscrimination, which includes the required language from the U.S. DOT Standard Title VI Assurances, is programmed to automatically include the required language in each proposal and contract.

Limited English Proficiency

A review of the LEP implementation plan will be done annually for any changes and updates that may be necessary.

Complaints

If complaints are received, OPI would immediately report to CIV and the district in which the complaint is originating.

Data Collection

CIV and the I-Team will work with OPI to develop a mechanism to collect and analyze data concerning race, color, national origin, sex, age and/or disability of the public engaging TxDOT in the public involvement process.

Contracting

The Contract Service Division (CSD) is responsible for the creation and administration of negotiated contracts. CSD will monitor contracting procedures and activities for practices that adhere to the Title VI/Nondiscrimination Plan. CSD also ensures Federal-aid construction contracts include the required language, provisions, and attachments that are required for compliance with Title VI.

CSD Goals for FY 2020

Some considerations for internal review that will be a topic with the I-Team include:

- Number and amounts of various construction contracts awarded at TxDOT;
- Number and amounts of professional service contracts awarded at TxDOT;
- Demographic information on business owners with professional service contracts;
- Description of procedures ensuring federally required nondiscriminatory language is in all federal-aid contracts; and
- Title VI complaints received regarding public involvement process or project specific outreach conducted during transportation project development.

Title VI Liaison

A Contract Services Manager has been designated as the Title VI liaison to serve on the I-Team.

Training

CIV will coordinate the Title VI liaison to schedule Title VI training and facilitate a discussion with CSD staff to better understand the functions of all CSD operations. The information sharing will provide CIV with a better understanding of CSD functional areas and how Title VI needs to be considered within CSD. CSD was not represented at the August 28th. The Title VI Program Administrator will notify the liaison of makeup training to be held in early 2020.

Contract Administration

Special Provision 000–002, Nondiscrimination, which includes the required language from the U.S. DOT Standard Title VI Assurances, is programmed to automatically include the required language in each proposal and contract.

Limited English Proficiency

A review of the LEP implementation plan will be done annually for any changes and updates that may be necessary.

Complaints

If a complaint was received, CSD would immediately report to CIV and work to assist in resolving the complaint.

Data Collection

CIV and the I-Team will work with CSD to develop a mechanism to collect and analyze data concerning race, color, national origin, sex, age and/or disability of bidders or successful contractors. There will be standardized questions across all Federal Program areas followed by internal review questions tailored specifically for CSD and the Districts in the rotation for review in FY 20.

Public Transportation

The Public Transportation Division (PTN) has the primary responsibility to provide a safe and reliable network of transportation options for people who do not use driving as a primary means of transportation. PTN provides financial, technical and coordination assistance to rural and urban public transit providers around the state. In addition PTN oversees the Bicycle/Pedestrian program at TxDOT. PTN will ensure that all aspects of services provided are executed in accordance with the TxDOT Title VI/Nondiscrimination Plan. Where appropriate, PTN will partner with CIV to educate rural and public transit providers of the requirements under Title VI.

PTN Goals for FY 2020

Some considerations for internal review that will be a topic with the I-Team include:

- Data and information regarding the distribution of State and Federal funds to rural and urban public transit providers.
- Data on professional service contracts including award amounts and demographic data on consultant firm ownership;
- Demographic data and information regarding the distribution of services in minority communities in both rural and urban areas of the State;
- Information regarding services requested and/or provided to LEP persons utilizing the public transportation;
- Information on public involvement process to advertise services available to minority populations that live in rural and urban areas of the state; and
- Title VI complaints received regarding public transportation process or services provided to the public.

Title VI Liaison

A Transportation Funding Specialist has been designated as the Title VI liaison to serve on the I-Team.

Training

CIV will coordinate the Title VI liaison to schedule Title VI training and facilitate a discussion with PTN staff to better understand the functions of all PTN operations. The information shared with CIV will provide a better understanding of PTN requirements under FTA and FHWA for Title VI. PTN was represented with three people during the WASHTO Civil Rights Conference and the Title VI training on August 28th. PTN has also requested additional training on Title VI with FTA from the regional office. CIV is working on a date in early 2020 to conduct the training and discuss the Title VI Plans under FHWA and FTA requirements.

Contract Administration

Special Provision 000–002, Nondiscrimination, which includes the required language from the U.S. DOT Standard Title VI Assurances, is programmed to automatically include the required language in each proposal and contract.

Limited English Proficiency

A review of the LEP implementation plan will be done annually for any changes and updates that may be necessary.

Complaints

If Title VI issues are identified or a complaint is received, PTN would immediately report to CIV and notify the transit provider in which the complaint has originated.

Data Collection

CIV and the I-Team will work with PTN to develop a mechanism to collect and analyze data concerning race, color, national origin, sex, age and/or disability of bidders or successful contractors. There will be standardized questions across all Federal Program areas followed by internal review questions tailored specifically for PTN and the rural and urban transportation providers selected for review in FY 20.

Right-of-Way Division

The Right of Way Division (ROW) coordinates the acquisition of land to build, widen or enhance highways, and provides relocation assistance when needed. The division also coordinates utility adjustments and the disposition and leasing of surplus real property owned by TxDOT. It also regulates outdoor advertising signs and junkyards. ROW will monitor property acquisition for practices that adhere to the Title VI/Nondiscrimination Plan. ROW will insure that policies and procedures for property acquisition are applied in a fair, equitable and nondiscriminatory manner in accordance with the Uniform Relocation Act of 1970.

ROW Goals for FY 2020

Some considerations for internal review that will be a topic with the I-Team include:

- Demographics of relocatees and other beneficiaries of the TxDOT, ROW compensation and/or relocation assistance program;
- Data regarding appraisal process, including just compensation offers and supporting documentation.
- Information on accommodations provided to LEP persons and frequency of interpretation services provided.
- Data on right of way acquisition and relocation contracts including award amounts and demographic data on consultant firm ownership;
- Title VI complaints received regarding the right of way process including appraisals negotiations, relocation assistance and payments.

Title VI Liaison

A Right of Way Operations and Continuous Improvement Director has been designated as the primary liaison to serve on the I-Team. Additionally, the Special Projects Specialist has been designated as a backup liaison.

Training

CIV will coordinate the Title VI liaison to schedule Title VI training and facilitate discussions with ROW staff SMEs to better understand the functions of all ROW operations. CIV and ROW will share information in order to better understand Title VI applications and ROW functional areas. ROW had 21 District and Division staff at the August 28th Title VI training and provided feedback on scenarios covered during the training during the fourth Quarterly meeting. The Title VI Program Administrator has been asked to hold a Title VI workshop with the San Antonio District ROW, Design and Planning offices.

Dissemination of Title VI Information

Title VI information is indicated in operations manuals such as the *Relocation Assistance Manual*, *State Purchase of ROW*, and contracts for professional services as well as personal services and other reference materials; these detail the Title VI/Nondiscrimination obligations. Row also participates in Title VI/ADA public outreach events.

For FY 2020, CIV is working with ROW to update the ROW Booklet with current Title VI language and complaint handling information. ROW will continue to actively participate as Title VI and ADA liaisons and will continue to revise its public information as program updates occur, which will be vetted through SMEs and the Compliance Division.

Complaints

The *ROW Manual, Vol. 2 - ROW Acquisition* includes procedures for filing Title VI complaints. If complaints are received, ROW would immediately report to CIV and the district project in which the complaint is occurring.

Contract Administration

Title VI Nondiscrimination language is inserted into all solicitations for professional service contracts procured and managed. ROW utilizes templates developed and maintained by CSD to ensure this language is included; this is periodically reviewed and verified.

Two types of professional service contracts are procured: ROW Acquisition Professional Services (ROWAPS) and Professional Real Estate Appraisal Services (PREAS). In addition, Program Management Consultant (PMC) contracts are procured by the Professional Engineering Program Services Division (PEPS) and administered by ROW. Procurements result in the award of either two-year indefinite deliverable contracts with no guarantee of work for ROWAPS and PREAS, or specific deliverable contracts for ROWAPS. Solicitations and contracts include the required Title VI language, including the clauses from Appendix C and D of the Title VI assurances related to property. Documents are reviewed for compliance by the Title VI Regulatory Compliance Team.

Subrecipient verification is handled through on-site monitoring of local public agency (LPA) projects as a joint effort with FHWA and for consultant agreements administratively monitored through the issuance of work authorizations and payment tracking logs.

Procurement

The selection process for fee appraiser, fee negotiator, fee title searching, and fee property management is conducted through the use of two professional service contracts for ROWAPS and PREAS.

Operations Manual

Manuals developed and maintained include TxDOT's Title VI/Nondiscrimination policy. Additionally, the *ROW Manual - Vol. 2- ROW Acquisition* and the *ROW Relocation Manual Vol. 3- Relocation Assistance* includes its procedures to ensure property acquisition and all relocation assistance activities are performed without discrimination.

The *ROW Relocation Manual Vol. 3- Relocation Assistance* includes information on Title VIII of the Civil Rights Act of 1968 (commonly known as the Federal Fair Housing Law) (refer to

42USC 3601, et seq; 24CFR Parts 100, 103, and 104) and the Housing and Urban Development (HUD) Amendment Act of 1974. These laws make it illegal to:

- refuse to sell or rent residential property due to race, color, religion or national origin (Note: The U.S. Department of Transportation adds “age, sex and handicap” to the list);
- discriminate against any person in the terms, conditions or privileges of sale or rental of residential property or in the provision of services or facilities in connection with such a sale or rental;
- advertise a dwelling for rent or sale in a discriminatory manner;
- misinform a person regarding availability of residential property;
- engage in blockbusting for profit; or
- practice discrimination in financing of housing.

Additionally, this manual includes procedures on its Replacement Housing Policy.

A displacee will not be required to move permanently from his residence unless at least one comparable replacement dwelling is made available. Where possible, three or more comparable replacement dwellings should be made available. The standard for the number of referrals required under this policy is three. However, if local market conditions are such that three comparable replacement dwellings cannot be identified, then fewer than three referrals may be made. A comparable dwelling is considered to be made available to a displacee, if the displacee: 1) is informed of its location; 2) has sufficient time to negotiate and enter into a purchase agreement or lease for the property; and 3) is assured of receiving the relocation assistance and acquisition compensation (subject to reasonable safeguards) to which the displacee is entitled in sufficient time to purchase or rent the replacement property. If three referrals cannot be made, record reasons for the relocation on form ROW-R-107 (Supplemental Payment Estimate - Replacement Housing). When possible, displacees must be given reasonable opportunities to relocate to Decent, Safe, and Sanitary (DSS) replacement dwellings in the neighborhood of their choice within their financial means. However, this policy does not require TxDOT to provide a displacee with a larger payment than necessary for a displacee to relocate to a comparable replacement dwelling.

Affirmative action must be taken to provide replacement housing resources that are open to all displacees without regard to their race, color, age, religion, gender, place of national origin, or disability. All relocation assistance activities must be performed according to TxDOT’s nondiscrimination policy. This policy is presented in *Law, Regulation, and TxDOT Policy* and in the department's relocation booklet, including procedures for processing any complaints reported against TxDOT.

Process to identify Persons Not Lawfully Present in the United States (not eligible for Relocation Benefits due to Illegal Aliens Act of 1997) is included in the *ROW Relocation*

Manual Vol. 3 – Relocation Assistance. Everyone may receive relocation advisory services, whether lawful or not, in order to notify when the property needs to be vacated. Eligibility is determined after the initial meeting. Relocation assistance advisory services must be offered to a displacee lawfully present in the U.S. who:

- moves from other real property used for his dwelling, or moves his personality from other real property, because of acquisition of ROW used for his business or farm operation; or
- occupies property acquired by TxDOT when occupancy:
 - began after the ROW acquisition, and
 - is permitted by a short-term rental agreement or an agreement subject to termination when the property is needed for a program or project.

Planning and Public Involvement

To ensure that persons are not treated differently as the ROW program elements are implemented (Title Searching, Property Valuation, Property Negotiation, Relocation, and Property Management), field monitoring of all solicitations, contracting, acquisitions and relocation assistance is performed. Periodic reviews are also performed on subrecipient files for compliance with the Uniform Act, which includes Title VI.

Relocation assistance advisory services may be offered to a displacee lawfully present in the U.S. who occupies property adjacent to acquired ROW, when it is determined that the person suffered substantial economic injury due to acquisition and who can demonstrate that denial of relocation assistance benefits will result in an exceptional and extremely unusual hardship to the person's spouse, parent, or child (if that spouse, parent, or child is a citizen of the U.S. or an alien lawfully admitted for permanent residence in the U.S.).

All professional appraisal services must comply with the requirements identified within the Uniform Standards of Professional Appraisal Practice (USPAP) as promulgated by the Appraisal Foundation and enforced by the Texas Appraiser Licensing and Certification Board (TALCB). Applicable USPAP Standards include Standards 1 & 2 for appraisals and Standard 3 for review appraisals. TxDOT appraisers are required to hold a General Appraiser Certification with TALCB. The property owner or attorney assigned by the property owner is encouraged to accompany the appraiser during the inspection of the property to be acquired. This is verified by monitoring and review of appraisers contact information in each parcel file.

Processes for negotiation with affected landowners on a right of way project are determined by federal law, Texas state statutes and regulations, and processes and procedures in the *ROW Manual* and standard operating procedures implemented pursuant to such legal authority. The fundamental federal guideline for negotiations and other right of way related activity are set out in the Uniform Relocation and Real Property Acquisition Policies Act of

1970, as amended, referred to as the “Uniform Act.” The Uniform Act mandates independent fee appraisals and the review of appraisals prior to a written offer being made to all affected landowners based upon the approved appraised value. TxDOT representatives attempt to meet with all affected landowners to present the written offer and to provide a copy of the appraisal.

Senate Bill 18, a major overhaul of Texas right of way acquisitions practices and procedures, became effective September 1, 2011. This legislation changed much of the statutory framework for acquisition requiring all condemning authorities to provide written appraisals, and providing landowners with increased rights and protections. Also, legislation was passed in the 2009 legislative session mandating that condemning authorities distribute to any affected property owner a document prepared by the Office of the Texas Attorney General known as the “Landowner’s Bill of Rights.” This document describes the acquisition and eminent domain process in layman’s terms, providing valuable information and guidance to the landowner. Based upon all the foregoing, negotiators representing TxDOT explain the process to landowners and present appraisals, offer letters, Landowner’s Bill of Rights, maps, property descriptions, and other matters for consideration by property owners. The property owners have the opportunity to present counteroffers, which are referred to as “Administrative Settlements.” Administrative settlement offers are thoroughly reviewed by a team of ROW professionals following set protocols for review and approval. Historically, the number of right of way parcels acquired through the negotiation process with no resort to eminent domain, has been in the range of 70-75% of all parcels acquired.

The following are provided to property owners and/or displacees in both English and Spanish: 1) State of Texas Landowner’s Bill of Rights; 2) TxDOT’s Relocation Assistance Booklet; and 3) TxDOT’s State Purchase of ROW booklet. In addition, if the land owner or displacee speaks a language other than English, a translator is provided.

The relocation Process, including the development of relocation housing payments, mortgage differential payments, appeals process, etc. is included in the ROW Relocation Manual Vol. 3 – Relocation Assistance. An increased mortgage interest payment is the amount that reduces the mortgage balance on a new mortgage to an amount that is amortized with the same monthly payment for principal and interest as that for the mortgage(s) on the displacement dwelling. Payments will also include other debt service costs, if not paid as incidental costs.

Relocation applications for review must be in writing and submitted to the appropriate district office within 90 days after the displacee receives notice of relocation entitlements. Each application for review must state the specific relocation benefit or payment amount to which the claimant believes he is entitled. A displacee who files a written review request with TxDOT has a right to be represented, at his own expense, by legal counsel or other representative in connection with his appeal. A displacee who has filed a written review request with TxDOT will be permitted to inspect and copy all non-confidential materials

pertinent to his request. TxDOT may impose reasonable conditions on the person's right to inspect, if consistent with applicable laws. A displacee desiring to have his grievance reviewed by TxDOT's Relocation Assistance Review Committee will be furnished form *ROW-R-109, Request for Review of Relocation Payment*. However, TxDOT will consider any written review request regardless of the form used. The Relocation Assistance Review Committee is appointed by TxDOT's Executive Director; staff appointed will *not* be involved in actions being appealed.

If a displacee is denied the full payment he believes he should receive, he may file a written application for review with the district. The application must identify the type and amount of relocation payment denied and state the reasons for the applicant's review request. The District Engineer or his designee will promptly evaluate the review request and facts regarding the applicant's grievance and should personally meet the applicant. If the grievance is justified, promptly offer the claimed relocation assistance or benefit payment to the applicant. If the claim is disallowed, promptly notify the applicant in writing of the determination and of the applicant's right to have his grievance reviewed by TxDOT's Relocation Assistance Review Committee. In this notification, include a full explanation of any disallowed claim and the basis for the decision. If the displacee is still dissatisfied, he may request a review by TxDOT's Relocation Assistance Review Committee. A displacee who chooses this action will be furnished form *ROW-R-109, Request for Review of Relocation Payment*. If he chooses not to use form *ROW-R-109*, the Committee will consider his grievance if submitted in writing.

The Request for Review of Relocation Payment will be submitted to the district along with any supporting documents provided by the applicant, which will then be promptly forwarded to the Division. Promptly after receiving of all information submitted by a displacee supporting a review request, the Relocation Assistance Review Committee will afford the applicant full opportunity to be heard. The Committee will review all facts presented, render a prompt written determination on the request (including an explanation of the basis upon which the decision was made), and furnish the applicant a copy of its determination. In formulating its decisions, the Committee will consider all pertinent justification and other material submitted by the applicant, and all available information needed to ensure a fair and full review. The Committee will have the right to counsel with the Executive Director on any application. The Executive Director will retain the right to make a final ruling alone, or with Transportation Commission counsel if circumstances warrant. If the full relief requested is not granted, the Committee will advise the applicant of his right to seek judicial review.

Process to prioritize the physical maintenance of residential structures still occupied by the former owners/tenants: As a matter of policy, the department does not expect or seek to assume the role of landlord. When a tenant is occupying a structure or property, the agency typically enters into an agreement with the landlord or former fee owner and allows them to

collect rents, conditional upon their maintaining utilities and assuming the property management obligations. If an owner is interested in leasing the property back, once the state has taken possession and it permissible by the state, the department may lease back the property to the owner with the requirement that they see to maintenance and up-keep of the property.

ROW participates in public meetings and hearings which are coordinated by the ENV. Project Delivery Staff provide support as well as printed materials (available in both English and Spanish) regarding processes and services. Monitoring of subrecipients public participation procedures in implementing the Right-of-Way Program includes sending notification to all service providers to ensure they are aware of pertinent information and that sub providers who are performing department work are made aware of the change or update. ROW also audits local projects receiving federal participation to ensure full compliance with these standards.

Limited English Proficiency

The FY 19 LEP Annual Report indicated that there were LEP encounters throughout the year. An active purchase order through PRO is available to provide verbal or written translation of information. Early awareness of project area demographics ensures information is provided to the affected population, including the LEP population. Additionally, personnel with diverse backgrounds and skill-sets are hired to utilize the strengths they bring to the division and can provide the citizens of Texas.

The FY 20 goal is to prevent discrimination of individuals with LEP. ROW will continue to provide materials to impacted property owners in multiple languages and provide our workforce and the consultant community with access to services, such as interpretation services, to communicate effectively with impacted property owners. ROW will continue providing LEP services to the state and the communities we serve and take the opportunity to search for innovative ways to ensure we are meeting the needs to the communities we are impacting. ROW will also continue capturing all key components for quarterly LEP reporting.

Internal Monitoring/Process Reviews

ROW Project Delivery Staff report on local projects with federal participation and ROW Headquarters ensures an internal monitoring process to evaluate appraisals, negotiations, relocation, property management, and consultant selection.

Additionally, internal reviews of procedures and processes are evaluated to ensure compliance with Laws, Regulations, Rules, and Policy changes. Updates are made to Manuals, Procedural Guides as well as standard operating procedures.

Data Collection

Form ROW-R-96, Relocation Advisory Assistance Parcel Record, is used to capture Title VI protected class information in the ROW Information System (ROWIS). CIV and the I-Team will also work with ROW to the mechanism in place to collect and analyze data concerning race, color, national origin, sex, age and/or disability of bidders or successful contractors. There will be standardized questions across all Federal Program areas followed by internal review questions tailored specifically for ROW and the Districts selected for review in FY 20.

Subrecipient Monitoring

Before a professional service contract is awarded by ROW, a company or individual must attend a required contract orientation meeting typically lasting a full business day. Each topic of professional service needs and contract responsibilities are presented by SMEs including a presentation by CIV. The recipients of these contracts and subcontractors act as an extension of the department's staff and are held accountable to the same laws, regulations and policies.

Traffic Operations Division

The Traffic Operations Division (TRF) oversees the design and placement of signs, signals, pavement markings, lighting and intelligent transportation systems. It also develops traffic safety initiatives aimed at reducing fatalities and serious injuries from motor vehicle crashes. In addition, TRF is responsible for the collection and analysis of crash data used to plan highway safety and educational programs to promote safe driving practices, and manages rail safety programs, including railroad-highway crossings and railroad inspections. TRF also oversees driver safety programs and campaigns geared toward teen drivers, child safety, sober driving, hurricane evacuation and many other issues. TRF will monitor projects and activities for practices that adhere to the Title VI/Nondiscrimination Plan. MNT will insure that policies and projects implemented to keep the public safe are done in a nondiscriminatory manner.

TRF Goals for FY 2020

Some considerations for internal review that will be a topic with the I-Team include:

- Demographic profiles of project areas identified for the placement of traffic safety activities and internal procedures for maintaining Title VI compliance;
- Demographic data regarding the distribution of services in minority population areas requiring signs, signals, pavement markings and lighting improvements; and
- Title VI complaints received regarding traffic safety initiative implementation or regarding specific projects around the State.

Title VI Liaison

The Management Support Section Director has been designated as the Title VI liaison.

Training

CIV will coordinate the Title VI liaison to schedule Title VI training and facilitate a discussion with TRF staff to better understand the functions of all TRF operations. The information sharing will provide CIV with a better understanding of TRF functional areas and how Title VI needs to be considered within TRF. The Division was not represented at the August 28th Title VI training. The Title VI Program Administrator will notify the liaison of makeup training to be held in early 2020.

Contract Administration

TRF utilizes templates developed by CSD, PRO, PEPS, and CST to ensure that bid proposals and contracts include the required Title VI language.

Highway Safety Improvement Plan (HSIP) contracts are safety construction projects that go through TxDOT's contract letting process. The TxDOT letting process ensures that there is no discrimination and includes minorities and other similar populations. Furthermore, this also ensures the inclusion of the required Title VI language.

Operations Manual

The *Highway Safety Improvement Program Manual* describes the HSIP, which requires states to develop and implement a Strategic Highway Safety Plan (SHSP). The purpose of the SHSP is to identify and analyze highway safety problems and opportunities, include projects or strategies to address them, and evaluate the accuracy of data and the priority of proposed improvements. The goal is to achieve a significant reduction in traffic fatalities and serious injuries on all public roads.

Limited English Proficiency

TRF has an LEP plan. TRF has limited direct contact with the public, but works with contractors and consultants statewide who are SMEs. English is the predominant language, but from time to time, TRF does receive requests for language translation services. Internal translators are utilized to respond to requests for language interpretation when the need is identified. An annual review of the plan will be done for any changes and updates that may be necessary.

Complaints

If complaints are received, TRF would immediately report to CIV and work to assist in resolving the complaint.

Data Collection

For project selection, all eligible proposed highway safety projects are subject to a benefit/cost analysis. The formula used for this purpose is the Safety Improvement Index (SII). In its most basic form, the SII is the ratio of the cost of crashes that have occurred at a location to the cost of constructing the proposed improvement. Thus, the projects are selected based upon the crash history of the location, not the demographics of the population.

HSIP projects enhance safety features on the existing state transportation system. During the initial construction of these roadways and bridges, ENV and ROW ensure that the projects did not adversely impact Title VI populations. Although crash history is the determining factor when selecting HSIP projects, the data regarding the locations of the HSIP projects was consolidated and analyzed to ensure that Title VI populations across Texas are well-served, based on the locations of the projects.

District Offices

Within TxDOT, there are 25 Districts, representing 254 counties around the State. District activities include planning, designing, constructing, operating, and maintaining the state transportation system. TxDOT maintains approximately 80,444 centerline miles of roadway focusing on mobility and addressing congestion around the State. The District operating budgets utilize a combination of state and federal dollars for planning and construction. The Districts conduct routine and preventative maintenance including roadside litter removal, traffic management, and pavement preservation. Districts also manage public safety programs including education, engineering, campaigns, pedestrian upgrades, signage/pavement markings, and wrong-way driver prevention in metro areas. The Districts are the backbone of TxDOT, and for many citizens of Texas, the face of the department. If the public has a question or concern about a project, roadway, or service on the state transportation system they call the District office or affiliated Area and Maintenance offices. It is critical to the mission of TxDOT that the District provides good customer service and engages with the public in a positive way.

District Goals for FY 2020

Some considerations for internal review that will be a topic with the I-Team include:

- The methods for identifying minority populations and conducting a community impact assessment report for Title VI purposes;
- The number and types of environmental clearances performed (EA or EIS);
- Public Involvement strategies that are project based procedures for developing a plan as well as implementation of the plan to effectively engage the public;
- Data on public meetings and hearings held with the number of people from the public in attendance and the demographic profile of the area affected by the project;
- Procedures followed during the environmental process to incorporate formal and informal public comments into the transportation decision-making process;
- Strategies for engaging minority and Limited English Proficiency populations for reducing any barriers that may exist in the transportation decision-making process;
- Information regarding TxDOT mitigation commitments made during the environmental process, documented in the final engineering plan set, and the practices for completion of the task during construction to fulfill those commitments;
- Data regarding procedures for temporary traffic and pedestrian routing during sequencing of construction, or routine maintenance projects, to preserve pedestrian and ADA access;
- Demographic profiles of project areas under construction and internal procedures for maintaining Title VI compliance;
- Demographic Data regarding the distribution of services in minority population areas requiring signs, signals pavement markings and lighting improvements; and

- Title VI complaints received regarding public involvement process or project specific outreach conducted during transportation project development.

Title VI Liaison

CIV maintains an active list of Title VI liaisons in all 25 District Offices. The function of liaisons varies across the Districts, including representation in environmental/planning, construction, business services, etc. Districts identified in the yearly rotation of the FY program reviews, serve on the I-Team during that reporting period.

Training

CIV will coordinate with the District Title VI liaisons to schedule Title VI training and facilitate discussions on preventative measures and scenarios for Title VI. Because of the direct contact Districts have with the public, information sharing with CIV is vital to the program. A total 16 Districts were represented at the August 28th Title VI training with FHWA and CIV. Five additional District liaisons connected through WebEx to the training. The Quarterly meetings are another great source for training and open dialogue between the Title VI Program Administrator and Title VI liaisons. Additional training on Title VI data collection and analysis will be offered next year with scenarios for District applications.

Contract Administration

Special Provision 000–002, Nondiscrimination, which includes the required language from the U.S. DOT Standard Title VI Assurances, is programmed to automatically include the required language in each proposal and contract.

Limited English Proficiency

A review of the District LEP implementation plan will be done annually for any changes and updates that may be necessary.

Complaints

If Title VI issues were identified or a complaint was filed, the District representative would immediately report to CIV.

Data Collection

CIV has established a District Questionnaire to collect and analyze data concerning race, color, national origin, sex, age and/or disability pertaining to activities carried out by the District.

Limited English Proficiency

All directors, managers, Title VI program liaisons, and employees are responsible for ensuring that meaningful services to LEP persons are provided in their respective offices. In developing an LEP Plan, each DD conducts a Four Factor Analysis and uses the results of the analysis to determine which language assistance services were appropriate in their operations. The analysis helps identify the needs of the LEP population it serves. In addition, each DD is required to annually monitor, evaluate, and update its plan accordingly. This annual report assists DDs to accurately identify and address the changing needs of their LEP communities which, in turn, can help inform DDs whether there should be changes to the quantity or type of language assistance services.

In FY20, an annual review of the plan will be conducted by CIV, Communication Division and the I-Team for any changes and updates that may be necessary. Below is the type of information that is collected across 25 Districts and 34 Divisions.

	LEP Annual Report	Responses/Comments (Number of DDs that reported)
LEP Encounters	Total number of encounters:	<i>(total)</i>
	Language most frequently requested:	Example: <i>Spanish</i>
	LEP service most frequently used:	Example: <i>Oral and Telephone</i>
	Most frequent method LEP service is rendered:	Example: <i>Employee, contractor, and family/friend.</i>
LEP Expenses	Total LEP expenses:	<i>(total cost \$\$)</i>
Translation of Documents	Total number of documents translated upon request:	<i>(total)</i>
	Total number of vital documents translated	<i>(total)</i>
	Types of Documents Translated:	Example: <i>Brochure, notices, and public involvement documents</i>
Complaints	Total number of complaints:	<i>(total)</i>
	Number of complaints resolved:	<i>(total)</i>
	Complaint Information	Example: <i>CIV working with DD to resolve any complaints.</i>
LEP Areas	Assessing and Recording Language Needs	
	1. Has the DD taken steps to identify the non-English languages that are likely to be encountered in its service delivery area?	Examples: <i>Including census data in LEP plan to determine the language spoken. Working with the local community and organizations, to include public meetings held to address LEP. Quarterly reporting also aids in identifying language needs.</i>
	2. Has the DD identified the language needs of each LEP individual encountered and recorded this information?	Examples: <i>Tracking trending data through quarterly reports to CIV that includes type of encounter and language spoken.</i>
	3. Does the DD document the name and	Examples: <i>TxDOT maintains statewide service contracts</i>

	LEP Annual Report	Responses/Comments (Number of DDs that reported)
	affiliation (e.g. staff interpreter, contract interpreter, etc.) of the person providing language services for each encounter with an LEP individual?	<i>for LEP assistance. Also, a list of all competent bilingual employees at TxDOT that can assist and the number of encounters that occur.</i>
	4. Has the DD identified the points of contact within their organization where language assistance is likely to be needed? (e.g. reception desks, intake counters, etc.)	<i>Examples: Contact is normally needed at public meetings and hearings and upon reception areas. Some encounters have been by telephone. What service does the DDs utilize in these cases?</i>
	5. Has the DD identified the resources that will be needed to provide effective language assistance and the location/availability of these resources?	<i>Examples: DD's may utilize in-house resources as well as their own employees. PRO has contacts available locally and existing resources under contract for services with TxDOT.</i>
	Oral Language Interpretation 6. Does the DD hire staff with language skills who are trained and competent in the skill of interpreting in the other language(s)?	<i>Examples: DDs utilize staff proficient in the languages require. DDs hire personnel with diverse backgrounds and skill-sets and utilize the strengths they bring to the Department and can provide the citizens of Texas.</i>
	7. Does the DD contract with interpreter service(s)?	<i>Example: Most DDs utilize PRO has contacts available locally and existing resources under contract for services with TxDOT.</i>
	8. Does the DD use volunteer community interpreters?	<i>Examples: Yes/No.</i>
	9. Does the DD use telephone interpreter service(s)?	<i>Example: DDs utilize staff and/or include the contact information for requesting telephone interpreter services.</i>
	Translation of Written Materials 10. Does the DD provide written materials in languages other than English?	<i>Examples: DDs provide brochures, forms, notices, advertisements and requested project information in English and Spanish.</i>
	11. Does the DD translate application forms and other materials in languages other than English?	<i>Examples: (Yes / No).</i>
LEP Areas	Methods for Providing Notice to LEP Individuals 12. Does the DD use language identification cards to determine the language needs of LEP individuals?	<i>Example: Identification cards are provided to those individuals who are determined in need of LEP services.</i>
	13. Does the DD provide notice of language assistance services in the languages other than English?	<i>Examples: DDs provide this information to the public. Public meeting information is provided in the language needed. When this information is collected in advance, it is a useful resource as it provides early awareness of the demographics of a project and what services are needed.</i>
	14. Does the DD include a statement in brochures and other materials routinely disseminated to the public notifying LEP individuals that language assistance services are available?	<i>Example: (Yes / No)</i>

	LEP Annual Report	Responses/Comments (Number of DDs that reported)
	Training of Staff 15. Has all staff been trained on TxDOT's LAP for addressing the language needs of LEP individuals?	Example: (Yes / No) or DD employees were provided guidance upon implementation of the revised LAP. CIV has an annual meeting with Title VI liaisons, LEP has also been on the agenda to address any questions or concerns.
	16. Does the DD maintain record of the staff that has received training on language access policies and procedures?	Example: (Yes /No)
	Monitoring 17. Does the DD monitor its LEP plan at least annually to evaluate its effectiveness at serving LEP individuals and modify it accordingly?	Example: (Yes / No) or CIV meets with liaison and I-Team to review any changes needed to the LEP.
	Customer Service 18. Does the DD solicit and track customer feedback related to LEP individuals?	Example: DDs utilize CSTAR to track inquiries and complaints from the public. Customer feedback is solicited and documented.
	19. Does the DD have a complaint process in place to address concerns and complaints from LEP individuals about the department's LEP services?	Example: DDs utilize CSTAR to track inquiries and complaints from the public.
	20. Does the DD track the number of complaints and concerns received?	Example: (Yes / No) CIV maintains a complaint log. If forwarded to CIV, complaints are also tracked and reported to FHWA.
	21. Has the DD addressed LEP complaints and concerns? Explain and identify if any corrective actions were taken and when.	Example: DDs rarely receive complaints but if a complaint is received, it is handled in coordination with CIV to educate staff and resolve the complaint.
	LEP Budget 22. Does the DD budget for LEP services in its annual budget projections? If Yes, detail how much and in what areas.	Example: (Yes / No) If Yes... translation services are provided by employees or utilizing utilize PRO contracts available locally and existing resources for services with TxDOT.



FY 2019-2020 Title VI/Nondiscrimination Annual Work Plan & Accomplishment Report

Attachments



Attachment 1
List of Title VI Liaisons

Title VI Liaisons

District or Division	Name	Title	Phone	E-mail
Abilene	Joe LeBlanc	Business Services Supervisor	(325) 676-6827	Joe.LeBlanc@txdot.gov
Amarillo	Lori Henderson	Office Technician	(806) 356-3200	Lori.L.Henderson@txdot.gov
Atlanta	Donna Barnes	Construction Records Auditor	(903) 799-1241	Donna.Barnes@txdot.gov
Austin	Hilda Ortiz	Environmental Specialist	(512) 832-7387	Hilda.Ortiz@txdot.gov
Austin	Melissa Ogle	Human Resources Officer	(512) 832-7222	Melissa.Ogle@txdot.gov
Aviation	Kari Campbell	Aviation Grants Section Dir	(512) 416-4543	Kari.Campbell@txdot.gov
Beaumont	Patrick Ryan	Director of Construction	(409) 898-5838	Patrick.Ryan@txdot.gov
Bridge	Christy Bird	Information Specialist	512-416-2278	Christy.Bird@txdot.gov
Bridge	Debra Lyon	Business Operations Admin	(512) 416-2115	Debra.Lyon@txdot.gov
Brownwood	Chris Graf	Director of Construction	(325) 643-0441	Chris.Graf@txdot.gov
Bryan	Robyn Neveu	Busines Services Coordinator	(979) 778-9776	Robyn.Neveu@txdot.gov
Bryan	Tom Pickering	Environmental Specialist	(979) 778-9601	Tom.Pickering@txdot.gov
Childress	Anita Thompson	Business Services Supervisor	(940) 937-7142	Anita.Thompson@txdot.gov
Childress	Janette Easley	Maintenance Support Tech	(940) 937-7159	janette.easley@txdot.gov
Communications	Tim Harriman	Business Operations Manager	(512) 463-8795	Tim.Harriman@txdot.gov
Compliance	Nicole Lawson	DE/DD Executive Assistant	(512) 463-5671	Nicole.Lawson@txdot.gov
Compliance	Parsons Townsend	Compliance Section Director	(512) 463-6325	Parsons.Townsend@txdot.gov
Construction	Astolfo Rodriguez	Resource Management Analyst	(512) 416-2562	Austolfo.Rodriguez@txdot.gov
Contract Services	Louis Ojeda	Contract Specialist	(512) 416-4670	Louis.Ojeda@txdot.gov
Corpus Christi	Charles Nesloney	Business Services Coordinator	(361) 808-2260	Charles.Nesloney@txdot.gov
Dallas	Richard Barker	District Construction Adm	(214) 320-6182	Richard.Barker@txdot.gov
Design	Harry Dawson	Landscape Architect	(512) 416-2320	Harry.Dawson@txdot.gov
El Paso	Manuel Hernandez	Business Services Coordinator	(915) 790-4483	Manuel.Hernandez@txdot.gov
Environmental Affairs	Nicolle Kord	Environmental Specialist	(512) 416-2698	Nicolle.Kord@txdot.gov
Financial Management	Kurt Ahlhorn	Special Projects Coord	(512) 486-5653	Kurt.Ahlhorn@txdot.gov
Fleet Operations	Edwin Baez	Spec. Proj. Coord.	512-465-7372	Edwin.Baez@txdot.gov
Fort Worth	GREG GORECKI	District DBE Coordinator	(817) 370-6517	GREG.GORECKI@txdot.gov
Houston	Jannie Blackmon	Construction Records Auditor	(713) 802-5008	Jannie.Blackmon@txdot.gov
Houston	Pablo Pinales	Human Resources Officer	(713) 802-5469	Pablo.Pinales@txdot.gov
Laredo	Lilia Gutierrez	Construction Records Auditor	(956) 712-7464	Lilia.Gutierrez@txdot.gov
Lubbock	Kylan Francis	Dir of Trans Plan & Devlpmt	(806) 748-4490	Kylan.Francis@txdot.gov

Lubbock	Rusty Smith	Special Projets Coord.	806-748-4476	Rusty.Smith@txdot.gov
Lufkin	Kevin Buranakitipinyo	Director of Operations	(936) 633-4454	Kevin.Buranakitipinyo@txdot.gov
Lufkin	Shannon Ramos	Director of Construction	(936) 585-7043	Shannon.Ramos@txdot.gov
Lufkin	Stephen Stoval	Transportation Specialist	(936) 633-4350	Stephen.stovall@txdot.gov
Maintenance	Timothy West	Contract Specialist	(512) 416-3222	Timothy.West@txdot.gov
Maritime	Travis Milner	Executive Assistant	(512) 486-5600	Travis.Milner@txdot.gov
Materials and Testing	Melissa Adamcik	Resource Support Specialist	(512) 506-5958	Melissa.Adamcik@txdot.gov
Odessa	Lennerd Byrd	Business Services Supervisor	(432) 498-4737	Lennerd.Byrd@txdot.gov
Paris	Cynthia Smith	Business Services Coord.	(903) 737-9366	Cynthia.Smith@txdot.gov
Paris	LeighAnnis Kennedy	HR Specialist	(903) 737-9218	LeighAnnis.Kennedy@txdot.gov
Pharr	Elizabeth Paradise	Business Services Coordinator	(956) 702-6117	Elizabeth.Paradise@txdot.gov
Pharr	Judy Sanchez	Construction Records Auditor	(956) 702-6219	Judy.Sanchez@txdot.gov
Procurement	Leigh Bailey	PRO Supports OPS	(817) 370-3692	Leigh.Bailey@txdot.gov
Procurement	Marina Young	Special Projects Coordinator	(512) 416-4765	Marina.Young@txdot.gov
Professional Engineering				
Procurement Services	Dione Albert	PEPS Controls Section Director	(512) 416-2003	Dione.Albert@txdot.gov
		Alternative Delivery Program		
Project, Finance and	Carol Luschen	Director	(830) 305-9230	Carol.Luschen@txdot.gov
Public Transportation	Wendy Arias	Public Transportation Specialist	(512) 486-5966	Wendy.Arias@txdot.gov
Rail	Heather Carman	Environmental Specialist	(512) 416-3194	Heather.Carman@txdot.gov
Research and Technology				
Implementation	Barbara Cisneros	Contract Specialist	512-416-4741	Barbara.Cisneros@txdot.gov
Research and Technology				
Implementation	Susie Duarte	Resource Support Specialist	(512) 416-4713	Susie.Duarte@txdot.gov
Right of Way	Elizabeth Osgood	Division Admin Manager	(512) 416-2014	Elizabeth.Osgood@txdot.gov
Right of Way	Karla Santamaria	Records Coordinator	(512) 416-2864	Karla.Santamaria@txdot.gov
		Director of Transportation Planning		
San Angelo	John DeWitt	and Development	(325) 947-9265	John.DeWitt@txdot.gov
San Antonio	Elizabeth Hogeda-Romo	Business Services Supervisor	(210) 615-6163	Elizabeth.HogedaRomo@txdot.gov
Strategic Planning	Benjamin Anyacho	Operation Excellence Coorinator	(512) 463-0253	Benjamin.Anyacho@txdot.gov
		Project Development Program		
Supportive Services	Byron Hicks	Supervisor	(512) 416-3005	Byron.Hicks@txdot.gov
Toll Operations	Ralph O'Neal	Field Oprs Facilities Coord	(512) 874-9712	Ralph.ONeal@txdot.gov
Traffic Safety	Ann Hatchitt	Management Analyst	(512) 416-3104	Ann.Hatchitt@txdot.gov

Traffic Safety	Shelli Belser	Business Operations Administrator	(512) 416-3205	Shelli.Belser@txdot.gov
Transportation Programs	Dawn Parker	Resource Support Specialist	(512) 416-2291	Dawn.M.Parker@txdot.gov
Transportation Planning and Programming	Esther Colvin	Special Projects Coordinator	(512) 486-5041	Esther.Colvin@txdot.gov
Transportation Planning and Programming	Karrie Boedeker	Grants and Administration Director	(512) 486-5021	Karrie.Boedeker@txdot.gov
Transportation Planning and Programming	Laura Perez	Planner	(512) 486-5035	Laura.Perez@txdot.gov
Transportation Programs Division/LG Projects	John Jameson	Local Gov Project Section Dir.	(512) 416-2152	John.Jameson@txdot.gov
Travel Information	Erin Lashlee	Transportation Funding Spec	(512) 832-7276	Erin.Lashlee@txdot.gov
Tyler	Stacie Holcomb	Construction Records Auditor	(903) 510-9205	Stacie.Holcomb@txdot.gov
Waco	Rendy Drews	Construction Records Auditor	(254) 867-2771	Rendy.Drews@txdot.gov
Wichita Falls	Allan Moore	Director of Construction	940-720-7716	Allan.Moore@txdot.gov
Wichita Falls	Cymantha Cato	Construction Records Auditor	(940) 720-7720	Cymantha.Cato@txdot.gov
Wichita Falls	Marcia Madsen	DD/DE Executive Assistant	(940) 720-7727	Marcia.Madsen@txdot.gov
Yoakum	Alan Migl	Environmental Specialist	(361) 293-4424	Alan.Migl@txdot.gov

Attachment 2
Title VI Poster, Brochures
and Postcard



Title VI

Protecting your civil rights is good business

It is our policy to ensure that no person in the United States of America shall on the grounds of race, color, national origin, sex, age or disability be excluded from the participation in, be denied the benefits of, or otherwise be subjected to discrimination under any of our programs and activities.

The Department assures full compliance with Title VI of the Civil Rights Acts of 1964, the Civil Rights Restoration Act of 1987 and related statutes and regulations in all programs and activities.

Any person who believes they have been subjected to unlawful discriminatory practices under Title VI has the right to file a formal complaint. Any such complaint must be filed in writing or in person with the Texas Department of Transportation, Civil Rights Division within 180 days following the date of the alleged discriminatory action.

Contact Us:

Civil Rights Division
125 East 11th Street
Austin, Texas 78701-2483

(512) 416-4700
CivilRights@TxDOT.gov



www.txdot.gov



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Título VI

Proteger sus derechos civiles es un buen negocio

Es nuestra política garantizar que ninguna persona en los Estados Unidos de América sea excluida de la participación en, se le niegue el beneficio de, o de otra manera sea sometida a la discriminación bajo cualquiera de nuestros programas y actividades por motivos de raza, color, origen nacional, sexo, edad o discapacidad.



www.txdot.gov

El Departamento asegura el pleno cumplimiento del Título VI de la Ley de Derechos Civiles de 1964, la Ley de Restauración de Derechos Civiles de 1987 y los estatutos y normas conexas dentro de todos los programas y actividades.

Cualquier persona que crea que ha sido sometida a prácticas discriminatorias ilegales bajo el Título VI tiene el derecho de presentar una denuncia formal. Cualquier denuncia de este tipo debe presentarse por escrito o en persona ante la División de Derechos Civiles del Departamento de Transporte de Texas dentro de los 180 días siguientes a la fecha de la presunta acción discriminatoria.

Comuníquese con nosotros:

Civil Rights Division
125 East 11th Street
Austin, Texas 78701-2483

(512) 416-4700

CivilRights@TxDOT.gov



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Civil Rights Division
125 East 11th Street
Austin, Texas 78701-2483

(512) 416-4700
CivilRights@TxDOT.gov



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Attachment 3
Title VI Liaisons Quarterly Meetings



Title VI Liaison FY 19 Quarterly Meeting #1

Agenda

Date: December 11, 2018

Time: 2:00 – 2:30 p.m.

WebEx information:

Join meeting in my Webex Personal Room
<https://txdot.webex.com/join/CAMY> | 737 412 345
Join by phone
+1 210 606 9485 US Toll
+1 855 437 3563 US Toll Free
Access code: 737 412 345

1. Welcome
2. Title VI Posters and Rack Cards: (5 minutes)
 - a. New Look!
 - b. Order is placed; and
 - c. Distribution of material at the office.
3. Title VI/Nondiscrimination Plan for Fiscal Year 2019: (8 minutes)
 - a. Plan accepted by FHWA; and
 - b. Changes to look for in the new plan from the previous year.
4. Limited English Proficiency Program at TxDOT: (10 minutes)
 - a. What is LEP?
 - b. How does TxDOT adhere to Executive Order 13166; and
 - c. Services available at TxDOT
5. Questions: (7 minutes)
6. Next Quarterly Meeting in March 2019
7. Adjourn

Civil Rights Division

December 2018



TEXAS DEPARTMENT OF TRANSPORTATION

Safety: Mission

ZERO

Remember Smith
System Driving



Safety Never Stops!



Title VI Liaison FY 19 Quarterly Meeting #1

Agenda

Date: December 11, 2018

Time: 2:00 – 2:30 p.m.

WebEx information:

Join meeting in my Webex Personal Room
<https://texas.webex.com/join/CPAMX> | 737 412 345
Join by phone
+1 210 606 9485 US Toll
+1 855 437 3561 US Toll Free
Access code: 737 412 345

1. Welcome
2. Title VI Posters and Rack Cards: (5 minutes)
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 - b. Order is placed, and
 - c. Distribution of material at the office.
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 - b. Changes to look for in the new plan from the previous year.
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 - a. What is LEP?
 - b. How does TxDOT adhere to Executive Order 13166; and
 - c. Services available at TxDOT
5. Questions: (7 minutes)
6. Next Quarterly Meeting in March 2019
7. Adjourn

Civil Rights Division

December 2018

- Quick Housekeeping:
 - Keep your phones on mute.
 - If you get a call, don't put it on hold.
 - If have a questions just ask, call or email me.

Old Stuff

Title VI Poster



Title VI
Protecting
your civil rights
is good business

It is our policy to ensure that no person in the United States of America shall on the grounds of race, color, national origin, sex, age or disability be excluded from the participation in, be denied the benefits of, or otherwise be subjected to discrimination under any of our programs and activities.

The Texas Department of Transportation (TxDOT) hereby gives public notice that it is the policy of the Department to ensure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and related statute and regulations in all programs and activities.

Any person who believes they have been subjected to unlawful discriminatory practices under Title VI has the right to file a formal complaint. Any such complaint must be filed in writing and in person with the Texas Department of Transportation, Civil Rights Division, 125 East 11th Street, Austin, Texas 78701-2462 within 180 days following the date of the alleged discriminatory action.



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Title VI Brochure

What information is included in a Title VI complaint?
A signed, written Title VI complaint must be filed within 180 days of the date of the alleged act of discrimination. The complaint must include the following information:

- Your name, address and telephone number. If you are filing on behalf of another person, include their name, address, telephone number and your relation to the complainant (e.g., friend, attorney, partner, etc.).
- The name and address of the agency, program or organization that you believe discriminated against you.
- A description of how, why and when you believe you were discriminated against, include as much background information as possible about the alleged acts of discrimination.
- Your signature.

What will TxDOT do with my complaint?
Upon receipt, the TxDOT Office of Civil Rights will determine which agency has jurisdiction to handle the complaint. If TxDOT does not have jurisdiction to handle the complaint, it will be forwarded to the appropriate agency. The allegations will be investigated and an attempt will be made to resolve any violations if found. If efforts to resolve any violations are unsuccessful, enforcement proceedings may be initiated to bring the recipient into compliance.

Is there speech or hearing impairment assistance for filing a complaint?
Upon request, assistance will be provided if you are limited English proficient or disabled. Any complaint may be filed using an alternate format, e.g., computer disk, audio tape or in Braille. If you have a speech or hearing impairment, dial Texas Relay at 1-800-735-2988 or 711.

To file a Title VI complaint, you may obtain the necessary forms online by visiting:
www.txdot.gov
or by contacting the Office of Civil Rights at the phone number listed below.

Mail the Title VI Complaint Form and Discrimination Complaint Consent/Release Form to:
**Texas Department of Transportation
Office of Civil Rights
125 E. 11th Street
Austin, TX 78701
Phone: 1-866/480-2518
Fax: 512/416-4751**



Title VI
Protecting your civil rights is good business.
It is our policy to ensure that no person in the United States of America shall on the grounds of race, color, national origin, sex, age or disability be excluded from the participation in, be denied the benefits of, or otherwise be subjected to discrimination under any of our programs and activities.

President John F. Kennedy, in his message calling for the enactment of Title VI, 1963

Title VI and you...
This brochure is designed to help you understand your rights under Title VI of the Civil Rights Act of 1964.

The New Look for Title VI

Size: 11" X 17"



Title VI Protecting your civil rights is good business

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The Department assures full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and related statutes and regulations in all programs and activities.

Any person who believes they have been subjected to unlawful discriminatory practices under Title VI has the right to file a formal complaint. Any such complaint must be filed in writing or in person with the Texas Department of Transportation, Civil Rights Division within 180 days following the date of the alleged discriminatory action.

Contact Us:
Civil Rights Division
125 East 11th Street
Austin, Texas 78701-2483
(512) 416-4700
CivilRights@TxDOT.gov



www.txdot.gov

TxDOT's Policy Statement →

Complaint Information

Civil Rights Division

December 11, 2018

4



Title VI Protecting your civil rights is good business

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www.txdot.gov

← Front

Size: 4" X 9"

Back →

The Department assures full compliance with Title VI of the Civil Rights Acts of 1964, the Civil Rights Restoration Act of 1987 and related statutes and regulations in all programs and activities.

Any person who believes they have been subjected to unlawful discriminatory practices under Title VI has the right to file a formal complaint. Any such complaint must be filed in writing or in person with the Texas Department of Transportation, Civil Rights Division within 180 days following the date of the alleged discriminatory action.

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5

Title VI Complaints

- **Complaint Procedures**
 - In Writing
 - Within 180 days
 - May be filed by a representative
- **Form 2193**
 - TxDOT Website
- **Complaint Processing:**
 - Acknowledge Receipt
 - Inform the Complainant
 - Advise the Complainant
 - **Title VI Brochure**
- **Complaint Investigation :**
 - Report of Findings to FHWA.
 - Complaint Database

 **Title VI and ADA Complaint Form** Form 2193 (Rev. 04/17) Page 1 of 2

Mail the signed form to Texas Department of Transportation, Civil Rights Division, 125 East 11th Street, Austin, Texas 78701 or fax to 512-486-5539.

Last Name _____ First Name _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Alternative Phone Number: _____

Email: _____

Please indicate the basis of your complaint:

Race _____ National Origin _____

Color _____ Disability _____

Date and place of alleged discriminatory action(s). Please include the earliest date of discrimination and the most recent date of discrimination.

How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently from you. (Attach additional pages, if necessary).

The law prohibits intimidation or retaliation against anyone because he/she has either taken action, or participated in action, to secure rights protected by these laws. If you feel that you have been retaliated against, separate from the discrimination alleged above, please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation.

Names of individuals responsible for the discriminatory action(s):

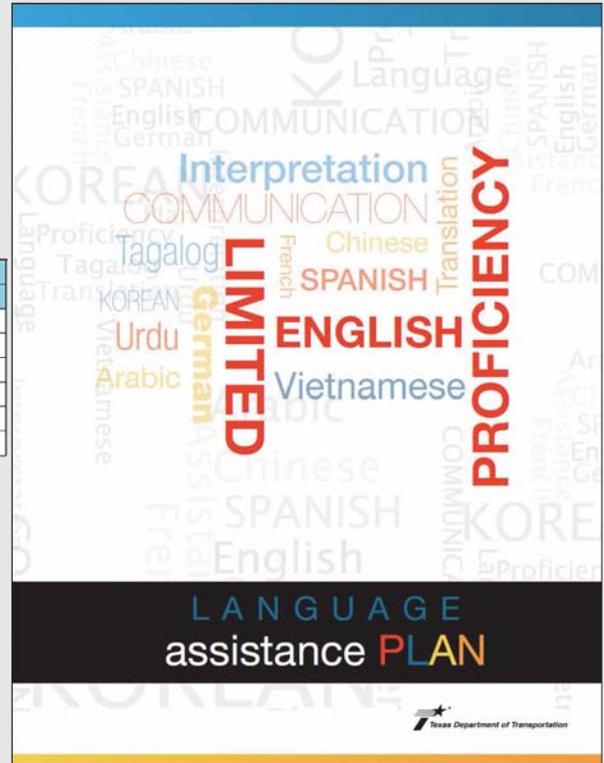
FY 19 Title VI/Nondiscrimination Plan



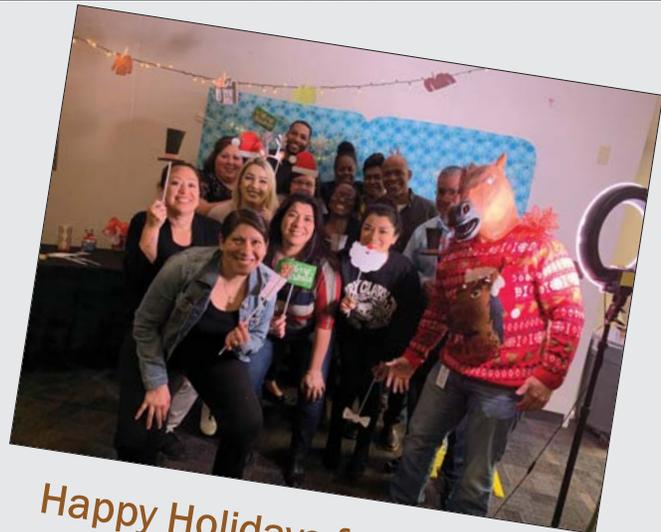
- **Changes from FY 18 Plan:**
 - Introduction Section Pgs. 3-5
 - Organization and Staffing Pg. 8
 - Program Area Monitoring and Internal Review Process Pg. 12
 - **CST, DES, ENV, MNT, TPP, OPI, CSD, PRO, PTN, ROW, TRF and 5 Districts**
 - Complaint Procedures Pg. 26
 - **Complaints against TxDOT**
 - **Complaints against Subrecipients**
 - **Process of Accept → Review → Dismissal or Referral**
 - Executive Orders 12898 & 13166
 - **LEP under Public Involvement Pg. 35**
 - Organizational Chart Pg. 58

LEP	1st Quarter (due Jan. 5)			2nd Quarter (due April 5)			3rd Quarter (due July 5)			4th Quarter (due Oct. 5)		
	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.
# of LEP encounters												
# of LEP individuals, by language group, served												
# of translation services provided												
# of interpreter services provided												
Cost of translation (written) services provided												
Cost of interpreter (in-person) services provided												

Quarterly Monitoring Report



Questions?



Happy Holidays from CIV !

- Please don't hesitate to call.
 - My cell number is (361)739-6960
 - Email: christopher.amy@txdot.gov

Title VI Liaison FY 19 Quarterly Meeting #1

- **(Slide 1) Safety Minute**
 - During the holiday season it is easy to get in a hurry and be distracted by the peripheral tasks we have to get done in a day. The result is decreased awareness of your surroundings while behind the wheel. Remember your Smith System training, drive defensively, focus on the roadway and get to your destination safely.
- **(Slide 2) Agenda**
 - See slide 2
- **(Slide 3) Old Stuff**
 - Title VI poster and Title VI brochure (materials on the slide) have dated information and need to be changed out.
 - Leave any existing Title VI Posters in place until the new Title VI Posters arrive.
 - Once you get the new outreach materials, please make sure all offices discard outdated Title VI posters and brochures.
- **(Slide 4) The New Look for Title VI**
 - The new Title VI Posters are 11" X 17" (roughly the same size as the current Posters);
 - Content includes:
 - TxDOT's policy statement on Title VI and other forms of discrimination,
 - TxDOT's assurances;
 - First steps in what to do if a person feels like they have been discriminated against under Title VI; and
 - CIV contact information.
 - Posters will also be available in Spanish
 - The posters should be hung in the various offices where they can clearly be seen by TxDOT employees but also in the reception areas of buildings/offices where we may interface with the public.
 - I am available anytime for a conference call, webinar or even an office visit (if necessary) to facilitate a smooth transition of the new materials.
- **(Slide 5) New Brochure**
 - The Title VI brochures are two sided, sized 4" X 9" with the same information as the posters. This size is useful for handing out to the general public and subrecipients that do work with TxDOT.
 - Title VI Brochures will be printed in Spanish for LEP accommodation;

Title VI Liaison FY 19 Quarterly Meeting #1

- Title VI Brochures will also be available in languages, other than English and Spanish, upon request. (TxDOT has a statewide contract to accommodate that translation service)
 - The order has been placed for posters and brochures and they should be coming later in December.
 - As a Title VI liaison you will be the point of contact for the posters and brochures mailed out. Please make sure these materials are provided to your various offices including Area and Maintenance offices. This also includes other satellite TxDOT offices.
 - Old brochures, illustrated on slide 3 should all be discarded.
 - Some brochures should be kept near the location where TxDOT could potentially interface with the public. In the event someone asks for Title VI information or has a complaint, TxDOT staff should be able to provide this information.
- **(Slide 6) Title VI Complaint** (refresher from Sept. 4th Title VI training)

Any person who believes that he or she, individually, or as a member of any specific class has been subject to discrimination may file a complaint. A complaint may also be filed by a representative on behalf of such a person or group.

Title VI complaints must be submitted in writing within 180 days of the date of the alleged act of discrimination. Complaints must include the facts and circumstances surrounding the alleged discrimination. Complaints can be submitted to TxDOT by completing the External Discrimination Complaint form (**Form 2193**). The form is available on the TxDOT website in English and in Spanish. Please note all complaints must include a signature.

In the event a person makes a verbal complaint to a TxDOT employee about alleged discrimination, that person will be interviewed by the CIV. If it is necessary, CIV will assist the person in documenting the complaint in writing and review the written version with that person for them to sign.

Within 10 days upon receipt, TxDOT will notify FHWA of the Title VI complaint and determine which agency has jurisdiction to handle the complaint. The allegations in the complaint will be thoroughly investigated and an attempt will be made to resolve any violations, if found.

Title VI Liaison FY 19 Quarterly Meeting #1

- **(Slide 7) FY 19 Title VI/Nondiscrimination Plan**
 - In November 2018, FHWA approved the FY 19 Title VI/Nondiscrimination Plan that TxDOT is currently operating under.
 - The FY 19 plan will be placed on the website sometime in January 2019.(the CIV website is currently under construction)
 - Some of the big changes include:
 - Introduction section on Pages 3 through 5 focus less on the other discriminatory policies; i.e. age, gender, and disability. The introduction is now more comprehensive for the Title VI program at TxDOT.
 - The Organization and Staffing section on Pages 8 through 11 now include Division Directors and District Engineers as part of the Title VI program staffing. Division Directors and District Engineers should familiarize themselves with the FY 19 Plan and continue in their supportive roles to the liaisons, Interdisciplinary Team and the Title VI Program Administrator.
 - Program Area Monitoring and Internal Review Process section on Pages 12 through 18 outline the revised annual review process for the Title VI program.
 - Questions will be tailored to the specific program areas prior to distribution; and
 - Five Districts will now be included in the annual survey.
 - Complaint Procedures on Pages 26 through 29 include:
 - Complaints alleging Title VI violations against TxDOT can be filed directly with FHWA, Texas Division of the FHWA, or Office of Civil Rights.
 - Complaints alleging Title VI violations against subrecipients should be filed with TxDOT, CIV.
 - FHWA Procedures for accepting, reviewing and either procedurally dismissing or referral of a complaint can be found on Page 28.
 - The FY 19 Plan removed references to Executive Order 12898 (Environmental Justice). Environmental Justice specifies that each federal agency identify and address disproportionately high and adverse human health and environmental effect from programs or activities on minority and low-income persons/populations. However, low-income status is not a screening criterion for Title VI, which are race, color & national origin. Environmental Justice will continue to be evaluated during the environmental planning

Title VI Liaison FY 19 Quarterly Meeting #1

- process and proves to be a useful tool when evaluating a potential violation for Title VI on a minority population.
 - The FY 19 Plan has a revised section for Limited English Proficiency (LEP) on Pages 35 through 36, consistent with Executive Order 13166.
 - Revised CIV Organizational Chart on Page 58
- **(Slide 8) LEP Program at TxDOT**
 - TxDOT is compliant with Executive Order (E.O.) 13166 for Limited English Proficiency (LEP) primarily through the Agency's Title VI/Nondiscrimination Plan. As a supplemental document, TxDOT also has a Language Assistance Plan (LAP) that is a guide to address how people of LEP have access to all TxDOT available programs and services. Districts and Divisions are required to develop and adopt a plan to address the needs of LEP individuals consistent with the USDOT LEP Guidance.
 - Implementing the LAP requires staff at TxDOT to be able to identify the potential for LEP individuals when there are interactions with the public. TxDOT has 6 statewide contracts with open PO's to utilize and set up services expeditiously through the PRO Division. Districts and Divisions have points of contact for LEP that assist in evaluating the effectiveness of the LAP. The LEP contacts within TxDOT provide quarterly data to CIV that includes:
 - Number of LEP encounters;
 - Number of LEP individuals, by language group, served;
 - Number of translation services provided;
 - Number of interpreter services provided;
 - Cost of written translation services provided;
 - Cost of interpreter (in-person) services provided;
 - Cost of interpreter (telephone) services provided;
 - LEP complaints received; and
 - LEP complaints resolved.
 - The data collected gets analyzed as a way to gauge the effectiveness of the LAP and how TxDOT is consistent with our Title VI/Nondiscrimination Plan. LEP data is reported quarterly and then finally in an annual report to FHWA.
 - Through education about LEP at TxDOT, CIV is striving to get a better statewide representation on how our agency accommodates LEP persons through language assistance.

Title VI Liaison FY 19 Quarterly Meeting #1

- (Slide 9) Contact Information: Christopher Amy (CIV) at (361) 739-6960 or christopher.amy@txdot.gov



Title VI Liaison Quarterly Meeting #2

Agenda

Tuesday March 19, 2019 | 2:00 – 2:30 pm
Join [WebEx](#) meeting

1. Welcome
2. Title VI Posters and Brochure Distribution: (5 minutes)
 - a. Your feedback is important;
 - b. Spot check for visibility; and
 - c. Available now in Spanish.
3. WASHTO: (5 minutes)
 - a. Overall event;
 - b. Data Collection and Analysis Session;
 - c. Case Studies Session; and
 - d. Opportunities for additional Title VI training by FHWA in 2019.
4. Title VI/Nondiscrimination Plan Review in FY 2019: (5 minutes)
 - a. Data collection process; and
 - b. Districts involved in FY19 Reviews.
5. Limited English Proficiency Program at TxDOT: (10 minutes)
 - a. Changes to LEP Program;
 - b. Quarterly data collection; and
 - c. LEP Workshop coming soon.
6. Questions: (5 minutes) or offline if needed
7. Next Quarterly Meeting in June 2019
8. Adjourn



Safety: Mission

ZERO

Safe driving at work
and at home.



Safety Never Stops!



Title VI Program

Nondiscrimination | TxDOT

Title VI Liaison Quarterly Meeting #2

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Tuesday March 19, 2019 | 2:00 - 2:30 pm
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 - a. Changes to LEP Program;
 - b. Quarterly data collection; and
 - c. LEP Workshop coming soon.
6. Questions: (5 minutes) or offline if needed
7. Next Quarterly Meeting in June 2019
8. Adjourn

- **Quick Housekeeping:**
 - Keep your phones on mute.
 - If you get a call, don't put it on hold.
 - If have a questions just ask, call or email me.

We would like your feedback.....

Title VI Poster

Title VI
Protecting your civil rights is good business

The Department assures full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and related statutes and regulations in all programs and activities.

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Contact Us:
Civil Rights Division
125 East 11th Street
Austin, Texas 78701-2483
(512) 416-4700
CivilRights@TxDOT.gov

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www.txdot.gov

Title VI Brochure

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Now in Spanish!

Title VI Postcard

Title VI
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CivilRights@TxDOT.gov

Título VI
Proteger sus derechos civiles es un buen negocio

Es nuestra política garantizar que ninguna persona en los Estados Unidos de América sea excluida de la participación en, se le niegue el beneficio de, o de otra manera sea sometida a la discriminación bajo cualquiera de nuestros programas y actividades por motivos de raza, color, origen nacional, sexo, edad o discapacidad.

El Departamento asegura el pleno cumplimiento del Título VI de la Ley de Derechos Civiles de 1964, la Ley de Restauración de Derechos Civiles de 1987 y las estatutos y normas conexas dentro de todos los programas y actividades.

Cualquier persona que crea que ha sido sometida a prácticas discriminatorias ilegales bajo el Título VI tiene el derecho de presentar una denuncia formal. Cualquier denuncia de este tipo debe presentarse por escrito o en persona ante la División de Derechos Civiles del Departamento de Transporte de Texas dentro de los 180 días siguientes a la fecha de la presunta acción discriminatoria.

Comuníquese con nosotros:
Civil Rights Division
125 East 11th Street
Austin, Texas 78701-2483
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CivilRights@TxDOT.gov

www.txdot.gov

Title VI Brochure

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www.txdot.gov

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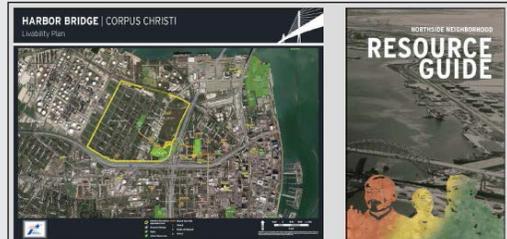
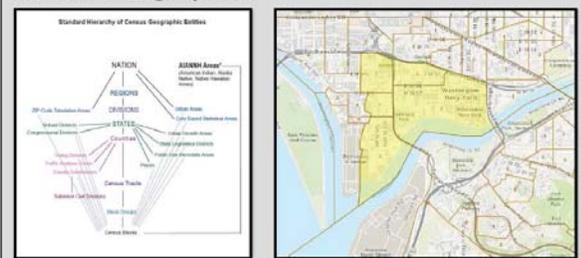


Western Association of State Highway Officials

- Texas was the host state;
- 14 other states represented at conference;
- 250 overall attendees
- 21 attendees from FHWA & FAA
- 4 CEOs from State DOTs including James Bass;
- Presentations will be available on WASHTO web page.

WASHTO Title VI Sessions

Census Geographies



Session 3: Title VI Best Practices – Data Collection and Analysis

- **Data Collection**
- **Census Maps:**
 - EJ Demographics mapped
 - Dot Density
- **Data Analysis :**
 - Determining alternative with a disparate impact

Session 6: Title VI Best Practices – Case Studies

- Determining disparate impacts on community;
- Evaluating appropriate mitigation for impacts;
- Case Study: US 181 Harbor Bridge Corpus Christi
- Case Study: I-70 Denver, Colorado



- Please don't hesitate to call and let me know what is working or how we can do better:
 - My cell number is (361)739-6960
 - Email: christopher.amy@txdot.gov

Title VI Liaison FY 19 Quarterly Meeting #2

- (Slide 1) *Safety Minute*
 - We should use our safe driving techniques not only at work but in our personal vehicles. For those of us who have young adults at home, talk to them about the importance of controlling your speed, preventing distractions and other safe driving practices.
- (Slide 2) *Agenda*
 - See slide 2
- (Slide 3) *Old Stuff*
 - The majority of Title VI poster and Title VI brochure were distributed in December 2018.
 - CIV used the Title VI liaisons as points of contact for distribution.
 - Make sure old Title VI posters and brochures are discarded.
 - Reminder: Title VI posters should be displayed where they're not only visible to TxDOT employees but also in areas of buildings/offices where we may have interactions with the public.
 - Once all offices have the Title VI posters and brochures please follow up with a poster "spot check" and brochure availability.
 - Please give us feedback; what is working and how we can improve?
- (Slide 4) *Now available in Spanish!*
 - The 11" X 17" Title VI Posters
 - The 4" X 9" two-sided Title VI brochures
 - (New) 4" X 6" two-sided (English/Spanish) Title VI postcard
 - I am available anytime for a conference call, webinar or even an office visit (if necessary), to facilitate a smooth implementation of new materials.
- (Slide 5) *WASHTO (Western Association of State Highway Officials)*
 - The event was held in Austin, March 5th through the 8th.
 - Texas (TxDOT) was the host state.
 - Over 250 people attended the conference including representation from 14 other states and 21 attendees from FHWA and FTA.
 - Four State DOT CEOs were in attendance, including our Executive Director, James Bass and all participated in a panel discussion.
 - For a more complete description of the event and to view full presentations discussed during sessions, please visit the WASHTO link on TxDOT's website at: www.txdot.gov/inside-txdot/division/civil-rights/washto.html

Title VI Liaison FY 19 Quarterly Meeting #2

- (Slide 6) WASHTO *Title VI*
 - Both presentations are on the WASHTO website. (go to the link above)
 - Session 3: Title VI Best Practices – Data Collection and Analysis
 - Data Collection
 - You can gather community demographic data from the US Census Bureau at American FactFinder website.
 - Narrow your search through Census Geographies to retrieve desired demographic data.
 - Census Maps
 - Some data is limited to community tract level.
 - Dot Density maps are more definitive and represent individual residences by race.
 - Data Analysis
 - Based on demographic data, the "Risk Ratio & 4/5 Rule" is used to provide a ratio that demonstrates if a project or program will have a disparate impact.
 - Statistical analysis is then used to illustrate if there is a correlation between the project or program and the minority community.
 - Session 6: Title VI Best Practices – Case Studies
 - What is a disparate impact?
 - Appears neutral in practice;
 - The impact is disproportionate and adverse on the basis of race, color or national origin on the adjacent population.
 - US 181 Harbor Bridge in Corpus Christi, Texas
 - 4 alternatives examined in the environmental process
 - Census data indicated project area had a high African American and Hispanic population \geq 50%.
 - Project Team acknowledged a disproportionately high and adverse impact on the minority population.
 - Identified community cohesion as an impact and developed mitigation based on community input to minimize the impact to local connectivity.
 - In March 2015 a Title VI complaint was filed by two people from the adjacent neighborhood with FHWA before the final decision on the environmental process was made.
 - FHWA and TxDOT worked to develop additional mitigation to settle the complaint and established a Voluntary Resolution Agreement (VRA).

Title VI Liaison FY 19 Quarterly Meeting #2

- Under the VRA, TxDOT partnered with local agencies to provide residents the opportunity to voluntarily relocate from the adjacent neighborhood with relocation assistance.
- Pictures in the presentation of the before and after are homes of residents that elected to participate in the voluntary program.
- The new Harbor Bridge has a 10 foot shared use path and two trail heads with parking located near both ends of the bridge for greater local connectivity and community cohesion.
- TxDOT is also developing a community livability plan for the remaining residents.
- IH 70 in Denver, Colorado
 - Replacing Interstate Highway with infrastructure deficiencies through Denver;
 - Two alternatives considered;
 - Environmental process concluded a disproportionately high and adverse impact on the minority population.
 - Some of the community concerns included air quality, environmental justice and neighborhood cohesion.
 - Other alternatives considered to reroute I-70 or depress the freeway and provide a structural cap. The cap would allow for improvements to residential amenities such as parks and green space. Structural caps also improve local connectivity and enhance overall community cohesion.
 - Residential properties and schools within 500 feet received air filtration and energy saving products to mitigation for construction dust and noise.
 - CDOT worked with local agencies that provided for affordable housing projects, business relocation assistance and toll road subsidies for the affected community.
 - Title VI was filed by an advocacy group in 2016 claiming the Statewide Transportation Improvement Plan (STIP) violated Title VI.
 - FHWA concluded that there was insufficient evidence that the project and CDOT's advancement of the project created a disparate impact.
 - FHWA also concluded that even though the preferred alternative would result in adverse and disparate impacts,

Title VI Liaison FY 19 Quarterly Meeting #2

CDOT demonstrated there was not a less discriminatory alternative to reasonably consider.

- **(Slide 7) FY 19 Title VI/Nondiscrimination Plan**
 - In February and March, CIV has been visiting with various Divisions to review previously asked questions related to the Title VI Program.
 - The objective of my visit is to have a conversation about the Title VI at TxDOT and collaborate on related questions for data collection that is required by FHWA.
 - The Program Area reviews will include Divisions and five Districts.
 - CIV will be contacting the five Districts soon to schedule a visit and work through a list of questions with the District Title VI liaisons.
 - CIV is working to finalize the questions by end of May in order to roll out the questions by the first of June.
 - The requested information will need to be returned to CIV by August 31st.
 - All the information received, will be summarized in an Accomplishments and Goals Report due to FHWA by October 1st.

- **(Slide 8) LEP Program at TxDOT**
 - TxDOT's Language Assistance Plan (LAP) is currently being revised and should be completed by the next Quarterly Meeting in June.
 - As a reminder, the LAP is a guide to address how people of LEP have access to all TxDOT available programs and services. Districts and Divisions are required to develop and adopt a plan to address the needs of LEP individuals.
 - Recently, CIV developed a spreadsheet on our SharePoint site to allow LEP point of contact at Districts and Divisions the ability and convenience of populating requested monthly data.
 - A step by step procedure for using the SharePoint site is available in a pdf format.
 - The link to the SharePoint site can be found at:
<https://txdot.sharepoint.com/sites/office-ocr/CIVCrossroads/SitePages/Home.aspx>
 - Because of conflicting schedules CIV will now have a "how to" LEP webinar workshop on April 9th from 1:30 to 2:30 to go over the SharePoint site and answer questions on data collection.
 - Reminder: TxDOT has statewide contracts with open PO's to utilize and set up services expeditiously through the PRO Division. Districts and Divisions have points of contact for LEP that assist in evaluating if there is a potential for LEP interactions when communicating with the public.

Title VI Liaison FY 19 Quarterly Meeting #2

- The LEP contacts within TxDOT provide quarterly data to CIV that includes:
 - Number of LEP encounters;
 - Number of LEP individuals, by language group, served;
 - Number of translation services provided;
 - Number of interpreter services provided;
 - Cost of written translation services provided;
 - Cost of interpreter (in-person) services provided;
 - Cost of interpreter (telephone) services provided;
 - LEP complaints received; and
 - LEP complaints resolved.
 - The data collected gets analyzed as a way to gauge the effectiveness of the LAP and how TxDOT is consistent with our Title VI/Nondiscrimination Plan. LEP data is reported quarterly and then finally in an annual report to FHWA.
 - Through continued education about LEP at TxDOT, CIV is striving to get a better statewide representation on how our agency accommodates LEP persons through language assistance.
- **(Slide 9) Contact Information:** Christopher Amy (CIV) at (361) 739-6960 or christopher.amy@txdot.gov
 - Please call or email if you have a question, concern or suggestions on ways to improve. Thank you for your time.

Title VI Liaison Quarterly Meeting #3

Agenda

Thursday June 27, 2019 | 2:00 – 2:30 pm
Join [WebEx](#) meeting

1. Welcome
2. Title VI /Nondiscrimination Plan Review in FY 2019: (5 minutes)
 - a. Data collection process;
 - b. Districts involved in FY19 Reviews; and
 - c. Information needed no later than August 31st
3. Peer Exchange with Florida DOT: (5 minutes)
 - a. Overall event;
 - b. What TxDOT learned;
 - c. What we brought back to Texas; and
 - d. What to look for in 2020.
4. Title VI Training is Coming to Texas: (10 minutes)
 - a. Where: TxDOT, Riverside in Austin
 - b. August 27th for TxDOT employees;
 - c. August 28th for Local Agency; i.e. City, County, MPO, etc.; and
 - d. CIV is working to set up remote connection capabilities.
5. Limited English Proficiency Program at TxDOT: (5 minutes)
 - a. Quarterly data collection (reminder)
6. Questions: (5 minutes) or plan for offline conversation if needed
7. Next Quarterly Meeting in September 2019
8. Adjourn



TEXAS DEPARTMENT OF TRANSPORTATION

TITLE VI LIAISONS

Quarterly Meeting #3

June 27, 2019



Title VI Protecting your civil rights is good business

It is our policy to ensure that no person in the United States of America shall on the grounds of race, color, national origin, sex, age or disability be excluded from the participation in, be denied the benefits of, or otherwise be subjected to discrimination under any of our programs and activities.

The Department assures full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and related statutes and regulations in all programs and activities.

Any person who believes they have been subjected to unlawful discriminatory practices under Title VI has the right to file a formal complaint. Any such complaints must be filed in writing or in person with the Texas Department of Transportation, Civil Rights Division within 180 days following the date of the alleged discriminatory action.

Contact Us:
Civil Rights Division
120 East 120th Street
Austin, Texas 78705-2483
(512) 438-4700
CivilRights@TxDOT.gov



www.txdot.gov



Safety: Mission

ZERO



Safety Never Stops!

Hydrate in the Heat

Title VI Liaison Quarterly Meeting #3

Agenda

Thursday June 27, 2019 | 2:00 – 2:30 pm
Join [WebEx](#) meeting

1. Welcome
2. Title VI /Nondiscrimination Plan Review in FY 2019: (5 minutes)
 - a. Data collection process;
 - b. Districts involved in FY19 Reviews; and
 - c. Information needed no later than August 31st
3. Peer Exchange with Florida DOT: (5 minutes)
 - a. Overall event;
 - b. What TxDOT learned;
 - c. What we brought back to Texas; and
 - d. What to look for in 2020.
4. Title VI Training is Coming to Texas: (10 minutes)
 - a. Where: TxDOT, Riverside in Austin
 - b. August 27th for TxDOT employees;
 - c. August 28th for Local Agency; i.e. City, County, MPO, etc.; and
 - d. CIV is working to set up remote connection capabilities.
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 - a. Quarterly data collection (reminder)
6. Questions: (5 minutes) or plan for offline conversation if needed
7. Next Quarterly Meeting in September 2019
8. Adjourn

- Welcome
- Quick Housekeeping:
 - Keep your phones on mute.
 - If you get a call, don't put it on hold.
 - If have a questions just ask, call or email me.

FY 19 Title VI/Nondiscrimination Plan (Program Reviews)

- **Implementing FY 19 Plan:**
 - Visiting Divisions/Districts:
 - Visiting with you on Title VI:
 - Title VI Program at TxDOT
 - Collaboration on Title VI Program
 - Refine previously asked questions
 - Program Area Review Process:
 - Divisions
 - 5 Districts
 - Questions now finalized by July
 - Data back no later than September 1st
 - Goals and Accomplishments Report:
 - October 1st



Peer Exchange in Florida



Met at FDOT in Brevard County



Civil Rights Division

June 27 2019

6

Peer Exchange Objectives:



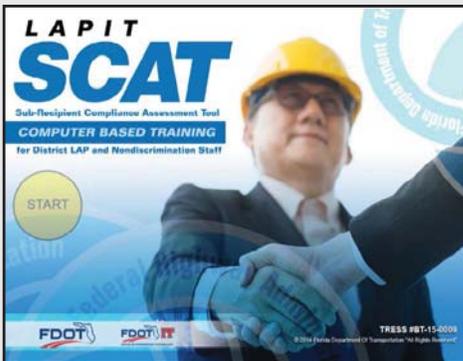
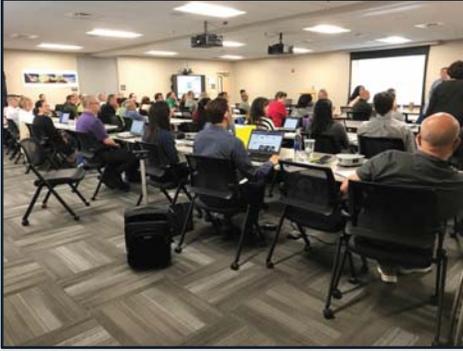
- TxDOT/FDOT/FHWA
 - Identify Innovation
 - Exchange Ideas
 - Share Experiences
 - Recognize areas for TxDOT implementation
 - Best Practices
 - Other Offices
 - Be able to Distinguish:
 - Short term goals
 - Long term strategies
 - Need for collaboration

Civil Rights Division

June 27 2019

7

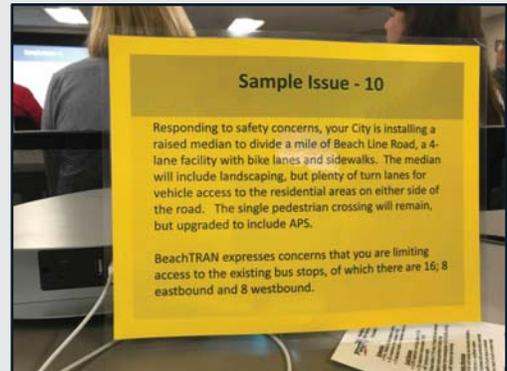
What we took away:



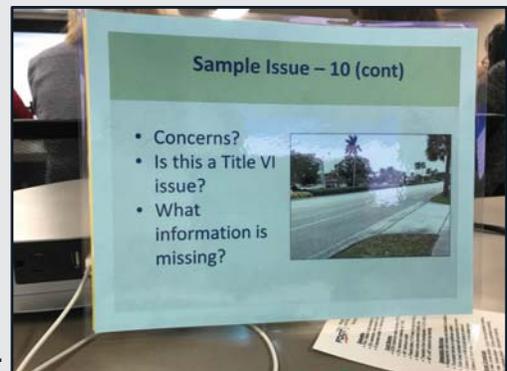
■ Title VI Program:

- Collaborate on certification process;
 - Local Governments Office
 - Establish new review criteria
- Local Public Agencies (subrecipients)
 - Perform more on-site visits
 - Provide Technical Assistance
- Title VI training;
 - Within TxDOT
 - Local Government Training
 - Annually, Regionally and by Office
- Website
 - Retooling
 - Link to self assessment review
 - Subrecipients
 - Internal to TxDOT programs
- Title VI Liaisons
 - Established job criteria;
 - Internal and external reviews;

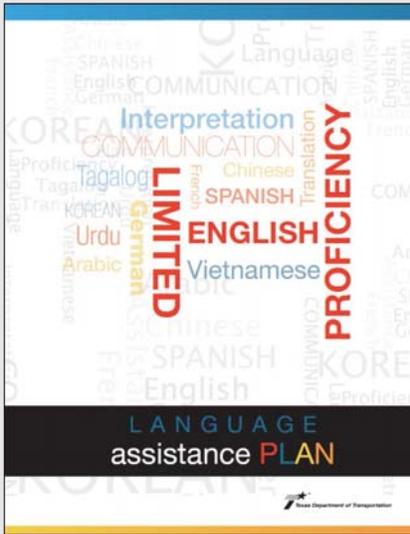
Title VI Training is coming to Texas!



- Dates: August 27th or 28th (*Rescheduled to 28th or 29th*)
 - 27th 28th specific to TxDOT
 - 28th 29th geared to local agencies
- Were: Riverside Drive Bldg. 200 Classroom B or E
- Time: (9:00 a.m. to 5:00 a.m.)
- CIV working to set up a Training Code.
- Working on setting up capabilities for remote connection.



LEP Program at TxDOT



LEP	1st Quarter (due Jan. 5)			2nd Quarter (due April 5)			3rd Quarter (due July 5)			4th Quarter (due Oct. 5)		
	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.
# of LEP encounters												
How many different language groups are represented in the LEP encounters?												
# of written translation services provided												
# of in-person interpretation services provided												
# of telephone interpretation services provided												
Cost of written translation services provided												
Cost of in-person and telephone interpretation services provided												

LEP Monitoring Reporting

- Linked in sharepoint for monthly updates;
- LEP workshop held last April;
- Some offices late on reporting ;
- LEP update for 3rd Quarter due July 5th.

<https://txdot.sharepoint.com/sites/office-ocr/CIVExt/DDReportingPortal/SitePages/DD%20Reporting%20Potal.aspx>

LEP Sharepoint Site

Instructions for Using LEP Reporting Dashboard

1. Navigate to CIV Sharepoint Team Site
<https://txdot.sharepoint.com/sites/office-ocr/CIVCrossroads/SitePages/Home.aspx>
2. Click on D/D Reporting Portal



3. Select Title VI Reporting



4. Open the Excel document "LEP Reporting Dashboard"



5. Navigate to your District/Division tab at the bottom of the spreadsheet to enter your Quarterly info.

A screenshot of the "LEP Reporting Dashboard" spreadsheet. The "Abilene Division" tab is selected. The spreadsheet has columns for quarters and months. A red arrow points to the "Title VI Reporting" icon from the previous slide.

- Do not move/create tabs or enter any info into the CIV Summary tab.
- Fill in ALL cells for the reporting month, including those with a zero "0" response.
- Once you've finished filling in the data, you can exit out of the spreadsheet and Sharepoint – no need to save, Excel online automatically saves your data in real-time.

Let us know if you need more.....

Title VI Poster



Size: 11" X 17"

Title VI Brochure



Size: 4" X 9"

Questions?



Thank you!

- Please don't hesitate to call and let me know what is working or how we can do our job better:
 - My cell number is (361)739-6960
 - Email: christopher.amy@txdot.gov

Title VI Liaison FY 19 Quarterly Meeting #3

- **(Slide 2) Safety Minute**
 - As the summer rolls on it's important to remember to stay hydrated. Make a conscious effort to drink water and take precautions if you feel light headed, dizzy or nauseous.
- **(Slide 3) Agenda**
 - See slide 2
- **(Slide 4) FY 19 Program Reviews**
 - This last quarter, CIV has been taking the Title VI Program out to the various Divisions to develop the Program Review questionnaire.
 - The meeting accomplishes the following:
 - Conduct Title VI preliminary training with Division and District liaisons and staff;
 - Provide an overview of how the Title VI Program is structured;
 - For CIV to gain a better perspective of how the Division or District office operates; and
 - Review previously asked program review questions in a collaborative effort to refine and customize the Title VI questionnaire.
 - As described in the FY 19 Plan, the interdisciplinary approach will result in a better understanding of not only the Title VI Program but the application where Title VI considerations should be made.
 - CIV will work with each Program Area office and selected Districts to review and refine the questions for the Title VI Program reviews.
 - CIV will try to have the questionnaires out by the end of July, unless CIV is working with an office to refine the data gathering questions; and
 - CIV would like to get the information back by September 1st in preparation of Accomplishments and Goals Report to FHWA.
- **(Slide 5) Peer Exchange in Florida**
 - Photo with TxDOT, FDOT & FHWA
- **(Slide 6) Peer Exchange continued**
 - TxDOT, FDOT and FHWA met at the Brevard County, Florida Maintenance and Operations facility.
- **(Slide 7) FDOT Peer Exchange Objectives:**
 - Develop and identify innovative strategies used in other DOT's for Title VI program implementation at TxDOT.

Title VI Liaison FY 19 Quarterly Meeting #3

- TxDOT CIV interviewed FDOT Title VI Specialists, to determine which innovative strategies for Title VI should be considered for application.
- CIV in turn, shared their own best practices at TxDOT and discussed experiences with Title VI program implementation in Texas.
- TxDOT further take-away included:
 - Recognizing short term goals easily implemented in FY 19 & FY 20
 - Planning strategies for long term implementation in the Title VI Program over the next three to five years.
 - Identify the need for collaboration within TxDOT offices and CIV reaching out to other state Title VI coordinators for assistance.
- **(Slide 8) What we took away:**
 - TxDOT's Title VI Program is moving in a positive direction;
 - In regards to CIV providing technical assistance to Subrecipients:
 - FDOT's Civil Rights office and the Local Government Program work very closely with one another to provide a comprehensive service to subrecipients.
 - The working relationship CIV has with TPP and Local Government office is critical to the success of the subrecipient program at TxDOT.
 - TxDOT needs to shift from a compliance heavy role with Local Public Agencies (LPAs) to a more technical assistance role providing:
 - An interactive compliance assessment tool;
 - Templates and "how-to" guidance on the requested information necessary for a Title VI program;
 - Developing a self-assessment tool will take time to develop with FHWA participation.
 - CIV will work with IMD & NTT data to expedite the development of the interactive computer based platform.
 - Title VI training should continue internally and externally on an annual basis with:
 - TxDOT Title VI Liaisons and staff at various offices; and
 - LPAs compliance assessment tool and technical assistance training.
 - TxDOT CIV's external webpage will need to be enhanced for the subrecipients to easily access links to the self-assessment tool and created templates.
 - TxDOT CIV on Crossroads or Sharepoint will create a user-friendly platform for internal reporting in FY 20.

Title VI Liaison FY 19 Quarterly Meeting #3

- o Title VI Liaisons
 - Established job description;
 - Included in performance criteria for reviews at FDOT
 - Title VI Liaisons at FDOT perform internal and external reviews;
 - Report findings to the Title VI Coordinator at FDOT.
- (Slide 9) **Title VI Training is coming to Texas**
 - o The dates have been moved to the 28th and 29th of August. (the original dates were the 27th and 28th but there is a state holiday on the 27th)
 - August 28th is training for TxDOT employees
 - August 29th is training for LPAs and TxDOT employees that work with LPAs in their job function.
 - Austin, Texas, Riverside Drive, Bldg. 200 Classroom; and
 - Will be held from 9:00 a.m. till 5:00 p.m. each day;
 - o CIV is trying to establish a training code for the course;
 - o CIV is setting up the capabilities for remote connection, possibly WebEx for employees unable to travel to Austin that day.
- (Slide 10) **LEP Program at TxDOT**
 - o TxDOT's Language Assistance Plan (LAP) is currently being revised and should be completed by FY 2020.
 - o As a reminder, the LAP is a guide to address how people of LEP have access to all TxDOT available programs and services. Districts and Divisions are required to develop and adopt a plan to address the needs of LEP individuals.
 - o Reminder: TxDOT has statewide contracts with open PO's to utilize and set up services expeditiously through the PRO Division. Districts and Divisions have points of contact for LEP that assist in evaluating if there is a potential for LEP interactions when communicating with the public.
 - o The LEP contacts within TxDOT provide quarterly data to CIV that includes:
 - Number of LEP encounters;
 - Number of LEP individuals, by language group, served;
 - Number of translation services provided;
 - Number of interpreter services provided;
 - Cost of written translation services provided;
 - Cost of interpreter (in-person) services provided;
 - Cost of interpreter (telephone) services provided;
 - LEP complaints received; and
 - LEP complaints resolved.

Title VI Liaison FY 19 Quarterly Meeting #3

- (Slide 11) **LEP Sharepoint Site**
 - o Last Spring of 2019, CIV developed a spreadsheet on our SharePoint site to allow LEP point of contact at Districts and Divisions the ability and convenience of populating requested monthly data. This is a friendly reminder that the information is not always being updated monthly.
 - o A step by step procedure for using the SharePoint site is available in a pdf format.
 - o The link to the SharePoint site can be found at:
<https://txdot.sharepoint.com/sites/office-ocr/CIVCrossroads/SitePages/Home.aspx>
 - o Reminder: TxDOT has statewide contracts with open PO's to utilize and set up services expeditiously through the PRO Division. Districts and Divisions have points of contact for LEP that assist in evaluating if there is a potential for LEP interactions when communicating with the public.
 - o The data collected gets analyzed as a way to gauge the effectiveness of the LAP and how TxDOT is consistent with our Title VI/Nondiscrimination Plan. As a requirement, LEP data is reported quarterly and then finally in an annual report to FHWA.
 - o Through continued education about LEP at TxDOT, CIV is striving to get a better statewide representation on how our agency accommodates LEP persons through language assistance.
 - o Please submit your LEP information on the SharePoint site monthly.
- (Slide 12) Let us know if you need more:
 - o Posters
 - o Title VI Brochures
 - o Contact: Debra Medellin at (512) 416-4759 or email at Debra.Medellin@txdot.gov
- (Slide 13) Contact Information: Christopher Amy (CIV) at (361) 739-6960 or Christopher.Amy@txdot.gov
 - o Please don't hesitate to call and let me know what is working or how we can do our job better. Thank you for your time.

Title VI Liaison Quarterly Meeting #4 Agenda

Thursday September 26, 2019 | 2:00 – 2:30 pm
Join [WebEx](#) meeting

1. Welcome
2. Title VI/Nondiscrimination Program: (5 minutes)
 - a. Data collection;
 - b. Goals and Accomplishments; and
 - c. FY 2020 Plan.
3. Title VI Training held August 28th & 29th: (10 minutes)
 - a. Overall;
 - b. Presentation slides are available;
 - c. Part 2 held next Spring/Summer 2020;
 - d. Results of participant survey; and
 - e. If you haven't, please share your experience with us.
4. Title VI Technical Assistance for Subrecipients in 2020: (3 minutes)
 - a. Previewed on the 29th;
 - b. CIV Building the program; and
 - c. Regional training planned in 2020.
5. Limited English Proficiency Program at TxDOT: (2 minutes)
 - a. Quarterly data collection required (reminder)
6. Recap of FY 2019....Title VI liaisons will provide input to CIV on: (10 minutes)
 - a. What went well?
 - b. What could improve?
 - c. Increased awareness of Title VI Program?
7. Next Quarterly Meeting (#1) to be held in December 2019
8. Adjourn



TEXAS DEPARTMENT OF TRANSPORTATION

TITLE VI LIAISONS

Quarterly Meeting #4
September 26, 2019



Title VI Protecting your civil rights is good business

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The Department assures full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and related statutes and regulations in all programs and activities.

Any person who believes they have been subjected to unlawful discriminatory practices under Title VI has the right to file a formal complaint. Any such complaints must be filed in writing or in person with the Texas Department of Transportation, Civil Rights Division within 180 days following the date of the alleged discriminatory action.

Contact Us:
Civil Rights Division
120 East 12th Street
Austin, Texas 78705-2483
(512) 438-4700
CivilRights@TxDOT.gov



www.txdot.gov



Safety: Mission

ZERO



Prepare for Emergencies

Safety Never Stops!



Title VI Program

Nondiscrimination | TxDOT

Title VI Liaison Quarterly Meeting #4 Agenda

Thursday September 26, 2019 | 2:00 - 2:30 pm
Join [WebEx](#) meeting

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 - a. Data collection;
 - b. Goals and Accomplishments; and
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- **Welcome**
- **Quick Housekeeping:**
 - Keep your phones on mute.
 - If you get a call, don't put it on hold.
 - If have a questions just ask, call or email me or Debra.

FY 19 Title VI/Nondiscrimination Plan (Program Area Reviews)

- Finalizing FY 2020 Plan:
 - Reporting Time:
 - Visiting with you on Title VI:
 - Title VI Program at TxDOT in FY 2020
 - Collaboration on Title VI Program
 - Refine Questionnaire Process
 - Program Area Review Analysis:
 - Divisions
 - 5 Districts
 - Title VI/Nondiscrimination Plan
 - Goals and Accomplishments Report:
 - October 1st



FFY 2019-2020 Title VI/Nondiscrimination Annual Work Plan & Accomplishment Report

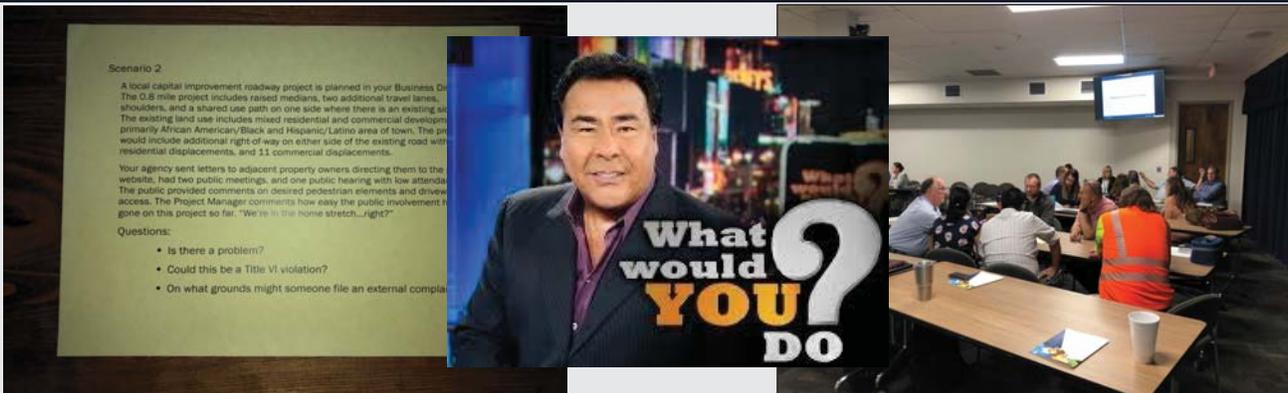
Civil Rights Division
October 1, 2019

Civil Rights Division

September 26, 2019

4

Title VI Training in Texas!



- Dates: August 28th or 29th
 - 28th specific to TxDOT
 - 29th geared to local agencies
- Were: Riverside in Bldg. 200 & WebEx
- CIV working to set up Part 2 in Spring 2020.



Civil Rights Division

September 26, 2019

5

Technical Assistance Tool for Subrecipients

 TEXAS DEPARTMENT OF TRANSPORTATION

Title VI Compliance Assessment Tool

1. Agency Information
 Organization Name:
 Contact:
 Email:
 Phone: - -

2. Does your Agency have a signed Title VI Policy Statement and Title VI Assurances?
 Yes No
 a. Provide a link to the agency's Title VI Policy Statement and Title VI Assurances (Note: A template will be created for the LPA's use)

3. Do you have a current Title VI/Nondiscrimination Plan?
 Yes No
 a. Is the plan available online to the general public?
 Yes No
 b. Provide a link to the Title VI Plan. (Note: A basic Title VI plan template will be created for the LPA's use)

4. Does your Agency have a Title VI Coordinator?
 Yes No
 a. Provide contact information for the Title VI Coordinator (name, address, phone number, email):
 Name:
 Agency:
 Department:
 Address:
 City:
 State: Selected a State...
 Zip Code:
 Phone: - -
 Email:
 b. Does the agency's Title VI/Nondiscrimination Plan provide an organizational chart that includes the agency's Title VI Coordinator and a description of their responsibilities?
 Yes No

5. Does your agency have an external discrimination complaint handling and processing procedure?
 Yes No
 a. If so, provide a link to the external discrimination complaint handling protocols

6. Does your agency include Title VI contract provisions in solicitations, contracts and award?
 Yes No

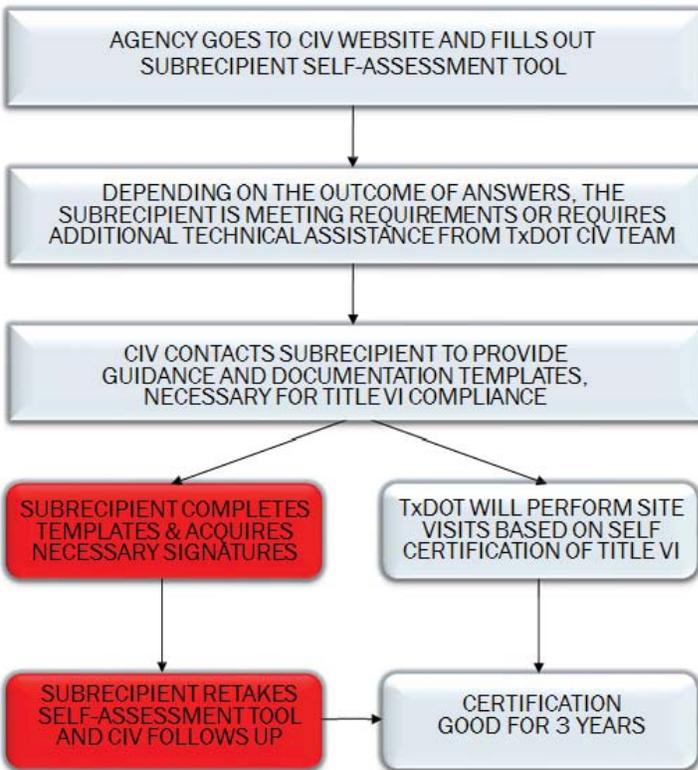
7. How does your agency ensure that Limited English Proficient (LEP) individuals have access to the agency's programs and services? (Requirements are described under the four factor analysis in Executive Order 13166. Additional resources are found at www.leg.gov)
 Completed Language Assistance Plan
 Contract services for interpretation and translation
 Focused LEP outreach during planning & construction
 Identified bilingual employees

8. What outreach efforts does your Agency utilize to solicit input from minority populations within your jurisdictional boundaries in order to ensure nondiscrimination in its public participation process?
 Maintaining a Public Participation Plan
 Targeted community engagement
 Committees or advisory groups
 Other. Please explain:

9. Recipients of federal funds are required to collect and analyze demographic data to ensure nondiscrimination and equity for recipient in programs, services and activities. Identify the data collection sources for analyzing demographic data in the areas within your jurisdictional boundaries.
 Census
 American Community Survey
 Department of Education
 Community Development Offices
 Other Sources. Please identify:

10. How does your agency advise the public of Title VI/Nondiscrimination policies and procedures? Note: Electronic placement on a website alone is not enough.
 Agency Web Page
 Social Media
 Displayed in Public Building
 Public Meetings & Outreach
 Accessible Publications
 Other. Please specify:

Self-Assessment Process



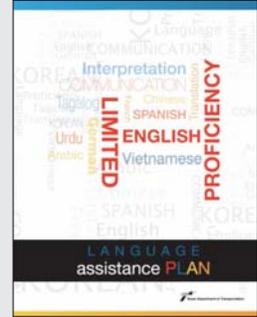
CIV TEAM

LEP Program Reminder



LEP Monitoring Reporting

- Linked in sharepoint for monthly updates;
- LEP workshop held last April;
- Some offices still late on reporting ;
- Let us know if you need assistance or training ;
- LEP update for 4th Quarter due October 5th.



LEP	1st Quarter (due Jan. 5)			2nd Quarter (due April 5)			3rd Quarter (due July 5)			4th Quarter (due Oct. 5)		
	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May.	Jun.	Jul.	Aug.	Sep.
# of LEP encounters												
How many different language groups are represented in the LEP encounters?												
# of written translation services provided												
# of in-person interpretation services provided												
# of telephone interpretation services provided												
Cost of written translation services provided												
Cost of in-person and telephone interpretation services provided												

<https://txdot.sharepoint.com/sites/office-ocr/CIVExt/DDReportingPortal/SitePages/DD%20Reporting%20Potal.aspx>

Recap of FY 2019.....We'd like to hear from you.



1. What went well?
2. What could improve?
3. Is there an increased awareness of Title VI?



Thank you!

- Please don't hesitate to call and let us know what is working or how we can do our job better to assist you:
 - My cell number : (361)739-6960
 - Debra's number : (512) 416-4759
 - Email: Christopher.Amy@txdot.gov or Debra.Medellin@txdot.gov

Title VI Liaison FY 19 Quarterly Meeting #4

- (Slide 2) *Safety Minute*
 - Given the scenario whether it is fire, flood, disaster, etc. spend some time preparing an action plan for different emergencies. Don't wait for something to happen only to realize you don't have a plan.
- (Slide 3) *Agenda*
 - See slide 2
- (Slide 4) *Fiscal Year (FY) 2019 Title VI Plan (Program Area Reviews)*
 - Reporting time for the Title VI Program
 - FY 2020 Title VI/Nondiscrimination Plan
 - FY 2019-2020 Title VI Goals and Accomplishments Report
 - If the Title VI team visited with you in 2019 you need to provide us with program review information. If you haven't already submitted your program review questionnaire to myself or Debra please submit it to us as soon as possible:
 - CIV is analyzing data from FY 2019 and setting goals for FY 2020;
 - The program review requirement is a collaboration between all of you who are Title VI liaisons and the Title VI team; i.e. (Debra & Chris);
 - In 2020 we will continue to work with you to refine the questions;
 - CIV is developing an online platform for electronic submission of the questionnaire to assist Title VI liaisons in the reporting process;
 - FY 2019 Program Reviews Included:
 - FY 2020 Title VI/Nondiscrimination Plan will be submitted October 1st
 - FY 2019 – FY 2020 Accomplishments and Goals Report has a short extension through October, while CIV finalizes data from the program review questionnaires.
- (Slide 5) *Title VI Training in Texas*
 - TxDOT CIV held Title VI training at Austin Riverside Campus in Bldg. 200
 - August 28th was specific to TxDOT
 - 98 attendees
 - 28 attendees through WebEx
 - August 29th was for local governments or TxDOT staff that work with local governments
 - 102 attendees
 - Mohamed Dumbuya, a civil rights specialist with FHWA's Recourse Center provided training with the TxDOT Title VI Team.

Title VI Liaison FY 19 Quarterly Meeting #4

- A PDF copy of the training is available on the Civil Rights Division page on Crossroads. If you have difficulty locating it please contact myself (Chris) or Debra.
- The Title VI team is in the process of setting up (Part 2) of the Title VI training to be held next year in 2020.
 - The next course will build off the training held on the 28th
 - Topics will include: Title VI applications, data gathering/analysis and identifying risk.
- **(Slide 6) Technical Assistance Tool for Subrecipients**
 - As we mentioned in the 3rd Quarterly meeting (June 27th), CIV has been developing a compliance assessment tool to be used by subrecipients;
 - In the Title VI training for local governments on the 29th, CIV went through the questions in the compliance assessment tool;
 - Templates are being created to assist the agencies in answering the questions on the tool;
 - The compliance assessment tool will be available to local governments in early 2020 (tentatively).
- **(Slide 7) Self-Assessment Process**
 - The steps to completing the self-assessment process include:
 - Agency clicking on a link that navigates to the CIV website on TxDOT's external webpage.
 - The agency would find and click on the subrecipient compliance assessment tool.
 - Once in the tool, the agency fills out the questions as a subrecipient.
 - Depending on the answers provided, will determine if the subrecipient is meeting the requirements for Title VI or requires additional technical assistance from the CIV Team.
 - CIV will contact the subrecipient to provide guidance, documentation and even templates to bring their Title VI program into compliance
 - Subrecipients complete the templates and provide information;
 - Subrecipients will retake the compliance assessment tool and CIV Team will follow up.
 - TxDOT CIV Team will perform site visits upon request and hold regional training sessions in 2020.
 - Certification will be good for three years

Title VI Liaison FY 19 Quarterly Meeting #4

- **(Slide 8) LEP Program at TxDOT**
 - A step by step procedure for using the SharePoint site is available in a pdf format.
 - The link to the SharePoint site can be found at:
<https://txdot.sharepoint.com/sites/office-ocr/CIVCrossroads/SitePages/Home.aspx>
 - CIV held a LEP webinar workshop on April 9th to go through the SharePoint site and answer questions on data collection.
 - TxDOT has statewide contracts with open PO's to utilize and set up services expeditiously through the PRO Division. Districts and Divisions have points of contact for LEP that assist in evaluating if there is a potential for LEP interactions when communicating with the public.
 - LEP data is reported on quarterly and required by FHWA.
 - Some offices are late on reporting on the SharePoint site. The LEP 4th Quarter update for fiscal year 2019 is due **October 5th**.
 - The data collected gets analyzed as a way to gauge the effectiveness of the LAP and how TxDOT is consistent with our Title VI/Nondiscrimination Plan.
- **(Slide 9) Recap of 2019.....We'd like to hear from you.**
 - What went well?
 - Nicolle Kord, (ENV) – Shared her experience with Title VI training from TxDOT and FHWA on August 28th. She indicated the training was beneficial and appreciated learning more about how Title VI applies to other programs at TxDOT.
 - Karla Santamaria, (ROW) – Shared feedback on the Title VI training on the 28th and appreciated learning about the ways in which Title VI applies to LEP populations. She shared her personal experiences coming to TxDOT and her own experiences accommodating LEP individuals.
 - Esther Colvin, (TPP) – Really appreciated the Title VI training from TxDOT and FHWA on August 28th. FHWA's trainer made the class enjoyable and she appreciated his perspective on the "big picture" of Title VI. She indicated that she is new in her Title VI liaison role and learned a lot about the program by attending the training. She looks forward to similar training in the future.
 - Charles Nesloney, (CRP) – Enjoyed the August 28th Title VI training and benefited from the scenarios and learning the practical application of Title VI.

Title VI Liaison FY 19 Quarterly Meeting #4

- Alan Migl, (YKM) – Stated that he enjoyed the Title VI training on August 28th and said the FHWA trainer was adept at keeping the audience interested in the material. He also appreciated the scenario exercise where he had to apply the information provided in the first half of the training to a practical scenario. Alan also shared feedback on the Title VI presentation provided by the Title VI Program Administrator with slide notes and key talking points. He said he was a new Title VI liaison, but was asked by the District to provide a briefing. The presentation and notes were easy to understand and allowed him to provide a basic understanding of Title VI to other District employees. Alan recommended the Title VI presentation to other Title VI liaisons who are sharing Title VI program information with their respective offices. He also mentioned that he has noticed the Title VI posters displayed in the various offices in his district.
- What could improve?
 - CIV wants to increase the awareness for the LEP program, revise guidance and provide a platform for liaisons and LEP contacts to request information from their various offices.
 - CIV indicated the subrecipient technical assistance provided by TxDOT and external compliance program will undergo changes in FY 2020.
 - CIV explained to liaisons that they were developing an electronic reporting platform for program reviews in FY 2020.
- Is there an increased awareness of Title VI?
 - The general comments amongst the liaisons and CIV is that the overall awareness of Title VI is getting better.
 - More liaisons are noticing the Title VI posters around the Districts and Divisions.
- **(Slide 10)** CIV Contact Information:
 - Christopher Amy at (361) 739-6960 or Christopher.Amy@txdot.gov
 - Debra Medellin at (512) 416-4759 or Debra.Medellin@txdot.gov
- Please don't hesitate to call and let us know what is working or how we can do our job better to assist you. Thank you for your time.

Attachment 4
Title VI Program Review Meeting



TITLE VI PROGRAM

TxDOT Civil Rights Division



Safety: Mission

ZERO

Remember Your Exits &
Maintain Situational
Awareness.....



Safety Never Stops!

Agenda

- 1.) What is Title VI?
- 2.) Briefly cover the authorities under Title VI
- 3.) What is Discrimination?
- 4.) TxDOT review process for Title VI
- 5.) Reporting to FHWA
- 6.) Title VI Complaints
- 7.) LEP Program and Reporting
- 8.) Title VI Posters and Brochures
- 9.) Questions



Title VI (It's the Law)

- What is Title VI?
 - 6th Title of the Civil Rights Act of 1964
 - Title I - Voting Rights
 - Title II - Public Accommodation
 - Title III - Desegregation of Public Facilities
 - Title VI – Desegregation of Public Education
 - Title V – Commission on Civil Rights
 - **Title VI – Nondiscrimination in Federally Assisted Programs**
 - Title VII – Equal Employment Opportunity
 - Title VIII - Registration and Voting Statistics
 - Title IX - Intervention and Procedure after Removal in Civil Rights Cases
 - Title X - Establishment of Community Relations Service
 - Title XI – Miscellaneous
 - Basis of Race, Color or National Origin



Under the Umbrella of Title VI



Other Authorities:

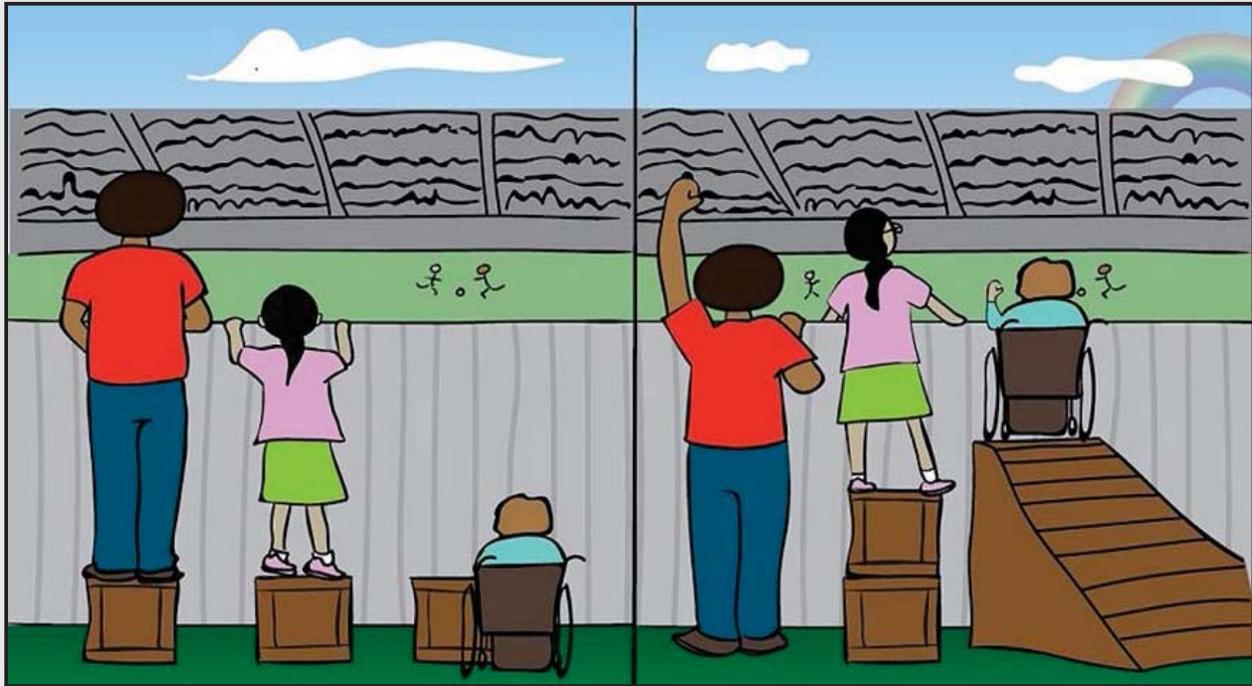
- 1970 Uniform Act
- Sec. 162(a) of the Federal-Aid Highway Act of 1973
- Sec. 504 of the Rehabilitation Act of 1973
- Age Discrimination Act of 1975
- Civil Rights Restoration Act of 1987
- 23 CFR Part 200
- 49 CFR Part 21
- Executive Orders 12898 & 13166

Discrimination is.....



The act (action or inaction), whether intentional or unintentional, through which a person in the United States solely because of their **race, color, national origin, sex, age, disability** is subjected to disparate (unequal) treatment or impact, in any program or activity receiving Federal financial assistance from FHWA under Title 23 U.S.C.

Nondiscrimination in Practice



Equality

Equity

Title VI Program at TxDOT



Internal Reviews

- Senior Leadership
- Divisions and Districts
- Liaisons
- Interdisciplinary Team
- Various Disciplines
 - Maintenance, Construction & Planning



External Reviews

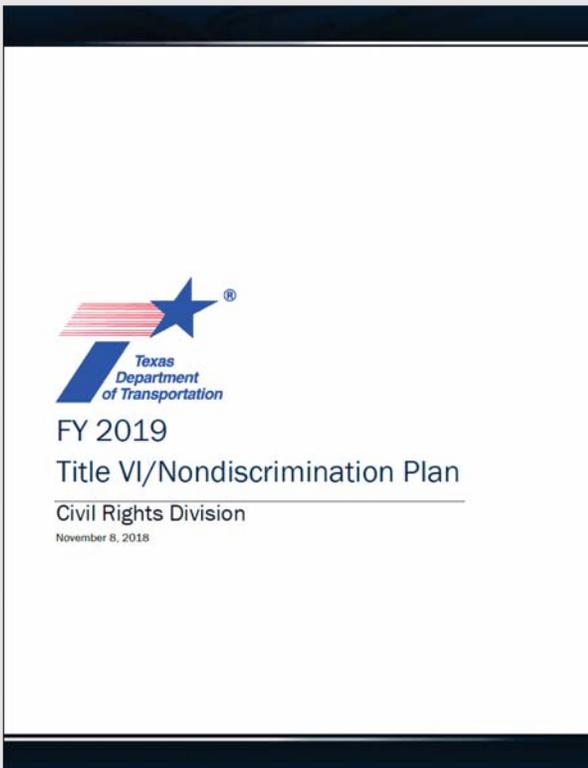
- Subrecipients of Federal Funds
 - Cities, Counties, MPOs, etc.

Status reports to FHWA

- Metrics in the 2018 Title VI Plan.
- Accomplishment Report due October 1st



FY 19 Title VI/Nondiscrimination Plan



- **Changes from FY 18 Plan:**
 - Introduction Section Pgs. 3-5
 - Organization and Staffing Pg. 8
 - Program Area Monitoring and Internal Review Process Pg. 12
 - CST, DES, ENV, MNT, TPP, OPI, CSD, PRO, PTN, ROW, TRF and 5 Districts
 - Complaint Procedures Pg. 26
 - Complaints against TxDOT
 - Complaints against Subrecipients
 - Process of Accept → Review → Dismissal or Referral
 - Executive Orders 12898 & 13166
 - LEP under Public Involvement Pg. 35
 - Organizational Chart Pg. 58

Title VI Complaints

- **Complaint Procedures**
 - In Writing
 - Within 180 days
 - May be filed by a representative
- **Form 2193**
 - TxDOT Website
- **Complaint Processing:**
 - Acknowledge Receipt
 - Inform the Complainant
 - Advise the Complainant
 - **Title VI Brochure**
- **Complaint Investigation :**
 - Report of Findings to FHWA.
 - Complaint Database



Title VI and ADA Complaint Form

Mail the signed form to Texas Department of Transportation, Civil Rights Division, 127 East 11th Street, Austin, Texas 78701 or fax to 512-461-5209.

Last Name: _____ First Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Alternative Phone Number: _____

Email: _____

Please indicate the basis of your complaint.

Race National Origin

Color Disability

Date and place of alleged discriminatory action(s). Please include the earliest date of discrimination and the most recent date of discrimination.

How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently from you. (Attach additional pages, if necessary).

The law prohibits intimidation or retaliation against anyone because he/she has either taken action, or participated in action, to secure rights protected by these laws. If you feel that you have been retaliated against, separate from the discrimination alleged above, please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation.

Names of individuals responsible for the discriminatory action(s):

LEP Program at TxDOT

LEP	1st Quarter (due Jan. 5)			2nd Quarter (due April 5)			3rd Quarter (due July 5)			4th Quarter (due Oct. 5)		
	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.
# of LEP encounters												
# of LEP individuals, by language group, served												
# of translation services provided												
# of interpreter services provided												
Cost of translation (written) services provided												
Cost of interpreter (in-person) services provided												

Quarterly Monitoring Report

Language assistance PLAN

Texas Department of Transportation

Posters and Brochures “Old Stuff”

Title VI Poster

Title VI

Protecting your civil rights is good business

It is our policy to ensure that no person in the United States of America shall on the grounds of race, color, national origin, sex, age or disability be excluded from the participation in, be denied the benefits of, or otherwise be subjected to discrimination under any of our programs and activities.

The Texas Department of Transportation (TxDOT) hereby gives public notice that it is the policy of the Department to ensure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and related statute and regulations in all programs and activities.

Any person who believes they have been subjected to unlawful discriminatory practices under Title VI has the right to file a formal complaint. Any such complaint must be filed in writing and in person with the Texas Department of Transportation, Civil Rights Division, 125 East 11th Street, Austin, Texas 78702-2482 within 180 days following the date of the alleged discriminatory action.

www.txdot.gov

Title VI Brochure

What information is included in a Title VI complaint?
A signed, written Title VI complaint must be filed within 180 days of the date of the alleged act of discrimination. The complaint must include the following information:

- Your name, address and telephone number. If you are filing on behalf of another person, include their name, address, telephone number and your relation to the complainant (e.g., friend, attorney, partner, etc.).
- The name and address of the agency, program or organization that you believe discriminated against you.
- A description of how, why and when you believe you were discriminated against, include as much background information as possible about the alleged acts of discrimination.
- Your signature.

What will TxDOT do with my complaint?
Upon receipt, the TxDOT Office of Civil Rights will determine which agency has jurisdiction to handle the complaint. If TxDOT does not have jurisdiction to handle the complaint, it will be forwarded to the appropriate agency. The allegations will be investigated and an attempt will be made to resolve any violations if found. If efforts to resolve any violations are unsuccessful, enforcement proceedings may be initiated to bring the recipient into compliance.

Is there speech or hearing impairment assistance for filing a complaint?
Upon request, assistance will be provided if you are limited English proficient or disabled. Any complaint may be filed using an alternate format, e.g., computer disk, audio tape or in Braille. If you have a speech or hearing impairment, dial Texas Relay at 1-800-735-2988 or 711.

To file a Title VI complaint, you may obtain the necessary forms online by visiting: www.txdot.gov or by contacting the Office of Civil Rights at the phone number listed below.

Mail the Title VI Complaint Form and Discrimination Complaint Consent/Release Form to:

**Texas Department of Transportation
Office of Civil Rights
125 E. 11th Street
Austin, TX 78701**

Phone: 1-866/480-2518
Fax: 512/416-4751

President John F. Kennedy, in his message calling for the enactment of Title VI, 1963

Title VI and you...
This brochure is designed to help you understand your rights under Title VI of the Civil Rights Act of 1964.

The New Look for Title VI

Size: 11" X 17"



Title VI Protecting your civil rights is good business

It is our policy to ensure that no person in the United States of America shall on the grounds of race, color, national origin, sex, age or disability be excluded from the participation in, be denied the benefits of, or otherwise be subjected to discrimination under any of our programs and activities.

The Department assures full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and related statutes and regulations in all programs and activities.

Any person who believes they have been subjected to unlawful discriminatory practices under Title VI has the right to file a formal complaint. Any such complaint must be filed in writing or in person with the Texas Department of Transportation, Civil Rights Division within 180 days following the date of the alleged discriminatory action.

Contact Us:
Civil Rights Division
125 East 11th Street
Austin, Texas 78701-2483
(512) 416-4700
CivilRights@TxDOT.gov



www.txdot.gov

TxDOT's Policy Statement →

Complaint Information

Civil Rights Division

February 14, 2019

13



Title VI Protecting your civil rights is good business

It is our policy to ensure that no person in the United States of America shall on the grounds of race, color, national origin, sex, age or disability be excluded from the participation in, be denied the benefits of, or otherwise be subjected to discrimination under any of our programs and activities.



www.txdot.gov

← Front

Size: 4" X 9"

Back →

The Department assures full compliance with Title VI of the Civil Rights Acts of 1964, the Civil Rights Restoration Act of 1987 and related statutes and regulations in all programs and activities.

Any person who believes they have been subjected to unlawful discriminatory practices under Title VI has the right to file a formal complaint. Any such complaint must be filed in writing or in person with the Texas Department of Transportation, Civil Rights Division within 180 days following the date of the alleged discriminatory action.

Contact Us:
Civil Rights Division
125 East 11th Street
Austin, Texas 78701-2483
(512) 416-4700
CivilRights@TxDOT.gov



www.txdot.gov

14

Title VI Program Next Steps



- Greater Visibility
 - Website Updates
 - TxDOT Branding
 - Program Monitoring
 - Methodology
 - Evaluating other DOTs
 - Best Practices
 - Training
 - Leadership
 - Liaisons & I-Team
 - General Staff
 - Subrecipients

Questions?



Happy Valentines Day!

- Please don't hesitate to call.
 - My cell number is (361)739-6960
 - Email: christopher.amy@txdot.gov

Title VI Program Training Notes

- Safety Minute
 - Remember your exits and the location of “muster” points, so people gathering can be accounted for in your office.
 - Maintain situational awareness in the event of any facility emergency.
- (Slide 4) What is Title VI?
 - Title VI, it is the 6th Title of the Civil Rights Act of 1964.
 - President LBJ signed on July 2, 1964
 - There are 11 Titles in the Civil Rights Act.
 - Title VI is the federal law that prohibits discrimination on the basis of race, color or national origin in Federal programs and activities.
- (Slide 5) Authorities under Title VI
 - 1970 Uniform Act: prohibits unfair and inequitable treatment of displaced persons;
 - Section 162(a) of the Federal-aid Highway Act of 1973: prohibits discrimination on the basis of gender;
 - Sec. 504 of the Rehabilitation Act of 1973: prohibits discrimination on basis of a person’s handicap or disability;
 - The Age Discrimination Act of 1975: prohibits discrimination on the basis of a person’s age;
 - Civil Rights Restoration Act of 1987 restored the original intent of Title VI to include all programs and activities of recipients receiving federal funds whether those specific programs directly benefit from the funds or not;
 - 23 CFR Part 200 pertains to FHWA’s Title VI program implementation and review procedures;
 - 49 CFR Part 21 US DOT’s implementing regulations of Title VI;
 - Executive Order 12898 specifies that each federal agency identify and address disproportionately high and adverse human health and environmental effect from programs or activities on minority and low-income persons/populations, with the goal of achieving environmental protection for all communities; and
 - Executive Order 13166 ensures that people with Limited English Proficiency (LEP) have meaningful access to services whose primary language is not English whether it is read, written or spoken.
 - TxDOT addresses LEP through the agency’s FY 19 Title VI/Nondiscrimination Plan and TxDOT Language Assistance Plan.
- (Slide 6) What is Discrimination?
 - **Discrimination** in Title VI is defined and characterized as:

Title VI Program Training Notes

The act (action or inaction), whether intentional or unintentional, through which a person in the United States solely because of their race, color, national origin, sex, age, disability is subjected to disparate (unequal or unfair) treatment or impact, in any program or activity receiving Federal financial assistance from Federal Highway Administration (FHWA) under Title 23 U.S.C.

- As a Title VI liaison and our responsibility as TxDOT employees:
It is everyone’s job to prevent discrimination at TxDOT. As an agency and transportation stakeholder, we must do everything in our respective vocations to prevent, minimize & eradicate any form of discrimination.
- (Slide 7) Equality and Equity
 - Equality is treating everyone the same no matter what the situation is.
 - Equity is providing services necessary to create fairness and availability to all persons.
 - On the surface a policy may seem neutral, but unintentionally that policy may result in an unequal distribution of resources or opportunities. To comply with Title VI, TxDOT is required to monitor our programs and services to ensure availability to the public.
- (Slide 8) Title VI Program at TxDOT
 - On April 19, 2018 James Bass sent out an email outlining the requirements and responsibilities for the Title VI program at TxDOT. This was reiterated during the Senior Leadership meeting on July 10, 2018. CIV is regularly updating Mark Williams on the various programs in CIV including the Status of Title VI program and accomplishments.
 - TxDOT’s Title VI/Nondiscrimination Plan is updated annually and outlines the requirements and responsibilities for the Title VI program at TxDOT for the upcoming fiscal year.
 - This program is supported by our Senior Leadership, and is structured around Title VI liaisons in the 25 Districts and 32 Divisions.
 - Under 23 CFR Part 200, TxDOT is required to review subrecipients of federal funds for their Title VI program compliance. The various local public agencies include cities, counties, planning organizations, mobility authorities, airports, universities, etc.

Title VI Program Training Notes

- TxDOT is currently revising the Technical Assistance Guide for Subrecipients.
- TxDOT demonstrates compliance on our Title VI program to FHWA by providing quarterly updates on accomplishments specified in the Title VI/Nondiscrimination Plan. CIV prepares an annual accomplishment report based on data provided by Divisions and five Districts that is due by October 1st.
- **(Slide 9) FY 19 Title VI/Nondiscrimination Plan**
 - In November 2018, FHWA approved the FY 19 Title VI/Nondiscrimination Plan that TxDOT is currently operating under.
 - The FY 19 plan is currently in place and available on the CIV website.
Note: The CIV website is currently under reconstruction.
 - Some of the big changes include:
 - Introduction section on Pages 3 through 5 focus less on the other discriminatory policies; i.e. age, gender, and disability. The introduction is now more comprehensive for the Title VI program at TxDOT.
 - The Organization and Staffing section on Pages 8 through 11 now include Division Directors and District Engineers as part of the Title VI program staffing. Division Directors and District Engineers should familiarize themselves with the FY 19 Plan and continue in their supportive roles to the liaisons, Interdisciplinary Team and the Title VI Program Administrator.
 - Program Area Monitoring and Internal Review Process section on Pages 12 through 18 outline the revised annual review process for the Title VI program.
 - Questions will be tailored to the specific program areas prior to distribution; and
 - Five Districts will now be included in the annual survey.
 - Complaint Procedures on Pages 26 through 29 include:
 - Complaints alleging Title VI violations against TxDOT can be filed directly with FHWA, Texas Division of the FHWA, or Office of Civil Rights.
 - Complaints alleging Title VI violations against subrecipients should be filed with TxDOT, CIV.

Title VI Program Training Notes

- FHWA Procedures for accepting, reviewing and either procedurally dismissing or referral of a complaint can be found on Page 28.
- The FY 19 Plan removed references to Executive Order 12898 (Environmental Justice). Environmental Justice specifies that each federal agency identify and address disproportionately high and adverse human health and environmental effect from programs or activities on minority and low-income persons/populations. However, low-income status is not a screening criterion for Title VI, which are race, color & national origin. Environmental Justice will continue to be evaluated during the environmental planning process and proves to be a useful tool when evaluating a potential violation for Title VI on a minority population.
- The FY 19 Plan has a revised section for Limited English Proficiency (LEP) on Pages 35 through 36, consistent with Executive Order 13166.
- Revised CIV Organizational Chart on Page 58

- **(Slide 10) Title VI Complaint**

Any person who believes that he or she, individually, or as a member of any specific class has been subject to discrimination may file a complaint. A complaint may also be filed by a representative on behalf of such a person or group.

Title VI complaints must be submitted in writing within 180 days of the date of the alleged act of discrimination. Complaints must include the facts and circumstances surrounding the alleged discrimination. Complaints can be submitted to TxDOT by completing the External Discrimination Complaint form (**Form 2193**). The form is available on the TxDOT website in English and in Spanish. Please note all complaints must include a signature.

In the event a person makes a verbal complaint to a TxDOT employee about alleged discrimination, that person will be interviewed by CIV. If it is necessary, CIV will assist the person in documenting the complaint in writing and review the written version with that person for them to sign.

Within 10 days upon receipt, TxDOT will notify FHWA of the Title VI complaint and determine which agency has jurisdiction to handle the

Title VI Program Training Notes

complaint. The allegations in the complaint will be thoroughly investigated and an attempt will be made to resolve any violations, if found.

- **(Slide 11) LEP Program at TxDOT**
 - TxDOT is compliant with Executive Order (E.O.) 13166 for Limited English Proficiency (LEP) primarily through the Agency's Title VI/Nondiscrimination Plan. As a supplemental document, TxDOT also has a Language Assistance Plan (LAP) that is a guide to address how people of LEP have access to all TxDOT available programs and services. Districts and Divisions are required to develop and adopt a plan to address the needs of LEP individuals consistent with the USDOT LEP Guidance.
 - Implementing the LAP requires staff at TxDOT to be able to identify the potential for LEP individuals when there are interactions with the public. TxDOT has 4 statewide contracts with open PO's to utilize and set up services expeditiously through the PRO Division. Districts and Divisions have points of contact for LEP that assist in evaluating the effectiveness of the LAP. The LEP contacts within TxDOT provide quarterly data to CIV that includes:
 - Number of LEP encounters;
 - Number of LEP individuals, by language group, served;
 - Number of translation services provided;
 - Number of interpreter services provided;
 - Cost of written translation services provided;
 - Cost of interpreter (in-person) services provided;
 - Cost of interpreter (telephone) services provided;
 - LEP complaints received; and
 - LEP complaints resolved.
 - The data collected gets analyzed as a way to gauge the effectiveness of the LAP and how TxDOT is consistent with our Title VI/Nondiscrimination Plan. LEP data is reported quarterly and then finally in an annual report to FHWA.
 - Through education about LEP at TxDOT, CIV is striving to get a better statewide representation on how our agency accommodates LEP persons through language assistance.
- **(Slide 12) Old Stuff**
 - Title VI poster and Title VI brochure (materials on the slide) have dated information and need to be changed out.

Title VI Program Training Notes

- Once you have the new outreach materials, please make sure all offices discard outdated Title VI posters and brochures.
- **(Slide 13) The New Look for Title VI**
 - The new Title VI Posters are 11" X 17" (roughly the same size as the current Posters);
 - Content includes:
 - TxDOT's policy statement on Title VI and other forms of discrimination,
 - TxDOT's assurances;
 - First steps in what to do if a person feels like they have been discriminated against under Title VI; and
 - CIV contact information.
 - Posters are available in Spanish
 - The posters should be hung in the various offices where they can clearly be seen by TxDOT employees but also in the reception areas of buildings/offices where TxDOT may interface with the public.
 - I am available anytime for a conference call, webinar or even an office visit (if necessary) to facilitate a smooth transition of the new materials.
- **(Slide 14) New Brochure**
 - The Title VI brochures are two sided, sized 4" X 9" with the same information as the posters. This size is useful for handing out to the general public and subrecipients that do work with TxDOT.
 - Title VI Brochures have been printed in Spanish for LEP accommodations;
 - Title VI Brochures will also be available in languages, other than English and Spanish, upon request. (TxDOT has a statewide contract to accommodate that translation service)
 - The brochures have been delivered to each Division office and more are available upon request.
 - The Title VI liaisons were the point of contact for the posters and brochures that were mailed out. Please make sure these materials are provided to your various offices including other satellite offices.
 - Old brochures, illustrated on slide 3 should all be discarded.

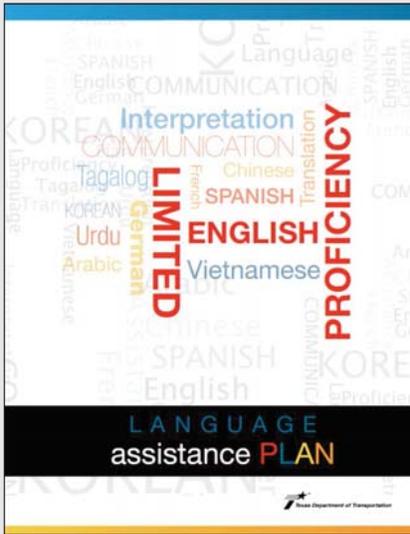
Some brochures should be kept near the location where TxDOT could potentially interface with the public. In the event someone asks for Title VI information or has a complaint, TxDOT staff should be able to provide this information.

Title VI Program Training Notes

- **(Slide 15)** Title VI Program Next Steps
 - CIV continues to implement the Title VI plan by:
 - Reengaging the Title VI liaisons at the 32 divisions and 25 districts through Quarterly meetings. The next meeting is in (March of 2019)
 - Make presentations to Divisions and Districts about the Title VI program and get input on data collection for FY 2019.
 - Reinstating the Interdisciplinary Team that are subject matter experts in the Title VI review process.
 - Perform subrecipient reviews for various entities in the State of Texas that receive Federal Financial Assistance including Cities, Counties, MPOs, Universities, Mobility Authorities, Rail Districts and Airports.
 - As the program continues to evolve and improve, internal reviews of various programs, policy language and evaluating staff awareness will be required to ensure compliance within the various disciplines at TxDOT. Title VI Liaisons will work with CIV to develop criteria for examining various program areas.
 - CIV will continue to conduct Title VI training and develop outreach materials for clear content and TxDOT branding. The goal is to roll out some new information on LEP and Subrecipients by the summer of the calendar year 2019. Concurrently, CIV is updating Title VI information on the TxDOT, CIV website.
- **(Slide 16)** Contact Information: Christopher Amy (CIV) at (361) 739-6960 or email me at christopher.amy@txdot.gov

Attachment 5
LEP Training

LEP Program at TxDOT



LEP	1st Quarter (due Jan. 5)			2nd Quarter (due April 5)			3rd Quarter (due July 5)			4th Quarter (due Oct. 5)		
	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.
# of LEP encounters												
How many different language groups are represented in the LEP encounters?												
# of written translation services provided												
# of in-person interpretation services provided												
# of telephone interpretation services provided												
Cost of written translation services provided												
Cost of in-person and telephone interpretation services provided												

LEP Monitoring Reporting

- Compliant with Title VI/Nondiscrimination Plan;
- Consistent with E.O. 13166;
- LAP guide to establish office LEP Plan;
- Reporting is a requirement;
- LEP update for 2nd Quarter is due.

<https://txdot.sharepoint.com/sites/office-ocr/CIVExt/DDReportingPortal/SitePages/DD%20Reporting%20Potal.aspx>

Instructions for Using LEP Reporting Dashboard

1. Navigate to CIV Sharepoint Team Site
<https://txdot.sharepoint.com/sites/office-ocr/CIVCrossroads/SitePages/Home.aspx>
2. Click on D/D Reporting Portal



3. Select Title VI Reporting



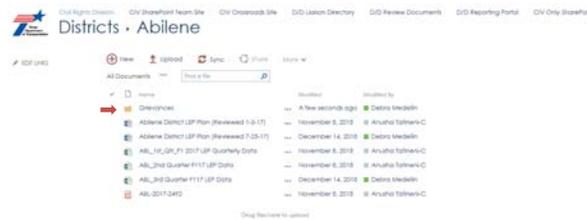
- Open the Excel document "LEP Reporting Dashboard"



- Navigate to your District/Division tab at the bottom of the spreadsheet to enter your Quarterly info.

- Do not move/create tabs or enter any info into the CIV Summary tab.
- Fill in All cells for the reporting month, including those with a zero "0" response.
- Once you've finished filling in the data, you can exit out of the spreadsheet and Sharepoint – no need to save, Excel online automatically saves your data in real-time.

- Upload documentation (current status or brief summary) on complaint resolutions to "Grievance" folder in your respective District/Division folders



Attachment 6
Peer Exchange with FDOT

DFS Technology Transfer (T2) Program Project Completion Report

Project Name:	Sub-Recipient Civil Rights Compliance Peer Exchange 2019
Division:	Texas Division
Project Contact:	Mark Arrington

1 Project Background Overview

Project Background Overview, Goals and Objectives

- Practices and Procedures were reviewed and documented during the peer exchange to assess the viability of program replication in-part or whole for the Texas Department of Transportation and subrecipients. Knowledge gained from this exchange will be applied to strengthen current TxDOT LPA oversight within the Civil Rights Program.
- The Peer Exchange allowed the Texas Department of Transportation to examine its current Title VI oversight procedures and data collection in collaboration with notable subject matter experts from a similarly sized program ran by the Florida Department of Transportation. The exchange of ideas and technology has allowed TxDOT to enhance its monitoring capabilities through data collection techniques shared during the exchange.
- Supported EDC-2 Locally-Administered Federal Aid Projects

2 Partners

Project Partners

- FHWA Texas Division
- Texas Department of Transportation
- Florida Department of Transportation

3 PROJECT COMPLETION REPORT SUMMARY

3.1 Project Schedule

Schedule

Project Schedule Overview:

Date	Activity	Completion
2/2019	Coordination call Texas and Florida Division	Completed: 1/2019
2/2019	Planning Session Texas/Florida DOTs	Completed: 1/2019
3/2019	Selection of subrecipients for participation	Completed: 2/2019
3/2019	Draft Agenda for Peer Exchange	Completed: 3/2019
3/2019	Travel profiles created for invitational travel	Completed: 1/2019
4/2019	Peer Exchange week	Completed: 4/2019
5/2019	TxDOT report to leadership	Completed: 5/2019
1/2020	TxDOT implementation of T2 project	In process

DFS Technology Transfer (T2) Program Project Completion Report

	results	
--	---------	--

Peer Exchange Week:

Day 1 Mon April 15			
AM		TX Team Travel to MCO	Cocoa, FL
PM		Team Meet & Greet	TBD
Day 2 Tues April 16			
830 AM		Registration	Brevard Ops
900 AM		LAP Title VI Program Compliance	Brevard Ops
1130 AM		Lunch on your own	Cocoa
100 PM		LAP ADA/504 Program Compliance	Brevard Ops
400 PM		End Day 2	
Day 3 Wed April 17			
900 AM		Peer Exchange Introduction	Brevard Ops TBD
930 AM		LAPIT and SCAT - FDOT	Brevard Ops TBD
1130 AM		Team Lunch	Cocoa
100 PM		Onsite SCAT at Cocoa	65 Stone Street Cocoa, FL 32922
330 PM		Peer-to-Peer Discussion	Cocoa
430 PM		End Day 3	
Day 4 Thurs April 18			
930 AM		Civil Rights Project/Program Oversight for LPAs – FDOT & TxDOT	Brevard Ops
1030 AM		Civil Rights Project/Program Oversight for LPAs – FLDIV & TXDIV	TBD
100 PM		Onsite SCAT at New Smyrna	2650 N. Dixie Hwy NSB, FL 32168
330 PM		Peer-to-Peer Discussion and Close-out	NSB
430 PM		End Day 4	
Day 5 Fri April 19			
AM		Team Travel from MCO	Cocoa, FL

3.2 Accomplishments, Milestone and Deliverables

Accomplishments, Milestones and Deliverables

Peer Exchange Deliverable	Achievement
FDOT's internal procedure/process to identify an annual list of sub-recipients for review	Covered, adopted in part by TxDOT
Sub-recipient tracking database and review procedures	Covered, adopted in part by TxDOT
Number and type of LAP training annually provided to sub-recipients	
Provide a demonstration of the sub-recipient compliance assessment tool (SCAT).	Covered, adopting in part by TxDOT

DFS Technology Transfer (T2) Program Project Completion Report

SCAT history, evolution and the previous approach to sub-recipient oversight	Covered
Incentive for sub-recipients to use SCAT	Covered
Typical number of SCATs annually by Desk Audit and Onsite	Covered, adopting in part by TxDOT
Typical timeframe for conducting a round of LAP reviews	Covered
Various types of FDOT training and outreach, LAP and beyond	Covered, incorporated in part in TxDOT training
Outcome of LAP reviews including reports and/or follow-up reports	Covered
SCAT Tools and Guidance Documents	Covered, adopting in part by TxDOT
FDOT Title VI/ADA structure – staffing and organization	Covered
FDOT program monitoring, training and reporting	Covered
Title VI Data Collection & Analysis	Covered
LEP and Language Assistance Planning	Covered
Tribal Coordination (beyond Sec. 106)	Not covered during exchange

3.3 Project Highlights and Best Practices

Project Highlights and Best Practices

Project Highlights:

- Title VI Training, (regionally) for local public agencies (LPAs);
- Subrecipient Compliance Assessment Tool (SCAT) program; and
- Strategic on-site visits based on SCAT results.

Best Practices:

- Collaboration with FDOT’s Local Government Office;
- Annual training conducted regionally in the state;
- Guidance and templates to establish Title VI program requirements;
- Website accessibility;

3.4 Lessons Learned

Lessons Learned

- FDOT, Civil Rights Team has done a remarkable job working with the agency’s Local Government Office. FDOT established a comprehensive program that provides local governments with the framework necessary to be compliant with Title VI and ADA requirements.
- It is notable to mention the great working relationship between FDOT and the LPAs we met with in Florida. The LPAs appear cooperative and transparent with FDOT and FHWA on compliance.
- FDOT’s local government certification has clear requirements with easy to follow guidance for the LPAs.

DFS Technology Transfer (T2) Program Project Completion Report

- The online and on-site training for LPAs is clear and establishes what information FDOT is requesting. This method removes any frustration experienced by LPAs in the process of obtaining compliant, Title VI and ADA programs.

3.5 Project Completion Recommendations

Project Completion Recommendations

- TxDOT's Civil Rights Division (CIV) and Local Government Office should establish a more collaborative partnership
- A compliance assessment tool should be provided to subrecipients.
- Guidance and templates need to accompany the compliance assessment tool.
- Additional training for subrecipients.

4 Project Funding

Funding

Funding Overview:

[Replace this text with the overview.]

Partner	Allocation	Obligated	Expended	Unexpended
Division T2 Allocation	\$ 6000.00			
TRAVEL				
DFS T2 Funds		\$ 6000.00	\$ 4635.44	\$ 1364.56
State Funds		\$ 0.00	\$ 0.00	\$ 0.00
Other Funds		\$ 0.00	\$ 0.00	\$ 0.00
Travel Subtotal		\$6000.00	\$4635.44	\$ 1364.56
OTHER PURCHASES				
DFS T2 Funds		\$ 0.00	\$ 0.00	\$ 0.00
State Funds		\$ 0.00	\$ 0.00	\$ 0.00
Other Funds		\$ 0.00	\$ 0.00	\$ 0.00
Other Subtotal		\$ 0.00	\$ 0.00	\$ 0.00
Grand Total	\$ 0.00	\$ 6000.00	\$ 4635.44	\$ 1364.56

5 Next Steps

Next Steps

- TxDOT's Civil Rights Division (CIV) needs to set up an internal meeting with the Local Government Office to discuss Title VI requirements from FHWA in regard to LPAs.
- CIV needs to establish the criteria for a compliance assessment tool to better determine the status of subrecipient compliance with Title VI.
- CIV needs to work internally with TxDOT IT to develop an online platform for a compliance assessment tool questionnaire with interactive assistance.
- CIV will establish LPA specific training annually for Title VI.
- TxDOT will develop guidance documentation and an implementation schedule of the compliance assessment tool for LPAs.
- CIV will work with the Local Government Office to make the compliance assessment tool a

DFS Technology Transfer (T2) Program Project Completion Report

requirement for current and future subrecipients in the Local Government Program.



PEER EXCHANGE

Experiences, Concepts & Ideas From
Visit With FHWA and FDOT

Actual Peer Exchange in Florida



Met at FDOT in Brevard County



Civil Rights Division

May 2019

3

Peer Exchange Objectives:



- TxDOT/FDOT/FHWA
 - Identify Innovation
 - Exchange Ideas
 - Share Experiences
 - Recognize areas for TxDOT implementation
 - Best Practices
 - Other Offices
 - Be able to Distinguish:
 - Short term goals
 - Long term strategies
 - Need for collaboration

Civil Rights Division

May 2019

4

Glossary Review of Acronyms and Terms:

- SCAT → subrecipient compliance assessment tool
- LAP → local agency program
- LAPIT → local agency program information tool
- QAR → Quality Assurance Review

Day 1 (Local Agency Training)



LAP Title VI and ADA Sub-Recipient Compliance Assessment Training (SCAT)

April 16, 2019		FDOT Brevard Operations Center 555 Camp Road Cocoa, FL 32927
8:30 AM	Registration: <i>NONDISCRIMINATION PROGRAM TRAINING FOR LOCAL AGENCIES 2019</i>	
9:00 AM	Welcome	Federal Highway Administration (FHWA FL Division) Florida Department of Transportation (FDOT)
9:30 AM	History and Importance of Title VI and other Nondiscrimination Authorities	Carey Shepherd
10:30 AM	Tools for Title VI and ADA Compliance – SCAT	Jacqueline Paramore
11:30 AM	LUNCH on your own	
1:00 PM	ADA Requirements for Local Governments and Tech Tools for Compliance	Jeremy Fletcher
2:00 PM	ADA Standards – For Engineers . . . and the rest of us	Jeremy Fletcher
3:00 PM	Field Exercises (weather permitting)	ALL
4:00 PM	Q&A and Wrap – up	ALL





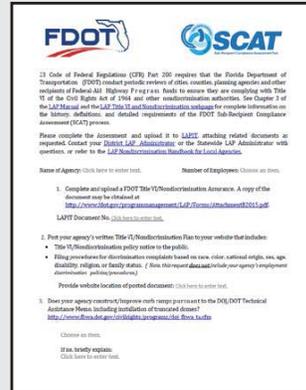
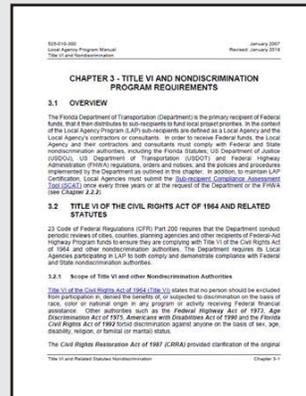

<https://www.fdot.gov/programmanagement/lap/default.shtm>

1) What is FDOT's internal procedure/process to identify an annual list of subrecipients for review?

- Documentation: subrecipient tracking database and review procedures

Answer:

- LAP Certification
- SCAT
- 45 to 65 agencies/yr
- 10 - 15 onsite visits



2) How often does FDOT conduct LPA training for subrecipients?

- Documentation: schedule of subrecipient training and guidance materials.

<https://www.fdot.gov/programmanagement/lap/laptraining.shtm>

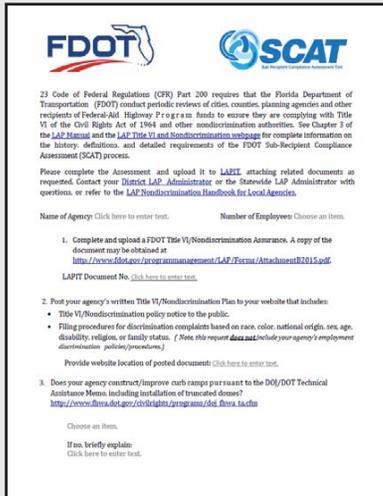
Answer:

- 1/2 LPAs per year
- 3 to 4 Districts
- 65 Agencies
- > 200 attendees
- SCAT can be accessed year round



3) Provide a demonstration of the subrecipient compliance assessment tool. (SCAT)

- <http://wbt.dot.state.fl.us/ois/SCATTitleVI/index.htm>



4) What was the evolution of SCAT and what methods were previously used at FDOT to review subrecipients?

Answer:

- Deficiencies identified in 2008
- 4 iterations
- Full integration with LAPI



- 5) What is the incentive for subrecipients to use SCAT or is it required for the annual review?

Answer : No SCAT = No Certification



If the SCAT is incomplete or if any of the first three core questions are incorrectly answered, then the agency is considered in Red Light Status.

FDOT cannot and will not certify, recertify or approve project level certification

Until the agency has corrected the deficiency and uploaded the corrected SCAT.

- 6) What if the first 3 core questions are answered for LAP Certification, but the subrecipient is missing or deficient in other areas?



YELLOW

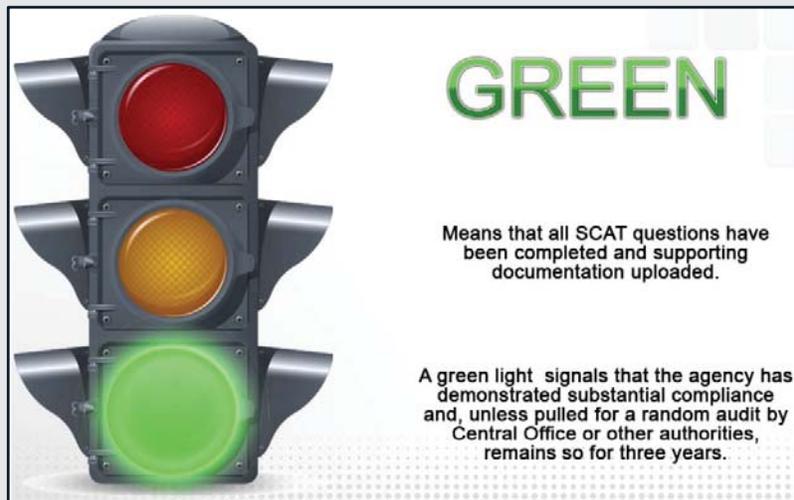
Yellow means that, while the three primary questions have been appropriately answered and supported, other questions were not answered or answered in the negative.

The SCAT TEAM may ask the District LAP Team to relay reference or resource tools to the local agency, or will otherwise ensure that yellow light agencies receive follow-up attention or review during the certification period.

<http://wbt.dot.state.fl.us/ois/SCATTitleVI/SCATTitleVI.htm>

FDOT/TxDOT Peer Exchange

5) What if my agency has answered all 12 questions correctly and provided all necessary documentation?



<http://wbt.dot.state.fl.us/ois/SCATTitleVI/SCATTitleVI.htm>

FDOT/TxDOT Peer Exchange

6) How many LPAs are typically reviewed in a fiscal year, and does FDOT conduct these reviews via desk audits, or in-person?

Answer: 20 onsite and 61 desk audit SCAT reviews.



7) What is the “typical” timeframe for conducting a round of LPA reviews?

Answer:

- 2 to 3 hours for onsite
- SCAT reviews 30 minutes (within the week of submittal)

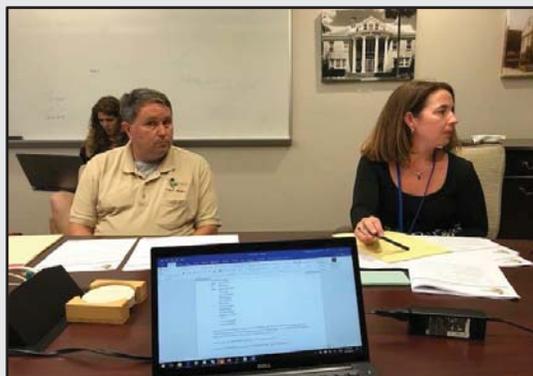


8) Does the outcome of LPA reviews result in a report of findings and a follow-up report?

- Documentation: Sample report of findings and follow-up report

Answer:

- Onsite 90 day cure



9) Has FDOT developed a guidance document for LPAs?

- Documentation: guidance documentation for assisting LPAs

Answer:

- Handbook
- Title VI
- ADA



NONDISCRIMINATION HANDBOOK FOR LOCAL AGENCIES

Introduction:

Recently there has been national attention focused on local agencies and their compliance with nondiscrimination requirements. In fact, you may have seen news stories about agencies losing funding or even being sued for civil rights violations, nationwide and right here in Florida. At Florida Department of Transportation (FDOT) and Federal Highway Administration (FHWA), we are committed to delivering safe, efficient, reliable and equitable transportation systems, including in the Local Agency Program (LAP). Allegations of discrimination impede our mission, damage our agencies' reputations and create distrust and ill will in the communities we are dedicated to serving. This Handbook was developed to assist you to recognize, achieve and demonstrate your agency's compliance through use of the FDOT Sub-Recipient Compliance Assessment Tool (SCAT). The Handbook is also a helpful resource to FDOT staff in ensuring that LAP agencies are qualified to be sub-recipients of FHWA funding, consistent with Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities.

I. Authority:

You probably know that there are many Civil Rights *project* level requirements in LAP, including FHWA 1273 compliance, Disadvantaged Business Enterprise (DBE) monitoring, Equal Employment Opportunity (EEO) verification, Davis Bacon and Related Acts oversight, and others. What you may not know is that there are also Civil Rights *program* requirements. These are not tied to a particular project, but rather to your agency as a whole and whether it is qualified to receive federal assistance. This means that regardless of how your agency funds activities, *all* must comply with nondiscrimination program requirements. Under 23 CFR 200.9(b)(7), FDOT is responsible for verifying that your agency achieves and maintains substantial compliance for the entire period you are in the LAP program, whether or not you have an active, past or planned project. 23 CFR 200.9(b)(13) also requires FDOT to periodically conduct pre or post grant audits of its LAP agencies to verify this substantial compliance.

II. Title VI & Related Nondiscrimination Authority Requirements

Most civil rights program requirements begin with Title VI of the Civil Rights Act of 1964 (Title VI), which forbids federal aid recipients from excluding from participation in, denying the benefits of or subjecting to discrimination anyone on the basis of race, color or national origin. While later and related federal and state authorities did not amend Title VI, they did create the same protection for other classifications such as gender, age and disability (federal), religion and family status (state). Other legislation also expanded the scope of Title VI so that nondiscrimination requirements applied to *all* program, services and activities of the recipient, not just the program receiving the federal funds.

(For a full list of nondiscrimination authorities and helpful resources, see [Attachment A](#)).

There are some basic requirements for any agency receiving federal funds. This

10) What are some of the federal funding categories used to identify and review LPAs?

- Example: Is the federal funding specific to construction, planning, research, etc.?

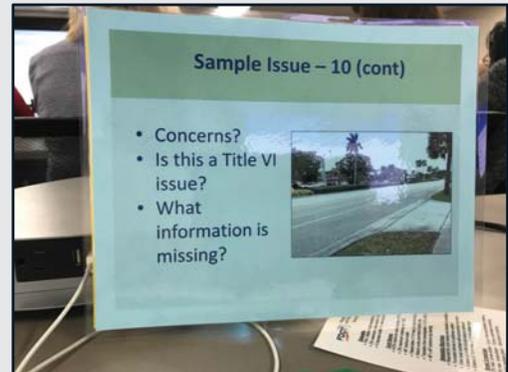
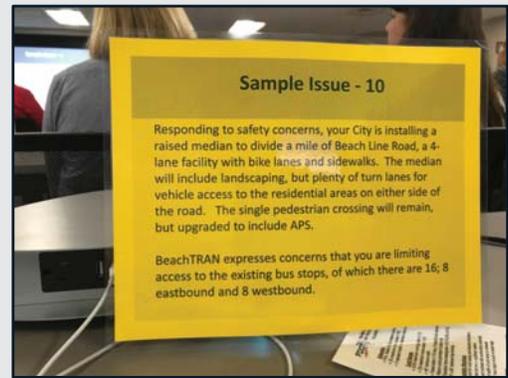
Answer:

- Subrecipients are tracked through the local agency program;
- Three year certification requirement.
- Construction, Planning or Research

11) What other types of training and outreach for Title VI does FDOT conduct besides SCAT and LPA training program?

Answer:

- Title VI Coordinator trains District staff;
- Computer Based Training Module



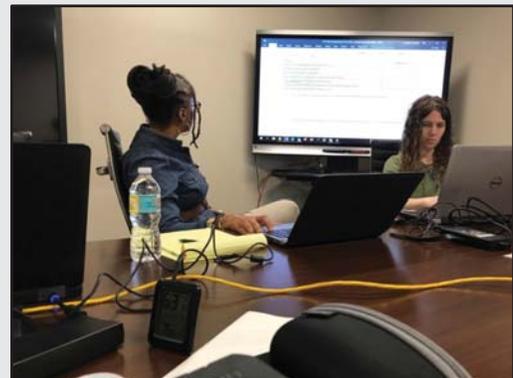
Other Topics:

12) How does FDOT staff for the Title VI Program?

- Documentation: Review Title VI Implementation Plan and discuss FDOT organizational chart.

Answer:

- 1 Title VI & 1 ADA
- District Representation
- Staff general awareness



Other Topics:

13) How does FDOT conduct internal monitoring of Title VI Program and what program areas are reviewed?

- Documentation: Review and discuss current Title VI Implementation Plan and previous year Goals & Accomplishments Report.

Answer:

- Project Planning;
- Construction
- Public Involvement

» *A&G Report still under review*

Other Topics:

14) How does FDOT analyze data gathered from internal reviews?

- Documentation: Review previous year Goals & Accomplishments Report.

Answer:

- Districts analyze minority indexes per programs and activities.
- FDOT encourages subrecipients to analyze demographic data.



Other Topics:

15) How does FDOT implement the internal Title VI training?

- Documentation: Review previous year Goals & Accomplishments Report and discuss various internal and any external Title VI training provided to employees

Answer:

- FDOT Title VI Coordinator provides training to eight Districts.
- Computer Based Training
- Works closely with Local Governments Office

Other Topics:

16) How does FDOT adhere to E.O. 13166?

- Documentation: Review Title VI Implementation Plan, Language Assistance Plan and reporting procedures for accommodating LEP.

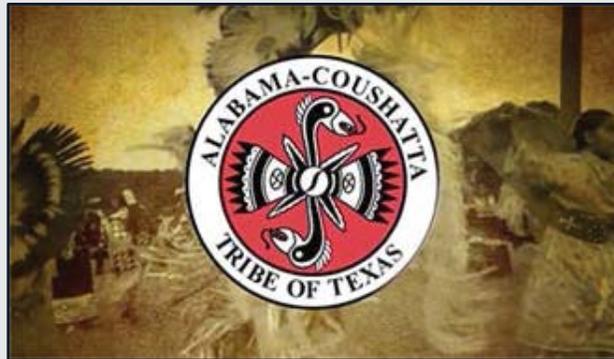
Answer:

- FDOT provides a template.
- Primary languages in Florida: English, Spanish & Haitian Creole
- Other LEP Populations are District or project specific

Other Topics:

17) Does FDOT have coordination procedures with Native American tribes outside of the traditional Sec. 106 environmental planning process?

Answer: No



FDOT doesn't have brochures or posters for Title VI



What we took away:



■ Title VI Program:

- Collaborate on a certification;
 - Local Governments Office
 - Establish review criteria
- Subrecipients
 - On-site visits
 - Certification a requirement
- Title VI training;
 - ADA/Title VI
 - Local Government Training
 - Annual & Regional
- Website
 - Retooling
 - Link to self assessment review
- Title VI Liaisons
 - Develop job criteria;
 - Internal and external reviews;

Final Thoughts

■ Observations:

- TxDOT Title VI Program is moving in a positive direction;
- Relationship with TPP's Local Government Project Office is Critical;
- Developing the a self assessment tool will take time; and
- Need external assistance to expedite and prioritize the task;



Peer Exchange Team



Sub-Recipient Civil Rights Compliance Peer Exchange - 2019



Day 1	Mon	April 15		
AM		TX Team Travel to MCO	Cocoa, FL	TxDOT & DIV
PM		Team Meet & Greet	TBD	All

Day 2	Tues	April 16		
830 AM		Registration	Brevard Ops	All
900 AM		LAP Title VI Program Compliance	Brevard Ops	Jackie Paramore Carey Shepherd
1130 AM		Lunch on your own	Cocoa	All
100 PM		LAP ADA/504 Program Compliance	Brevard Ops	Jeremy Fletcher Brad Bradley
400 PM		End Day 2		

Day 3	Wed	April 17		
900 AM		Peer Exchange Introduction	Brevard Ops TBD	Nick Finch
930 AM		LAPIT and SCAT - FDOT	Brevard Ops TBD	Lorraine Moyle
1130 AM		Team Lunch	Cocoa	All
100 PM		Onsite SCAT at Cocoa	65 Stone Street Cocoa, FL 32922	Tammy Gemmati Frank Mirabito, PE All
330 PM		Peer-to-Peer Discussion	Murdock's Cocoa	All
430 PM		End Day 3		

Day 4	Thurs	April 18		
930 AM		Civil Rights Project/Program Oversight for LPAs – FDOT & TxDOT	Brevard Ops	Jennifer Smith Dave Tovar
1030 AM		Civil Rights Project/Program Oversight for LPAs – FLDIV & TXDIV	TBD	All
100 PM		Onsite SCAT at New Smyrna	2650 N. Dixie Hwy NSB, FL 32168	Kyle Fegley, PE All
330 PM		Peer-to-Peer Discussion and Close-out	The Breakers NSB	All
430 PM		End Day 4		

Day 5	Fri	April 19		
AM		Team Travel from MCO	Cocoa, FL	TxDOT & DIV

Subrecipient Civil Rights Compliance Peer Exchange

April 2019, FHWA, FDOT, & TxDOT

Objective: TxDOT will conduct a peer exchange between FHWA and FDOT to develop and identify innovative strategies for Title VI program implementation. TxDOT will interview FDOT Title VI Specialists, to determine which innovative strategies for Title VI should be considered for application at TxDOT. TxDOT in turn, will share their own best practices and discuss experiences with Title VI program implementation.

Questions and topics TxDOT hopes to cover in the peer exchange include:

- 1.) What is FDOT's internal procedure/process to identify an annual list of subrecipients for review?
 - Documentation: subrecipient tracking database and review procedures
- 2.) How often does FDOT conduct LPA training for subrecipients?
 - Documentation: schedule of subrecipient training and guidance materials.
- 3.) Provide a demonstration of the subrecipient compliance assessment tool (SCAT).
- 4.) What was the evolution of SCAT and what methods were previously used at FDOT to review subrecipients?
- 5.) What is the incentive for subrecipients to use SCAT or is it required for the annual review?
- 6.) How many LPAs are typically reviewed in a fiscal year, and does FDOT conduct these reviews via desk audits, or in-person?
- 7.) What is the "typical" timeframe for conducting a round of LPA reviews?
- 8.) Does the outcome of LPA reviews result in a report of findings and a follow-up report?
 - Documentation: Sample report of findings and follow-up report
- 9.) Has FDOT developed a guidance document for LPAs?
 - Documentation: guidance documentation for assisting LPAs
- 10.) What are some of the federal funding categories used to identify and review LPAs?
Example: Is the federal funding specific to construction, planning, research, etc.?

11.) What other types of training and outreach for Title VI does FDOT conduct besides SCAT and LPA training program?

Other Title VI topics as time permits:

12.) How does FDOT staff for the Title VI Program?

- Documentation: Review Title VI Implementation Plan and discuss FDOT organizational chart.

13.) How does FDOT conduct internal monitoring of Title VI Program and what program areas are reviewed?

- Documentation: Review and discuss current Title VI Implementation Plan and previous year Goals & Accomplishments Report.

14.) How does FDOT analyze data gathered from internal reviews?

- Documentation: Review previous year Goals & Accomplishments Report.

15.) How does FDOT implement the internal Title VI training?

- Documentation: Review previous year Goals & Accomplishments Report and discuss various internal and any external Title VI training provided to employees

16.) How does FDOT adhere to E.O. 13166?

- Documentation: Review Title VI Implementation Plan, Language Assistance Plan and reporting procedures for accommodating LEP.

17.) Does FDOT have coordination procedures with Native American tribes outside of the traditional Sec. 106 environmental planning process?



23 Code of Federal Regulations (CFR) Part 200 requires that the Florida Department of Transportation (FDOT) conduct periodic reviews of cities, counties, planning agencies and other recipients of Federal-Aid Highway Program funds to ensure they are complying with Title VI of the Civil Rights Act of 1964 and other nondiscrimination authorities. See Chapter 3 of the [LAP Manual](#) and the [LAP Title VI and Nondiscrimination webpage](#) for complete information on the history, definitions, and detailed requirements of the FDOT Sub-Recipient Compliance Assessment (SCAT) process.

Please complete the Assessment and upload it to [LAPIT](#), attaching related documents as requested. Contact your [District LAP Administrator](#) or the Statewide LAP Administrator with questions, or refer to the [LAP Nondiscrimination Handbook for Local Agencies](#).

Name of Agency: [Click here to enter text.](#)

Number of Employees: [Choose an item.](#)

1. Complete and upload a FDOT Title VI/Nondiscrimination Assurance. A copy of the document may be obtained at <http://www.fdot.gov/programmanagement/LAP/Forms/AttachmentB2015.pdf>.

LAPIT Document No. [Click here to enter text.](#)

2. Post your agency's written Title VI/Nondiscrimination Plan to your website that includes:
 - Title VI/Nondiscrimination policy notice to the public.
 - Filing procedures for discrimination complaints based on race, color, national origin, sex, age, disability, religion, or family status. (*Note, this request **does not** include your agency's employment discrimination policies/procedures.*)

Provide website location of posted document: [Click here to enter text.](#)

3. Does your agency construct/improve curb ramps pursuant to the DOJ/DOT Technical Assistance Memo, including installation of truncated domes?

http://www.fhwa.dot.gov/civilrights/programs/doj_fhwa_ta.cfm

[Choose an item.](#)

If no, briefly explain:

[Click here to enter text.](#)

4. What design standards does your agency use to comply with ADA when planning, designing or constructing transportation facilities for projects located on local roadways? *(Note, projects located on the State or National Highway Systems require use of Florida DOT Design standards.)*

Check only one:

- 2010/2006 Standards for Transportation Facilities
- Public Rights of Way Accessibility Guidelines (PROWAG)
- Florida DOT Design Standards
- Florida Greenbook

5. Has your agency completed and publicly posted an ADA Transition Plan for the accessibility of pedestrian facilities within your public rights of way? *(Note, this is a requirement of all government agencies with 50 or more employees, regardless of funding source. See 28 CFR 35.105 and 150(d)).*

Choose an item.

6. Enter (or verify) the name(s), title and contact information of your agency's Title VI/Nondiscrimination and ADA Coordinator(s) in LAPIT

Check the box provided when you have completed this item

7. Has your agency been the subject of discrimination complaints (race, national origin, color, sex, age, disability, religion or family status) during the past three years? *(Note, this excludes employment discrimination complaints).*

Choose an item.

If yes, briefly explain or attach documentation of complaint, dates and disposition, if any:

[Click here to enter text.](#)

8. How does your agency advise the public of nondiscrimination policies or other similar information? Electronic or web-based posting alone is insufficient.

Check a minimum of two that apply to your agency:

- Web Page
- Social Media
- Postings in Public Buildings
- Public Meetings
- Publications/Media

9. Recipients of federal funding are required to collect and analyze demographic data to ensure nondiscrimination and equity in recipient programs, services and activities. Identify your agency's sources for collection and review of demographic data (race, national origin, age, etc.) on those affected your organizational decisions?

Check all that apply:

- Census
- American Community Survey
- Department of Education
- School Board
- Community Development Offices
- Other sources [Click here to enter text.](#)

10. Has your agency completed a written plan for providing language services to those who do not speak English proficiently, based upon analysis of the four factors described in [Executive Order 13166](#) and related directives? (For more information or resources visit www.lep.gov).

Choose an item.

11. A cornerstone of nondiscrimination is robust public involvement in recipient decision making regarding its programs, services and activities. Indicate how your agency provides outreach to and solicits input from minority, low income, elderly and disabled populations within your jurisdictional boundaries?

Check all that apply:

- Targeted public involvement of these communities
- Committees or advisory groups representing these communities (may include religious or social organizations).
- Community Development Department within the agency serving these communities
- Other [Click here to enter text.](#)

12. My agency is completing this SCAT form to:

- Certify as a LAP agency
- Re-Certify as a LAP agency
- Comply with a request by FDOT and/or FHWA

Attachment 7
Subrecipient Compliance
Assessment Tool

Title VI Compliance Assessment Tool

1. Agency Information

Organization Name:

Contact:

Email:

Phone: - -

2. Does your agency have a signed Title VI Policy Statement and Title VI Assurances?

Yes No

a. Provide a link to the agency's Title VI Policy Statement and Title VI Assurances, if applicable.

3. Does your agency have a current Title VI/Nondiscrimination Plan?

Yes No

a. If so, is the plan available online to the general public?

Yes No

b. Provide a link to the Title VI Plan, if applicable.

4. Does your agency have a Title VI Coordinator?

Yes No

a. Provide contact information for the Title VI Coordinator (name, physical address, phone number, email).

Name:

Department:

Physical Address:

City:

State:

Zip Code:

Phone: - -

Email:

b. Does your agency's Title VI/Nondiscrimination Plan provide an organizational chart that includes the agency's Title VI Coordinator and a description of their responsibilities.

Yes No

5. Does your agency have an external discrimination complaint handling and processing procedure?

Yes No

a. If so, provide a link to the external discrimination complaint handling protocols.

6. Does your agency include Title VI contract provisions in solicitations, contracts and awards?

Yes No

7. How does your agency ensure that Limited English Proficient (LEP) individuals have access to the agency's programs and services? (Requirements are described under the four factor analysis in [Executive Order 13166](#). Additional resources are found at www.lep.gov)

- Completed Language Assistance Plan
- Contract services for interpretation and translation
- Focused LEP outreach during planning & construction

- Identified bilingual employees
- Other. Please explain:

8. What outreach efforts does your agency utilize to solicit input from minority populations within your jurisdictional boundaries in order to ensure nondiscrimination in its public participation process?

- Maintaining a Public Participation Plan
- Targeted community engagement
- Committees or advisory groups
- Other. Please explain:

9. Recipients of federal funds are required to collect and analyze demographic data to ensure nondiscrimination and equity for beneficiaries of programs, services and activities. Identify the data collection sources for analyzing demographic data in the areas within your jurisdictional boundaries.

- Census
- American Community Survey
- Department of Education
- Community Development Offices
- Other Sources. Please identify:

10. How does your agency advise the public of Title VI/Nondiscrimination policies and procedures? Note: Electronic placement on a website alone is not enough.

- Agency Web Page
- Social Media
- Displayed in Public Building
- Public Meetings & Outreach
- Accessible Publications
- Other. Please specify:

Attachment 8
TxDOT/FHWA Title VI Training



Save the date!

*A special FHWA Title VI training for TxDOT.
(In partnership with Civil Rights Division.)*

Date: Aug. 28, 2019

Time: 9 a.m. – 5 p.m.

Location: 200 E. Riverside Drive, Room 1A.1
Austin, TX 78704

This training will provide you with the tools and information needed to prevent discrimination and potential impacts across multidisciplinary areas and activities.

[Register online today.](#)

Special accommodations request:

This event will be conducted in English. If English is not your primary language and you have difficulty communicating effectively in English, you may need an interpreter or document translator; one will be provided to you upon your request. If you have a disability and need assistance, special arrangements can be made to accommodate most needs. If you are a person with a disability who requires accommodations please contact the Civil Rights Division at CivilRights@txdot.gov or call at 512-416-4700 no later than 4 p.m. two weeks prior to the event date. Please be aware that advance notice is requested as some accommodations may require time to arrange.



Save the date!

A special FHWA/TxDOT Title VI training for local governments, transportation agencies, and other subrecipients.

Date: Aug. 29, 2019

Time: 9 a.m. – 5 p.m.

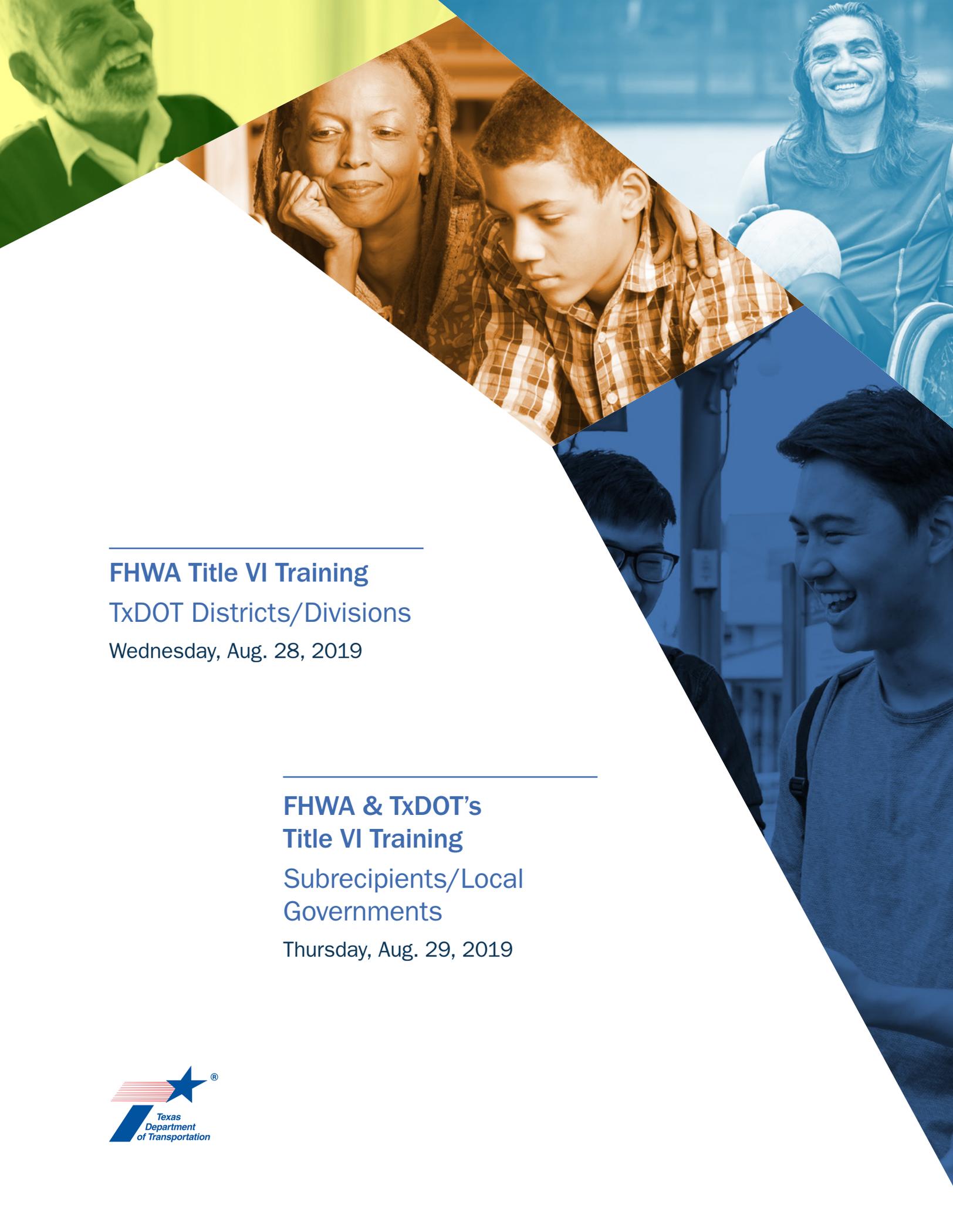
Location: 200 E. Riverside Drive, Room 1A.1
Austin, TX 78704

This training will help you develop and implement proactive measures, meet existing federal requirements and offer best practices in preventing or addressing discriminatory acts.

[Register online today.](#)

Special accommodations request:

This event will be conducted in English. If English is not your primary language and you have difficulty communicating effectively in English, you may need an interpreter or document translator; one will be provided to you upon your request. If you have a disability and need assistance, special arrangements can be made to accommodate most needs. If you are a person with a disability who requires accommodations please contact the Civil Rights Division at CivilRights@txdot.gov or call at 512-416-4700 no later than 4 p.m. two weeks prior to the event date. Please be aware that advance notice is requested as some accommodations may require time to arrange.



FHWA Title VI Training
TxDOT Districts/Divisions
Wednesday, Aug. 28, 2019

FHWA & TxDOT's
Title VI Training
Subrecipients/Local
Governments
Thursday, Aug. 29, 2019



SCHEDULE OF EVENTS

FHWA Title VI Training TxDOT Districts/Divisions

Wednesday, August 28

9 – 9:10 a.m. Welcome/Introductions/Course Overview

9:10 – 10 a.m. **Defining Title VI**

- i. Background
- ii. Regulations/Authorities
- iii. Roles and Responsibilities

10 – 10:10 a.m. Break

10:10 – 11 a.m. **Title VI at the State DOT**

- i. Role of State DOT
- ii. Title VI Plan Implementation
- iii. Data Collection
- iv. Local Public Agencies LPAs (subrecipients)
- v. Training

11 – 11:45 a.m. **Title VI/Nondiscrimination Program at TxDOT**

- i. Reporting to FHWA
- ii. Title VI/Nondiscrimination Plan
- iii. Title VI Complaints
- iv. LEP Program and Reporting
- v. Title VI Posters and Brochures
- vi. Future of the Title VI Program
- vii. Questions

11:45 a.m. – 1 p.m. Lunch

1 – 2 p.m. **Identifying and preventing discrimination**

- i. Sociology vs. the law
- ii. Analyzing the data
- iii. Evaluating the processes
- iv. Public Involvement
- v. Mitigation for impacts
- vi. Limited English Proficiency
- vii. Handling a Title VI complaint

2 – 2:30 p.m. **Practical Scenarios for Title VI**

- i. Introduction
- ii. Group exercise

2:30 – 2:40 p.m. Break

2:40 – 3:30 p.m. **Practical Scenarios for Title VI (Continued)**

- i. Class discussion

3:30 – 4:30 p.m. **Applying Title VI in your job**

- i. Systematic multidisciplinary approach

4:30 – 5 p.m. **Course Review**

- i. Questions
- ii. Parking lot answers or follow-up
- iii. Summary
- iv. Closing remarks

FHWA & TxDOT's Title VI Training

Subrecipients/Local Governments

Thursday, August 29

9 – 9:10 a.m.	Welcome/Introductions/Course Overview
9:10 – 10 a.m.	Defining Title VI <ul style="list-style-type: none">i. Backgroundii. Regulations/Authoritiesiii. Roles and Responsibilities
10 – 10:10 a.m.	Break
10:10 – 11 a.m.	Title VI Local Public Agencies <ul style="list-style-type: none">i. Role of State DOTii. Title VI Plan Implementationiii. Data Collectioniv. Title VI Program visibility with the Publicv. Staff training
11 – 11:45 a.m.	Title VI/Nondiscrimination Program at TxDOT <ul style="list-style-type: none">i. Title VI/Nondiscrimination Planii. Components of Title VI Programiii. TxDOT's Role in Assisting LPAsiv. Review Title VI/Nondiscrimination Technical Assistance Questionsv. Self-Certification Processvi. Questions
11:45 a.m. – 1 p.m.	Lunch
1 – 2 p.m.	Identifying and preventing discrimination <ul style="list-style-type: none">i. Sociology versus the lawii. Analyzing the dataiii. Evaluating the processesiv. Public Involvementv. Limited English Proficiencyvi. Handling a Title VI complaint
2 – 2:30 p.m.	Practical Scenarios for Title VI <ul style="list-style-type: none">i. Introductionii. Group exercise
2:30 – 2:40 p.m.	Break
2:40 – 3:30 p.m.	Practical Scenarios for Title VI <ul style="list-style-type: none">i. Class discussion
3:30 – 4:30 p.m.	Applying Title VI in your agency <ul style="list-style-type: none">i. Systematic multidisciplinary approach.
4:30 – 5 p.m.	Course Review <ul style="list-style-type: none">i. Questionsii. Parking lot answers or follow-upiii. Summaryiv. Closing remarks

Session detail for 'FHWA/TxDOT Title VI Staff Training':

Name	Email	Start time	End time
Stacie	stacie.holcomb@txdot.gov	9:53 AM	4:52 PM
LFK DCO	cindy.broyles@txdot.gov	8:56 AM	4:52 PM
Barry Turner	Barry.Turner@txdot.gov	9:02 AM	4:52 PM
Dione Albert	dione.albert@txdot.gov	3:34 PM	4:52 PM
Dione Albert	dione.albert@txdot.gov	2:48 PM	3:34 PM
Dione Albert	dione.albert@txdot.gov	2:28 PM	2:44 PM
Sonya Ayers	sonya.ayers@txdot.gov	1:15 PM	3:54 PM
Cynthia Ochoa-FIN	Cynthia.Ochoa@txdot.gov	9:00 AM	2:33 PM
Dione Albert	Dione.albert@txdot.gov	9:57 AM	2:04 PM
Harry Dawson	Harry.Dawson@txdot.gov	3:15 PM	3:56 PM
Harry Dawson	Harry.Dawson@txdot.gov	10:24 AM	2:02 PM
Harry Dawson	Harry.Dawson@txdot.gov	3:13 PM	3:14 PM
Janette Easley	Janette.Easley@txdot.gov	8:54 AM	4:57 PM
Faisal - FTW	Faisal.Abdelqader@txdot.gov	9:07 AM	4:52 PM
Cynthia	Cynthia.Smith@txdot.gov	9:01 AM	12:59 PM
Dallas	Noraima.perez@txdot.gov	8:59 AM	4:52 PM
EMColvin	esther.colvin@txdot.gov	8:40 AM	4:52 PM
Sierra F.	sierra.fallin@txdot.gov	8:41 AM	4:52 PM
Jannie Blackmon	jannie.blackmon@txdot.gov	12:55 PM	4:52 PM
Faisal - FTW	Faisal.abdelqader@txdot.gov	8:46 AM	9:06 AM
Cynthia	cynthia.smith@txdot.gov	12:59 PM	4:52 PM
Rusty Smith	Rusty.Smith@txdot.gov	8:59 AM	4:52 PM
Jason Scantling	jason.scantling@txdot.gov	8:56 AM	9:59 AM
Hilda Ortiz	hilda.ortiz@txdot.gov	8:10 AM	8:11 AM
Hilda Ortiz	hilda.ortiz@txdot.gov	8:57 AM	11:44 AM
Dione Albert	dione.albert@txdot.gov	8:45 AM	9:51 AM
Rusty Smith	Rusty.Smith@txdot.gov	8:56 AM	8:58 AM
Joe LeBlanc	joe.leblanc@txdot.gov	8:59 AM	4:57 PM
Hilda Ortiz	hilda.ortiz@txdot.gov	3:07 PM	4:52 PM
noraima perez	noraima.perez@txdot.gov	8:57 AM	8:59 AM
Jannie Blackmon	jannie.blackmon@txdot.gov	9:00 AM	11:45 AM
Jannie Blackmon	jannie.blackmon@txdot.gov	8:59 AM	9:00 AM
Elizabeth Paradise	Elizabeth.Paradise@Txdot.gov	9:04 AM	4:57 PM
Elizabeth Paradise	Elizabeth.Paradise@Txdot.gov	9:13 AM	2:26 PM
allan	allan.moore@txdot.gov	9:01 AM	4:29 PM
allan	allan.moore@txdot.gov	1:07 PM	4:30 PM
Danielle	danielle.johnsonrobinson@txdot.gov	1:14 PM	4:16 PM
Faisal Abdel-Qader	faisal.abdelqader@txdot.gov	9:04 AM	9:06 AM
Debra Medellin	debra.medellin@txdot.gov	8:09 AM	4:52 PM
Shirley Nichols	shirley.nichols@txdot.gov	9:06 AM	4:52 PM
Shelly Eason	shelly.eason@txdot.gov	9:00 AM	4:52 PM
Cymantha Cato	Cymantha.Cato@txdot.gov	8:56 AM	11:41 AM
Rendy Drews	rendy.drews@txdot.gov	9:13 AM	3:22 PM
Jamie Godwin	Jamie.Godwin@txdot.gov	11:02 AM	1:54 PM

Hilda Ortiz

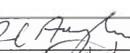
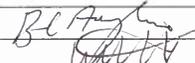
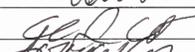
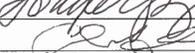
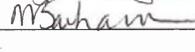
hilda.ortiz@txdot.gov

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FHWA/TxDOT Title VI Training for Districts/Divisions

August 28, 2019 | 9 a.m. – 5 p.m.

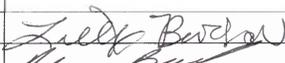
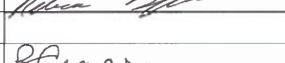
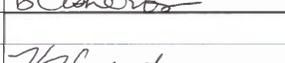
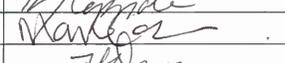
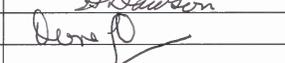
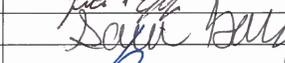
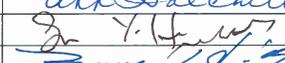
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200 E. Riverside, Room 1A.1, Austin, TX 78704

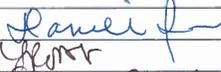
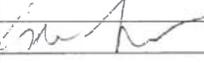
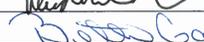
Name	District/Division	Email Address	Signature
Joe Adams	PFD	joe.adams@txdot.gov	
Dione Albert	PEPS-PPD	dione.albert@txdot.gov	
Benjamin Anyacho	STR	benjamin.anyacho@txdot.gov	
Wendy Arias	PTN	wendy.arias@txdot.gov	
Jeff Avant	ROW	andrew.avant@txdot.com	
Sonya Ayers	TPD	sonya.ayers@txdot.gov	
Carlos Balderas	CIV	carlos.balderas@txdot.gov	
Misty Barham	GCD	misty.barham@txdot.gov	
Richard Barker	DAL DIST	richard.barker@txdot.gov	
Donna Barnes	ATL DIST	donna.barnes@txdot.gov	
Christine Bergren	ENV	christine.bergren@txdot.gov	
Lindsay Bibeau	AUD	lindsay.bibeau@txdot.gov	
Christy Bird	BRG	christy.bird@txdot.gov	
Jannie Blackmon	HOU DIST	jannie.blackmon@txdot.gov	
Benjamin Blackstone	ROW	benjamin.blackstone@txdot.gov	

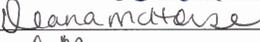
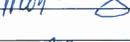
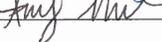
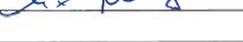
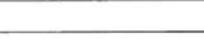
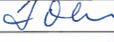
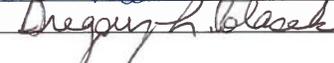
Kathy Bace
Mike McElroy

PTN
CIV

Kathy.Bace@txdot.gov
Mike.McElroy@txdot.gov

Name	District/Division	Email Address	Signature
Karrie Boedeker	TPD	karrie.boedeker@txdot.gov	
Lilly Burson	AUD	lilly.burson@txdot.gov	
Rebecca Byford	DES	rebecca.byford@txdot.gov	
Scott Bailey	SAT DIST	jose.castro@txdot.gov	
Barbara Cisneros	RTI	barbara.cisneros@txdot.gov	
Esther Colvin	TPP	esther.colvin@txdot.gov	
Kandice Coppala	AUS DIST	kandice.coppala@txdot.gov	
Mariechen Cyr	ROW	mariechen.cyr@txdot.gov	
Harry Dawson	DES	harry.dawson@txdot.gov	
Diana Diaz	ELP DIST	diana.diaz@txdot.gov	
Stephen Dodge	ROW	stephen.dodge@txdot.gov	
Rendy Drews	WAC DIST	rendy.drews@txdot.gov	
Sarah Dunlap	BWD DIST	sarah.dunlap@txdot.gov	
Shelly Eason	AUS DIST	shelly.eason@txdot.gov	
Gustavo Elizondo	ROW	gustavo.elizondo@txdot.gov	
Sara Garza	TPP	sara.garza@txdot.gov	
Lauren Gildart	CIV	lauren.gildart@txdot.gov	
Valerie Gonzales	ROW	valeria.gonzales@taxdot.gov	
Grzegorz Gorecki	FTW DIST	greg.gorecki@txdot.gov	
Jessica Gray	GCD	jessica.gray@txdot.gov	
Ann Hatchitt	TRF	ann.hatchitt@txdot.gov	
Sonya Hernandez	AUS DIST	shirley.nichols@txdot.gov	
Manuel Hernandez	ELP DIST	manuel.hernandez@txdot.gov	

Name	District/Division	Email Address	Signature
Christine Polito	DAL DIST	christine.polito@txdot.gov	
Anna Pulido	ROW	anna.pulido@txdot.gov	
Carolyn Reyna	MRD	carolyn.leal@txdot.gov	
Eric Anderson	HOU DIST	denetia.robinson@txdot.gov	
Danielle Robinson	TPD	danielle.johnsonrobinson@txdot.gov	
Lindsay Ross	PAR DIST	lindsay.ross@txdot.gov	
Judy Sanchez	PHR DIST	judy.sanchez@txdot.gov	
Karla Santamaria	ROW- AUS	karla.santamaria@txdot.gov	
Brigido Sepulveda	HARRIS COUNTY	bsepulveda@hwlochner.com	
Mansour Shiraz	TPP	mansour.shiraz@txdot.gov	
Aisa Showery	CIV	aisa.showery@txdot.gov	
Scott Spradlin	PFD	scott.spradlin@txdot.gov	
Sue Theiss	ENV	sue.theiss@txdot.gov	
Shana Thomas	TPP	shana.thomas@txdot.gov	
Jessica Tijerina	FTW DIST	jessica.tijerina@txdot.gov	
Spencer Ward	ENV	spencer.ward@txdot.gov	
Meredith Worthen	ENV	meredith.worthen@txdot.gov	
Beth Garza	AUS DIST	beth.garza@txdot.gov	
Erin Lashlee	TRV	Erin.Lashlee@txdot.gov	
Cynthia Goodson	PRO	Cynthia.Goodson@txdot.gov	

Name	District/Division	Email Address	Signature
Terri McCasland	ATL DIST	terri.mccasland@txdot.gov	
Deana McHorse	ROW	deana.mchorse@txdot.gov	
Debra Medellin	CIV	debra.medellin@txdot.gov	
Mario Mendez	ROW	mario.mendez@txdot.gov	
Mindi Menzel	PEPS	mindy.menzel@txdot.gov	
Alan Migl	YKM DIST	alan.migl@txdot.gov	
Amy Miller	ROW	amy.miller@txdot.gov	
Lori Morel	TPP	lori.morel@txdot.gov	
April Morin	ROW	april.morin@txdot.gov	
Jessica Mueller	CIV	jessica.mueller@txdot.gov	
Josh Muir	AUS DIST	josh.muir@txdot.gov	
Charles Nesloney	CRP DIST	charles.nesloney@txdot.gov	
Robyn Neveu	BRY DIST	robyn.neveu@txdot.gov	
Tom Nielson	TPD	tom.nielson@txdot.gov	
Cynthia Ochoa	FIN	cynthia.ochoa@txdot.gov	
Troy Olney	AUS DIST	troy.olney@txdot.gov	
Hilda Ortiz	AUS DIST	hilda.ortiz@txdot.gov	
Stephanie Pan	GCD	stephanie.pan@txdot.gov	
Rose Pankhurst	AVN	rose.pankhurst@txdot.gov	
Noraima Perez	DAL DIST	noraima.perez@txdot.gov	
Jackie Ploch	ENV	jackie.ploch@txdot.gov	
Greg Polasek	ROW	greg.polasek@txdot.gov	

Name	District/Division	Email Address	Signature
Anthony Horne	ENV	anthony.horne@txdot.gov	
Vallorie Jackson	ROW	vallorie.jackson@txdot.gov	<i>Vallorie Jackson</i>
Karen Jackson	PAR DIST	karen.jackson@txdot.gov	<i>Karen Jackson</i>
LaDenia Jewitt	AMA DIST	ladenia.jewitt@txdot.gov	<i>LaDenia Jewitt</i>
Matthew Jimenez	ROW	matthew.jimenez@txdot.gov	<i>Matthew Jimenez</i>
Erika Knox	FTW DIST	erika.knox@txdot.gov	<i>Erika Knox</i>
Nicolle Kord	ENV	nicolle.kord@txdot.gov	<i>Nicolle Kord</i>
Zach Lanfear	AUS DIST	zach.lanfear@txdot.gov	
Sam Lawrence	TPD	sam.lawrence@txdot.gov	
Michael Lightfoot	ROW	mike.lightfoot@txdot.gov	<i>Michael Lightfoot</i>
Becky Ligon	PTN	rebecca.ligon@txdot.gov	<i>Becky Ligon</i>
Kristy Long	SAT DIST	kris.long@txdot.gov	<i>Kristy Long</i>
Gabriel Lopez	SAT DIST	gabriel.lopez@txdot.gov	<i>Gabriel Lopez</i>
Adrienne Love	AUS DIST	adrienne.love@txdot.gov	<i>Adrienne Love</i>
Michelle Lueck	ENV	michelle.lueck@txdot.gov	<i>Michelle Lueck</i>
Jane Lundquist	DES	jane.lundquist@txdot.gov	<i>Jane Lundquist</i>
Carol Luschen	PFD	carol.luschen@txdot.gov	
Brad Matejowsky	ROW	bradley.matejowsky@txdot.gov	<i>Brad Matejowsky</i>

FHWA/TxDOT Title VI Training for Subrecipients

August 29, 2019 | 9 a.m. - 5 p.m.

TxDOT Headquarters - Riverside Campus
200 E. Riverside, Room 1A.1, Austin, TX 78704

Name	Email Address	Agency	Signature
Mohammed Abdul Jalal	ajmohammed@st.ug.edu.gh		
Dione Albert	dione.albert@txdot.gov	TxDOT	
Shobana Angia	shobana.angia@austintexas.gov	COA	<i>Shobana Angia</i>
Wendy Arias	wendy.arias@txdot.gov	TxDOT	
Jeff Avant	andrew.avant@txdot.com	TxDOT	
Kathy Baca	kathy.baca@txdot.gov	TxDOT	
Richard Barker	richard.barker@txdot.gov	TxDOT	
Gabriel Adolphe Emile Belcastel Montvaillant	gondalmotor@msn.com		
Lindsay Bibeau	lindsay.bibeau@txdot.gov	TxDOT	<i>Lindsay Bibeau</i>
Jannie Blackmon	jannie.blackmon@txdot.gov	TxDOT	<i>Jannie Blackmon</i>
Phillip Burks	philb@yahoo.com		
Lilly Burson	lilly.burson@txdot.gov	TxDOT	<i>Lilly Burson</i>
Stella Calvillo	scalvillo@conversetx.net		<i>Stella Calvillo</i>
Vanessa Carter Turner	vanessa.carter@utsa.edu		
Ariel Chavez	nagonzalez@portofbrownsville.com	Brownsville Navigation District	<i>Ariel Chavez</i>
Esther Colvin	esther.colvin@txdot.gov	TxDOT	<i>Esther Marie Colvin</i>

Name	Email Address	Agency	Signature
Carlton Cooper	carlton.cooper@txdot.gov	TxDOT	
✓ Kendra Coufal	kendra.coufal@ctcog.org	KCMPO	Kendra Coufal
Krista Cover	krista.cover@sanantonio.gov		
Guillermo Cuellar	gbcuellar@webbcountytx.gov		
Mariechen Cyr	mariechen.cyr@txdot.gov	TxDOT	
Melissa Daniels	melissa.daniels@txdot.gov	TxDOT	
Perri Darmond	perri.darmond@fortbendcountytx.gov		
Harry Dawson	harry.dawson@txdot.gov	TxDOT	
Diana Diaz	diana.diaz@txdot.gov	TxDOT	Diana Diaz
Jennifer DiCocco	jennifer.dicocco@sanantonio.gov		
✓ Lucinda Elizondo	lelizondo@aacog.com	AACOG	Lucinda Elizondo
Sara Garza	sara.garza@txdot.gov	TxDOT	Sara Garza
Keisha Gash	keisha.gash@txdot.gov	TxDOT	Keisha Gash
✓ Darcy Gomez	dgomez@pearlandtx.gov	CITY OF PEARLAND	Darcy Gomez
Crystal Gonzalez	cgonzalez@hcmpo.org		
Claudia Gonzalez	claudia@conflictmattersusa.com		
Ronnie Gonzalez	ron@conflictmattersusa.com		
✓ Robert Goode	rgoode@ctrma.org	CTRMA	Robert Goode
Cynthia Goodson	cynthia.goodson@txdot.gov	TxDOT	
Carmen Graso	carmen.grasoigarcia@txdot.gov	TxDOT	
✓ Krystal Hasselmeier	khasselmeier@cityofwharton.com	City of Wharton	Krystal Hasselmeier
✓ Emily Hepworth	emily.hepworth@campotexas.org	CAMPO	Emily Hepworth
Manuel Hernandez	Manuel.Hernandez@txdot.gov	TxDOT	Manuel Hernandez

Name	Email Address	Agency	Signature
✓ Major Hofheins	major.hofheins@cosatx.us	San Angelo MPO	Major Hofheins
✓ Isela Hooper	ihooper@elpasompo.org	El Paso MPO	Isela Hooper
Vallorie Jackson	vallorie.jackson@txdot.gov	TxDOT	
✓ Ayodele Jibowu	ayo.jibowu@h-gac.com	HGAC	Ayodele Jibowu
Edna Johnson	ejohnson@roundrocktexas.gov		
✓ Susan Johnson	sjohnson@pearlandtx.gov	City of Pearland	Susan Johnson
✓ Deedra Johnson	djohnson@aacog.com	AACOG	Deedra Johnson
David Jones	djones@mylubbock.us		
Tennille Jones	tennille.jones@fortbendcountytx.gov		
Manny Longoria	mlongoria@conversetx.net		
✓ Gabriela Lopez	glopez@elpasompo.org	El Paso MPO	Gabriela Lopez
Tony Lopez	tony.lopez@austintexas.gov		
Gabriel Lopez	gabriel.lopez@txdot.gov	TxDOT	
Sylvia Lopez	sylvia.lopez@traviscountytx.gov		
✓ Manuel Martinez	mmartinez@portofbrownsville.com	BND	Manuel Martinez
Mei May	lani.may@utsa.edu		
✓ Courtney McClure	courtney.mcclure@sanantonio.gov	City of San Antonio	Courtney McClure
✓ Christopher McConnell	christopher.mcconnell@austintexas.gov	Austin Transportation	Christopher McConnell
Debra Medellin	debra.mellin@txdot.gov	TxDOT	

Name	Email Address	Agency	Signature
Ben Medina	bmedina@riohondo.us		
Deborah Melba	dmelba@ctrma.org	CTRMA	
Bridell Miers	bridell.miers@bexar.org	Bexar County	
Risheem Muhammad	edstechllc@gmail.com		
Robyn Neveu	robyn.neveu@txdot.gov	TxDOT	
Adam Nixon	anixon@mylubbock.us		
Cynthia Ochoa	cynthia.ochoa@txdot.gov	TxDOT	
Laura Perez	laura.perez@txdot.gov	TxDOT	
Ambar Perez	perez@alamoareampo.org	AAMPO	
Noraima Perez	noraima.perez@txdot.gov	TxDOT	
Rep Pledger	rep.pledger@hot.cog.tx.us		
John Porter	jporter@ci.laredo.tx.us		
Elizabeth Provencio	elizabeth.provencio@sanantonio.gov	City of San Antonio	
Lorraine Quimiro	lquimiro@permianbasinmpo.com		
Shweta Rao	shweta.rao@fortworthtexas.gov		
Danielle Robinson	danielle.johnsonrobinson@txdot.gov	TxDOT	
Felix Rodriguez	felix.rodriguez2@co.cameron.tx.us		
Jessica Salinas	jessica.salinas@austintexas.gov	Wesley COA	
Debbie Scharven	deborah.scharven@sanantonio.gov	Debbie COSA	
Dawn Scheel	dscheel@roundrocktexas.gov	Dawn Scheel	
Ana Seivert	ana.seivert@austintexas.gov	City of Austin	
John Serra	jrsera@co.cameron.tx.us	John Serra	

Name	Email Address	Agency	Signature
LaShaundra Shaw	lashaundra.shaw@txdot.gov	TxDOT	
Mansour Shiraz	mansour.shiraz@txdot.gov	TxDOT	
Aisa Showery	aisa.showery@txdot.gov	TxDOT	
Robert Studer	studer@crrma.org		
Brian Thompson	brian.thompson@dallascityhall.com		
Hettie Thompson	hettie.thompson@txdot.gov	TxDOT	
Tamaka Thornton	tthornton@dragados-usa.com		
Jessica Tijerina	jessica.tijerina@txdot.gov	TxDOT	
Gina Torres	ginaatorres1987@gmail.com		
John Turpin	jturpin@mylubbock.us		
Tammy Walker	twalker@mylubbock.us		
Renee Watson	rwatson@bexar.org	Bexar County	
Tarence White	white.tarence@bexar.org	Bexar County	
Rudy Zamora	rzamora@hcmpo.org	Hidalgo County MPO	
Serigo Zavala	szavala@cityofmercedes.com	City of Mercedes	
Kate Zielke	kzielke@nctcog.org	NCTCOG	
BRIGIDA GONZALEZ	brigida.gonzalez@txdot.gov	TxDOT-TAP	
Lorena Hernandez	lhernandez@portofbransville.com	BMD	
Adrienne Guera	adrienne.guera@traviscountytexas.gov	Travis County	
James Mery	James.Mery@bexar.org	Bexar	
Cynthia Ochoa		FIN/TxDOT	
Cryan Nelson	crayan.nelson@ctcog.org	KCMPO	

Attachment 9
Program Review Questionnaires

Fiscal Year 2019 Title VI Accomplishments and Goals Questionnaire **DISTRICT OFFICE**

Background:

FHWA requires TxDOT to perform Title VI reviews to annually assess the effectiveness of the Title VI/Nondiscrimination Plan. TxDOT's federal program areas and select District offices will work collaboratively with CIV to provide the requested information necessary for reporting. The following questions provide information that focuses on the implementation of Title VI/Nondiscrimination requirements. Once the review is completed, the gathered information will be summarized in a Title VI Accomplishments and Goals Report for FHWA to evaluate TxDOT Title VI Program performance in fiscal year 2019.

District Title VI Liaison

1. Provide name of the District's designated Title VI liaison responsible for interfacing on local Title VI matters. *Alan Migl*

2. What is the main job function of the Title VI liaison at the District office?

District Environmental Coordinator

3. Is the Title VI Liaison familiar with TxDOT's current Title VI/Nondiscrimination Plan and where it can be accessed on TxDOT's website? *Yes*

4. What is the District's procedure for handling a Title VI complaint?
 - a. *Provide complainant with Form 2193 to document complaint.*
 - b. *Document verbal complaints and contact CIV for additional assistance.*
 - c. *Notify CIV of complaint*
 - d. *CIV will notify FHWA within 10 days of receipt of complaint and/or assist CIV with notification.*

Title VI Program Information

5. Does the District make Title VI information available and accessible to the general public? If so, describe the District's efforts. *Title VI brochures are available to the public at the District Office main lobby. Brochures are also available at Area Offices and Maintenance offices.*
6. Does the District display Title VI program information in areas where staff interfaces with the public? This includes but not limited to the main lobby of the District, Area and Maintenance office complexes? *Yes, Title VI posters are on display at the District Office, Area, and Maintenance offices.*

Complaints

7. Are District staff that interface with the public, aware of procedures for handling a Title VI complaint? *A presentation on Title VI procedures was given to District Supervisors. In an effort to develop greater awareness of Title VI, the District plans to conduct annual updates on Title VI with District Supervisors.*

8. Describe the District's procedures on identifying a potential discrimination complaint and reporting external Title VI complaints to the Title VI Program Administrator at CIV.
 - a. *Any complaints that are received by District personnel will be communicated to both the District Title VI liaison and District Human Resources staff to determine the appropriate type of complaint received.*
 - b. *If determined the complaint is a Title VI issue, the District Title VI coordinator will document the complaint and immediately notify CIV of the complaint.*

Construction Contract Administration

9. Are the Special Provisions (002, 003 & FHWA 1273a) attached in all subcontract agreements? Please describe how this is verified. *Yes, SP 002, 003, and FHWA 1273a are attached to all subcontract agreements. The District receives an executed copy of all subcontracts and reviews them for compliance using a checklist.*
10. Does the District ensure Special Provisions (002, 003 & FHWA 1273a) are attached in all subcontract agreements? Please describe how this is verified. *Yes, the District ensures these SP are attached to all subcontract agreements. The District received an executed copy of all subcontracts and uses a subcontract agreement checklist to verify all necessary information is included in the agreements.*

Procurement

11. How many FY 2019 federally funded projects did the District manage? What was the total dollar amount? *The District managed approximately 445 projects totaling \$162,107,800.*
12. Did the District's FY 2019 contracts include DBE goals? If so, what was the total DBE dollar amount? *Yes, DBE goals were included in the contracts. The DBE dollar amount for FY 2019 contracts totaled approximately \$7,785,525.*
13. Describe any outreach events attended by the District to encourage minority and female owned businesses to bid on contracting opportunities. *No outreach events were attended.*

Planning, Environmental and Public Involvement

14. Does District staff utilize GIS capabilities to map identified EJ and LEP populations based upon the most recent Census data and local knowledge? *The District does not have a GIS map identifying EJ and LEP populations. The District utilizes websites such as American Factfinder, USDHS Office of the Assistant Secretary for Planning and Evaluation, and Cubit Planning.*
15. How many District projects have either an Environmental Assessment (EA) or Environmental Impact Statement (EIS) that is active or finalized in FY 2019? For the finalized EAs or EISs, has a Finding of No Significant Impact (FONSI) or Record of Decision (ROD) been issued? *The District has three EAs for the FY 2019. One EA received a FONSI in March and two EAs are still ongoing.*
16. Describe activities at the District that encourage EJ and LEP populations to participate in the development of the Environmental/Planning Process. What is the procedure for receiving comments and how are comments from the public addressed? *The District*

complies with TxDOT Public Involvement guidance for notifying the public regarding proposed projects. Notice of Opportunity to Comment, Public Meetings, and Public Hearings are held when necessary. The public is notified of these opportunities in various ways such as mailouts, flyers, newspaper notifications, message boards, and project websites. Each notification provides information on how to notify TxDOT to request additional information in languages other than English or special accommodation requests. Comments are accepted through emails, written communication, and verbally. All comments are addressed either through written notifications, emails, or phone calls.

Limited English Proficiency

17. Does the District have an updated LEP plan. If one has not been prepared, will a plan be developed by the end of FY 2019? If no, then please explain. *Yes, the District LEP coordinator maintains a copy of the LEP plan and updates the plan accordingly on an annual basis.*

Training

18. What Title VI training has the District staff attended? Please provide names of the District staff that attended Title VI training in FY 2019.

- a. *Paul Reitz, District Engineer*
 - i. *District training provided by Title VI Program Administrator (Christopher Amy)*
- b. *Jeff Vinklerek, District TP&D*
 - i. *District training provided by Title VI Program Administrator (Christopher Amy)*
- c. *Alan Migl, District Title VI Coordinator*
 - i. *District training provided by Title VI Program Administrator (Christopher Amy)*
 - ii. *Statewide Title VI training hosted by CIV and FHWA*

Fiscal Year 2019 Title VI Accomplishments and Goals Questionnaire **Environmental Affairs Division**

Background:

FHWA requires TxDOT to perform Title VI reviews to annually assess the effectiveness of the Title VI/Nondiscrimination Plan. TxDOT's federal program areas and select District offices will work collaboratively with CIV to provide the requested information necessary for reporting. The following questions provide information that focuses on the implementation of Title VI/Nondiscrimination requirements. Once the review is completed, the gathered information will be summarized in a Title VI Accomplishments and Goals Report for FHWA to evaluate TxDOT Title VI Program performance in fiscal year 2019.

Division Title VI Liaison

1. Provide name of the Division's designated Title VI liaison(s) responsible for interfacing on any Title VI matters.

Nicolle Kord

2. What is the main job function of the Title VI liaison(s) at ENV Division?

Community Impacts Specialist reviewing TxDOT projects for compliance with NEPA, Title VI, Environmental Justice E.O. 12898, and Limited English Proficiency E.O. 13166

3. Is the Title VI Liaison(s) familiar with TxDOT's current Title VI/Nondiscrimination Plan and where it can be accessed on TxDOT's website?

Yes

Title VI Program Information

4. Does ENV make Title VI information available and accessible to the general public? If so, describe those efforts.

The Division displays a Title VI Poster on the 3rd floor of the Division office and has brochures available upon request. The public would also be directed to the Civil Rights Page on the external website at www.txdot.gov for additional Title VI information. ENV also references Title VI information in the Environmental Handbook for Community Impacts, Environmental Justice, Limited English Proficiency and Title VI (the Handbook). The handbook is available publicly on TxDOT's website.

5. Does the ENV display Title VI program information in areas where staff interfaces with the public? This includes but not limited to the main entrance of the Division offices and through various public outreach events and activities?

There is currently one Title VI informational poster in the main entrance to the building where ENV is located. ENV does not generally conduct public involvement independent of a district office.

Complaints

6. Are ENV staff that interface with the public, aware of procedures for handling a Title VI complaint?

Some staff are aware they have to contact CIV immediately, but some staff may be unsure or unaware of complaint handling procedures. I suggest CIV to come to one our staffing meeting in the future.

7. Describe ENV's procedures on identifying a potential discrimination complaint and reporting external Title VI complaints to the Title VI Program Administrator at CIV.

Potential discrimination complaints would be identified during the review of NEPA documentation or during the earlier project coordination meetings with the district office. ENV project delivery staff would likely inform the Community Impacts (CI) SMEs of the potential Title VI issue. The CI SME would inform them of the risk regarding Title VI, the formal complaint process and where to find the compliant form if they were not already aware.

Contract Administration

8. Are the Special Provisions (002, 003 & FHWA 1273a) attached in all subcontract agreements that are Federally funded? Please describe how this is verified.

None of ENV contracts utilize Federal funds. ENV only uses State money to fund contracts.

9. Is the Title VI/Nondiscrimination paragraph from the U.S. DOT Standard Title VI Assurances inserted into all solicitations for bid or request for proposal? Please describe how this is verified.

Yes, assurances are included in the standard templates from the Contract Services Division.

Procurement

10. How many FY 2019 federally funded contracts did the Division manage? What was the total dollar amount?

None of ENV contracts utilize Federal funds.

ENV Operations

11. Does the Division's operations manual include the required Title VI/Nondiscrimination language? If so, describe the documentation.

TxDOT's Environmental Handbook for Community Impacts, Environmental Justice, Limited English Proficiency and Title VI describes Title VI and discusses how Title VI relates to other statutes and Executive Orders.

12. Describe the Division's procedures to implement the requirements of Environmental Justice (EJ) Executive Order 12898 and Limited English Proficiency (LEP) Executive Order 13166. Is this information included in the Division's process manual?

EJ and LEP compliance is ensured in conjunction with the CI Analysis process. During the NEPA compliance process, project sponsors are required to fill out a Community Impacts Analysis Technical Report Form or to use this form as an outline for a narrative report. There are separate EJ and LEP sections of the form which ask specific questions about these topics. The form and the Handbook describe the process of using the form are available on TxDOT external website. Anyone completing a Community Impacts Analysis is directed to use the Handbook and associated form.

13. Describe the Division's procedures to determine, if a community impact assessment is required during the development of the environmental process.

There is a question concerning CI included in the scoping process. The project sponsor is asked whether the proposed project is included among a list of various project types. This list was compiled by the CI SME since they have a higher likelihood of causing community impacts. If the project sponsor answers that their project is one of the listed types, they are directed to complete a Community Impacts Technical Report Form.

14. Describe the Division's procedures to ensure that Title VI is a consideration in the environmental planning process. Is this information included in the Division's process manual?

There is no explicit Title VI section of the Form however, questions on potential impacts to minorities, the disabled, LEP persons, the elderly, children, and other sensitive populations can be found throughout the Form.

15. Describe the Division's procedures in regard to Title VI, once a proposed project has been determined to have a disproportionate and adverse impact on a minority community.

If it is determined that a project may have disproportionately high and adverse impacts on a minority community, ENV would work with the District to develop an intensive public involvement plan to determine the full extent of the impacts and develop mitigation to offset the impacts. ENV would document this plan and mitigation in accordance with FHWA's 2011 Guidance on Environmental Justice and NEPA memo.

16. What considerations are given to impacts to Title VI during project development? If a Title VI is identified, when is CIV contacted for initiating a further Title VI assessment? Is there guidance included in a Division process manual?

There is no explicit Title VI section of the Community Impacts Technical Report Form however, questions on potential impacts to minorities, the disabled, LEP persons, the elderly, children, and other sensitive populations can be found throughout the Form. ENV would contact CIV as soon as a potential issue is identified, although there is currently no specific directive in the Handbook to do so. The Handbook is currently being revised and a statement will be added to the Compliance with Title Vi section.

17. Describe the Division's procedures to implement the public participation plan processes to effectively include Title VI/Nondiscrimination populations in the development of the environmental planning process. Is this information included in the Division's procedural manual?

It is generally up to the District to develop the detailed public participation plan for a project. In some cases, ENV is involved in preliminary project planning and can provide input to the district as to whether there are indicators of the presence of EJ populations in the project area and special accommodations should be made. This is detailed in the Public Participation Requirements of the Handbook.

Planning and Public Involvement

18. Does the Division utilize GIS capabilities to map the identified EJ and LEP populations (based upon the most recent Census & ACS data)? If so, are these EJ and LEP Maps included in the public participation plan, project website or referenced in the Division's procedural manual?

Public participation plans, as all parts of the NEPA documentation, are prepared by the district or the district's consultant. ENV is sometimes consulted during the development of the plan. The district, or their consultant, use GIS capabilities to analyze census and ACS data to identify minority, low-income, and LEP populations. This information is then used to inform the details of public involvement events such as time, location, need for translated materials or an interpreter. Maps showing locations of EJ and LEP populations in the study area are included in the NEPA analysis presented at public involvement events.

ENV is currently working to develop a GIS tool to facilitate EJ and LEP analysis. This tool would provide current census and ACS data for topics that ENV uses in analysis such as race, income, and language. ENV would make this tool available to the districts.

19. How many Environmental Assessments (EAs) and Environmental Impact Statements (EIS) projects had active public involvement in FY 2019?

ENV does not have a method of tracking which projects had active public participation.

20. How many Community Impact Assessments were reviewed by ENV in FY 2019?

Approximately 110 Community Impact Assessments were reviewed.

21. Describe how the Division ensures that Title VI/Nondiscrimination populations are effectively participating in the development process of Environmental documents (EIS, EA). Does this include the process to publish legal notices?

ENV reviews various NEPA documents including the Community Impacts Assessment and Public Involvement documents. ENV compares demographic data provided in the CIA and PI documents to ensure that documents, particularly meeting announcements, are provided in any languages other than English that are widely spoken in the area. Generally legal notices are in English and Spanish but other announcements may be provided in other languages at local facilities such as churches or grocery stores.

22. Describe ENV procedures to identify and ensure participation of all Title VI/Nondiscrimination populations (including EJ and LEP populations) in the development of draft and final EISs, EAs, and Categorical Exclusions. Do these procedures define how public meetings and hearings are noticed and conducted and how comments from members of the public are addressed?

See above for how ENV ensures EJ and LEP populations are included. Procedures define how all public comments on EAs and EISs are addressed regardless of what language, forum, or format they are received. ENV does not review Categorical Exclusion projects.

23. Describe the Division's procedures to identify and ensure participation of all Title VI/Nondiscrimination populations (including EJ and LEP populations) in the development of project plans and how comments from members of the public are addressed?

See previous responses.

24. Describe the Division's procedures to identify Title VI/Nondiscrimination populations (including EJ and LEP populations) during the Scoping phase of an EIS/EA document.

Some preliminary census and ACS data is gathered by the district, or their consultant, during the scoping process to identify nondiscrimination populations. The ENV CIA SME is generally involved in the EIS scoping process and is sometimes involved in the EA scoping process.

25. Describe the process of collecting socio-economic statistical data sufficient for analysis to determine impacts (if any) to Title VI/Nondiscrimination populations (including EJ and LEP populations).

Specific census and ACS data sets are gathered for EA and EIS projects. This data is generally supplemented by internet searches and windshield surveys for community facilities that may indicate the presence of vulnerable populations.

26. Describe ENV procedures to develop mitigation for associated impacts to the Title VI/Nondiscrimination population, once the alternative analysis has been completed for a proposed project.

Due to the highly context sensitive nature of the impacts the Handbook directs that mitigation should be developed as necessary. It states that the district and ENV should discuss mitigation and develop a plan before finalizing the Community Impacts Assessment.

27. Describe the Division's efforts to periodically evaluate its public participation procedures for effective communication with Title VI/Nondiscrimination populations.

ENV has a continuous project review process that looks at all project files upon completion of the project. ENV reviews demographic data against public involvement activities to determine if appropriate outreach was done. If some outreach opportunity was missed, the district is notified.

Training

28. What Title VI training has the ENV staff attended? Please provide names of Division staff that attended Title VI training in FY 2019.

Eight ENV staff members attended the joint FHWA/TxDOT Title VI training in Sept 2019 at TxDOT's Riverside campus. Those employees are:

- *Spencer Ward*
- *Meredith Worthen*
- *Jackie Ploch*
- *Christine Bergren*
- *Nicolle Kord*
- *Michelle Lueck*
- *Anthony Horne*
- *Sue Theiss*

Fiscal Year 2019 Title VI Accomplishments and Goals Questionnaire **Right of Way Division**

Background:

FHWA requires TxDOT to perform Title VI reviews to annually assess the effectiveness of the Title VI/Nondiscrimination Plan. TxDOT's federal program areas and select District offices will work collaboratively with CIV to provide the requested information necessary for reporting. The following questions provide information that focuses on the implementation of Title VI/Nondiscrimination requirements. Once the review is completed, the gathered information will be summarized in a Title VI Accomplishments and Goals Report for FHWA to evaluate TxDOT Title VI Program performance in fiscal year 2019.

Division Title VI Liaison

1. Provide name of the Division's designated Title VI liaison(s) responsible for interfacing on any Title VI matters.
 - *Elizabeth Osgood*
 - *Karla Santamaria*

2. What is the main job function of the Title VI liaison(s) at ROW Division?
 - *Elizabeth Osgood is a Section Director of Operations*
 - *Karla Santamaria is an administrative assistant*

3. Is the Title VI Liaison(s) familiar with TxDOT's current Title VI/Nondiscrimination Plan and where it can be accessed on TxDOT's website?
 - *Both liaisons are familiar TxDOT's current Title VI/Nondiscrimination Plan and where it can be accessed on TxDOT's website*

Title VI Program Information

4. Does ROW make Title VI information available and accessible to the general public? If so, describe those efforts.
 - *Yes. The Division's Relocation Manual, State Purchase of Right of Way booklet, contracts, and other reference materials indicate the Title VI/Nondiscrimination obligations and protections against discrimination and describe the protections against discrimination.*

5. Does ROW display Title VI program information in areas where staff interfaces with the public? This includes but not limited to the main entrance of the Division offices and through various public outreach events and activities?
 - *Yes. Title VI program information including booklet, rack cards, and posters are prominently displayed at the entrance of the Division and in high traffic areas of*

the office. Additionally, Title VI program information including booklets, rack cards, and posters are located at each district location.

Complaints

6. Are ROW staff that interface with the public, aware of procedures for handling a Title VI complaint?
 - *Yes. ROW staff that interface with the public are aware of the procedures for handling a Title VI complaint as well their program points of contact within ROW.*
7. Describe the Division's procedures on identifying a potential discrimination complaint and reporting external Title VI complaints to the Title VI Program Administrator at CIV.
 - *ROW identifies potential discrimination complaints by understanding and watching for prohibited behaviors under TxDOT's Title VI Program.*

ROW handles the reporting of Title VI complaints in the following manner: (1) ROW's Title VI liaison acknowledges receipt of the complaint and provides complainant with information pertaining to their protections under Title VI, (2) a completed and signed form 2193 is submitted to the Title VI contact within the Civil Rights Office, (3) ROW Title VI liaison assist Civil Rights Office during investigation, if needed.

Contract Administration

8. Are the Special Provisions (002, 003 & FHWA 1273a) attached in all subcontract agreements that are Federally funded? Please describe how this is verified.
 - *Not applicable.*
9. Is the Title VI/Nondiscrimination paragraph from the U.S. DOT Standard Title VI Assurances inserted into all solicitations for bid or request for proposal? Please describe how this is verified.
 - *Yes. Title VI/Nondiscrimination language is inserted into all solicitations for Professional Service contracts procured and managed by ROW. The templates for these contracts are developed and maintained by the department's Contract Services Division (CSD).*

Procurement

10. How many FY 2019 federally funded projects did the Division manage? What was the total dollar amount?
 - *ROW managed 103 federally funded projects in FY19 totaling \$32,971,430.90*

ROW Operations

11. Does the Division's operations manual include the required Title VI/Nondiscrimination language? If so, describe the documentation.

- *Yes. Right of Way Manual - Vol. 2- Right of Way Acquisition, Chapter 5, Section 1 Right of Way Property Acquisition Policies and Procedures, Subsection - Basic Acquisition Responsibilities (for State)*

"All property acquisition procedures must be applied uniformly without regard to race, color, age, religion, sex, national origin, or handicap".

"The policy of the Texas Department of Transportation is to acquire right of way and to administer related functions in such a manner that no person is excluded from participating in, denied benefits of, or otherwise subjected to discrimination under any program or activity on the basis of race, color, age, religion, sex, national origin, or handicap. This policy is in conformity with Title VI of the Civil Rights Act of 1964 and Federal regulations."

12. Describe how ROW staff utilize previously gathered Planning and Environmental information to identify EJ and LEP populations prior to initiating the property acquisition process?

- *ROW uses GIS system data capture for the identification and inventory of state assets but data capture by census data relating to EJ and LEP populations is currently not a process managed by the ROW Division process. ROW staff use Google Earth to review their project and frequently drive the project to identify specific project characteristics. This information is discussed at project status meetings with the district.*

13. Describe activities used by ROW staff to encourage EJ and LEP populations to better facilitate communication throughout the property acquisition/relocation process.

- *ROW Project Delivery staff use available interpreter contracts or utilize available bilingual staff to facilitate communication as needed. Additionally, informational materials are printed in different languages.*

14. Describe the Division's procedures to implement public participation processes to ensure that all ROW activities are implemented regardless of whether the individual is a considered part of an EJ and/or LEP population or not.

- *ROW participates in public meetings and hearings which are coordinated by the Environmental Division. ROW Project Delivery staff provide information to the public and access to interpreter contracts. Additionally, they provide printed materials (available in English and Spanish) regarding ROW processes and services.*

Limited English Proficiency

15. Does the Division have an updated LEP plan. If one has not been prepared, will a plan be developed by the end of FY 2019? If no, then please explain.

- *Yes. ROW is aligned with the agency's LAP/LEP Plan.*

Internal Monitoring/Process Review

16. Were any concerns raised by minorities, women, elderly, disabled, and low-income on replacement housing, referral housing, appraisals, offer negotiations, relocation assistance, payments and property management? If so how many and was CIV involved?

- *Yes. A citizen in the Dallas area receiving relocation benefits raised his concerns under Title VI to the Civil Rights Office. The issue was resolved with the gentlemen receiving relocation benefits and the findings by CIV did not substantiate the issues raised by the complainant.*

Training

17. What Title VI training has the ROW staff attended? Please provide names of Division/District staff that attended Title VI training in FY 2019.

- *A total of 21 ROW employees attended the FHWA/TxDOT Title VI Training for Districts/Division held August 28, 2019 from 9:00am – 5:00pm*
 - Jeff Avant, TxDOT Attorney*
 - Benjamin Blackstone, Right of Way Agent*
 - Mariechen Cyr, Right of Way Agent*
 - Stephen Dodge, Real Estate Services Director*
 - Gustavo Elizondo, Right of Way Agent*
 - Valerie Gonzalez, Contract Specialist*
 - Anna Pulido, Utility Portfolio Director*
 - Karla Santamaria, Records Coordinator*
 - Jessica Tijerina, Right of Way Agent*
 - Deana McHorse, Contract Specialist*
 - Mario Mendez, Utility Specialist*
 - Amy Miller, Right of Way Agent*
 - April Morin, Right of Way Agent*
 - Josh Muir, Right of Way Agent*
 - Greg Polasek, Right of Way Project Delivery Manager*
 - Vallorie Jackson, Right of Way Agent*
 - Matthew Jimenez, Special Projects Coordinator*
 - Erika Knox, Right of Way Agent*
 - Michael Lightfoot Right of Way Project Delivery Manager*
 - Gabriel Lopez, Right of Way Project Delivery Manager*
 - Brad Matejowsky, Special Projects Coordinator*