

Section 3 - Program Administration — General

The Office of Employee Services (OES) shall be responsible for coordinating the overall administration of the Title VI Program, plan, and assurances (Attachment B). The coordinator, under the direct supervision of the OES director, will be responsible for the day-to-day program administration.

A. Complaints

If any individual believes that he/she or any other program beneficiaries have been subjected to unequal treatment or discrimination in their receipt of benefits and/or services, on the grounds of race, color, national origin, income, sex or disability, he/she may exercise their right to file a complaint with the department. Every effort will be made to resolve complaints informally at the district/division, subrecipient, and contractor's level (Attachment K).

B. Data collection

Statistical data on race, color, national origin and sex of participants in, and beneficiaries of the department's programs (e.g., relocatees, impacted citizens, and affected communities) will be gathered and maintained by OES for the department. Each of the Title VI special emphasis program areas will maintain data to be incorporated in the Title VI Annual Update. The data gathering process will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of the Title VI program administration (Attachment R).

C. Department's Internal Title VI Program reviews

The department's Internal Title VI Program reviews will be performed by the Title VI specialist and the civil rights coordinator to assess the department's administrative procedures, staffing and resources available for Title VI compliance. All programs, services and activities (e.g., planning, right of way, construction, project development-NEPA, research, etc.) will be reviewed with the assistance of the Title VI liaisons to assure effectiveness in their compliance of Title VI provisions (Section 4 – Title VI Responsibilities for Department Program Offices pages 14-23).

D. Title VI reviews on subrecipients

Title VI compliance reviews will be conducted annually. Priority for conducting reviews will be given to those local public agencies (LPAs), metropolitan planning organizations (MPOs), regional planning affiliations (RPAs) and other recipients of federal highway funds with the greatest potential of impact to those groups covered by the act. The reviews will entail examination of the recipients' adherence to all Title VI

requirements. The status of each review will be reported in the annual update and the written report shared with FHWA and FTA upon completion (Attachments D, E, F, G).

E. Operational guidelines

All operational guidelines to districts, program areas, contractors and subrecipients will be reviewed annually by the Office of Local Systems to include Title VI language and provisions and related requirements, where applicable (Attachment P).

F. Training program

Title VI training will be made available at least annually to contractors, subrecipients and department special emphasis program areas. The training will provide comprehensive information on Title VI provisions, its application to program operations, and identification of Title VI issues and resolution of complaints. A summary of training conducted will be reported in the annual update.

G. Annual reports

An annual executive summary reviewing Title VI accomplishments achieved during the year will be submitted to the department director. Annual reports will be required for each of the special emphasis program areas. The Title VI coordinator or his designee will be responsible for coordination and preparation of the report.

H. Title VI Plan Update

An annual Title VI Plan Update will be submitted to FHWA in October of each year. The update will report on any accomplishments and changes to the program occurring during the preceding year. The update report will also include goals and objectives for the upcoming year (Attachment S).

I. Public dissemination

The OES – Civil Rights Team will disseminate Title VI Program information to department employees, subrecipients, contractors and beneficiaries, as well as the public. Public dissemination will include the posting of policy statements, inclusion of Title VI language in contracts, and annually publishing the Title VI Policy Statement in newspapers having a general circulation in the vicinity of proposed projects and announcements of hearings and meetings in minority publications.

J. Pre- and post-grant reviews

Pre- and post-grant Title VI Compliance reviews will be conducted annually on applicants, consultants and other contractors seeking contracts with the department.

The reviews will determine the contractor's compliance with Title VI contractual provisions. Pre-grant reviews will be conducted on those subrecipients that will be receiving department federal funds. Post-grant reviews are conducted on those subrecipients that have already received department federal funds.

K. Elimination of discrimination

Procedures will be implemented to identify and eliminate discrimination when found to exist, including but not limited to, issues of accessibility training to all assigned department employees, utilization of minority/women/disadvantaged business enterprises (DBE) contractors, public involvement, and property acquisition.

L. Remedial action

The department will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements, both within the department and with its subrecipients of federal highway funds. When irregularities occur in the administration of the federal-aid highway program's operation, corrective action will be taken to resolve Title VI issues. When conducting Title VI compliance reviews on its subrecipients, the department will reduce to writing a remedial action agreed upon by the Iowa DOT and FHWA to be necessary all within a period not to exceed 90 days.

The department will seek the cooperation of the subrecipient in correcting deficiencies found during the review. The department will also provide the technical assistance and guidance needed to aid the subrecipient to comply voluntarily.

Subrecipients placed in a deficiency status will be given a reasonable amount of time, not to exceed 90 days after receipt of the deficiency letter, to voluntarily correct deficiencies.

When a subrecipient fails or refuses to voluntarily comply with requirements within the time frame allotted, the department will submit to the FHWA copies of the case file and a recommendation that the subrecipient be found in noncompliance.

A follow-up review will be conducted within 180 days of the initial review to ensure that the subrecipient has complied with the Title VI Program requirements in correcting deficiencies previously identified. If the subrecipient refuses to comply, the department may, with FHWA's concurrence, initiate sanctions per 49 CFR 21.

M. Procedures manual

All day-to-day administration of the Title VI Program will be incorporated in a department procedures manual that will be updated regularly to incorporate changes and additional responsibilities.

N. Department Title VI Notice to the Public

The Iowa Department of Transportation hereby gives public notice that it is the policy of the Department to assure full compliance with Title VI of the Civil Rights Act of 1964, related statutes and regulation provide that no person shall, on the ground of race, color, national origin, gender, age or disability be excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance. The Civil Rights Restoration Act of 1987 amended Title VI to specify that entire institutions receiving federal funds, whether schools, colleges, government entities or private employers, must comply with federal civil rights laws, rather than just the particular programs or activities that receive federal funds.

We are also concerned about the impacts of our programs, projects and activities on low income and minority populations (“environmental justice”) under Title VI. Any person who believes that they are being denied participation in a project, benefits of a program, or otherwise being discriminated against because of race, color, national origin, gender, age, or disability, may contact:

The Civil Rights Coordinator
Iowa Department of Transportation
800-262-0003

You should contact the above individual or Iowa DOT office as soon as possible but no later than 180 days after the alleged discrimination occurred, or if there has been a continuing course of conduct, no later than 180 days after the alleged discrimination was discontinued.

Contact the civil rights coordinator to get more information on the departments Title VI Program.

Attachment A - Title VI Nondiscrimination Policy Statement

IOWA DEPARTMENT OF TRANSPORTATION

Title VI Nondiscrimination Policy Statement

It is the policy of the Iowa Department of Transportation to comply with Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act 1964, The Federal-Aid Highway Act of 1973, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Acts of 1975, Civil Rights Restoration Act of 1987, Americans with Disabilities Act of 1990 (ADA), Title VIII of the Civil Rights Act 1968, Executive Order 12898 (Environmental Justice in minority and low income populations), and Executive Order 13166 (Limited English Proficiency).

To this end, the Iowa Department of Transportation assures that no person shall on the grounds of race, color, national origin, sex, age, and disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any Iowa Department of Transportation service, program, or activity regardless of whether those programs and activities are Federally funded or not.

The Department also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies, and activities on minority and low-income populations. In addition, the department will take reasonable steps to provide meaningful access to services for persons with Limited English Proficiency. The Department will, where necessary and appropriate, revise, update, and incorporate nondiscrimination requirements into appropriate manuals, directives, and regulations.



Director, Iowa Department of Transportation

5-31-2011

Date