

PUBLIC INVOLVEMENT

Subrecipients must provide an opportunity for public involvement and full access to the transportation decision-making process in each stage of the planning and development of a transportation project. It is essential that everyone be afforded an opportunity to understand and articulate their concerns with any project that affects them and their way of life.

FEDERAL-AID CONTRACT PROVISIONS

Subrecipients must include notifications in all solicitations for bids of work or material and agreements subject to Title VI of the Civil Rights Act of 1964 and other nondiscrimination authorities. Subrecipient's contractor(s) may not discriminate in the selection and retention of any subcontractors.

Subrecipients, contractors and subcontractors may not discriminate in their employment practices in connection with highway construction projects or federal financially assisted projects.

DATA COLLECTION

Subrecipients must provide, when requested, statistical data (race, color, national origin) of participants and beneficiaries of their programs. Data includes, but is not limited to, public meetings, relocations, low income and limited-English proficient individuals served.

LIMITED-ENGLISH PROFICIENCY (LEP)

Subrecipients and contractors must take reasonable steps to provide meaningful access to LEP individuals. Among the factors to be considered in determining what constitutes reasonable steps to ensure meaningful access are the: (1) number or proportion of LEP persons in the eligible service population; (2) frequency with which LEP individuals come in contact with the program or activity; (3) importance of the service provided by the program; and (4) resources available to the recipient.

Disclaimer: This brochure is intended to be a guide for subrecipients. It is not intended to be all inclusive of Title VI and other nondiscrimination authorities or subrecipient responsibilities. Please contact the Iowa DOT's district office for technical assistance, additional information and other requirements.

District 1

1020 S. Fourth St., Ames 50010
515-239-1635 800-899-0623 Fax: 515-239-1472

District 2

1420 Fourth St. S.E., Mason City 50401-4438
641-423-7584 800-477-4368 Fax: 641-423-0246

District 3

2800 Gordon Dr., P.O. Box 987, Sioux City 51102-0987
712-276-1451 800-284-4368 Fax: 712-276-2822

District 4

2210 E. Seventh St., Atlantic 50022
712-243-3355 800-289-4368 Fax: 712-243-6788

District 5

307 W. Briggs, P.O. Box 587, Fairfield 52556-0587
641-472-4171 800-766-4368 Fax: 641-472-3622

District 6

430 16th Ave. S.W., Cedar Rapids 52404
319-364-0235 800-866-4368 Fax: 319-364-9614

**Iowa Department of Transportation
Office of Employee Services
civil rights section
800 Lincoln Way
Ames, Iowa 50010
Phone: 515-239-1921**

This brochure is designed to help you understand your responsibilities under Title VI of the Civil Rights Act of 1964 as a subrecipient of federal funds.

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TITLE VI

subrecipient guide to implementing Title VI of the Civil Rights Act of 1964



Federal and state laws prohibit employment and/or public accommodation discrimination on the basis of age, color, creed, disability, gender identity, national origin, pregnancy, race, religion, sex, sexual orientation or veteran's status. If you believe you have been discriminated against, please contact the Iowa Civil Rights Commission at 800-457-4416 or Iowa Department of Transportation's civil rights coordinator. If you need accommodations because of a disability to access the Iowa Department of Transportation's services, contact the agency's affirmative action officer at 800-262-0003.

WHO IS A PRIMARY RECIPIENT AND SUBRECIPIENT?

A primary recipient is an entity or person that directly receives federal financial assistance and/or manages a program or activity, which would subject them to Title VI compliance responsibilities. In this situation, the Iowa DOT is the primary recipient.

A subrecipient is an entity or person that indirectly receives federal financial assistance to implement a program or activity, which subjects them to Title VI compliance responsibilities. A subrecipient may include, but is not limited to, a city, county, metropolitan or regional planning organization, transit agency, college/university, contractor or subgrantee.

WHAT IS TITLE VI OF THE CIVIL RIGHTS ACT OF 1964?

Title VI of the Civil Rights Act of 1964 is a federal law that protects individuals, groups and organizations from discrimination on the basis of race, color or national origin in federally assisted programs and activities. Because other nondiscrimination authorities have expanded the scope and range of Title VI application and reach, reference to Title VI includes other provisions of federal statutes and related authorities to the extent that they prohibit discrimination in programs and activities receiving federal financial assistance. These related authorities include:

The Civil Rights Restoration Act of 1987 which further clarified the intent of Title VI to include all programs and activities of entities whether those programs and activities are federally funded or not.

Environmental justice (EJ) (Executive Order 12898) addresses disproportionate adverse environmental, social and economic impacts that may exist in communities, specifically minority and low-income populations.

Limited-English proficiency (LEP) (Executive Order 13166) addresses access to services for persons whose primary language is not English and who have limited ability to read, write, speak or understand English.

The Uniform Relocation Act of 1970 (42 U.S.C. § 4601) prohibits unfair and inequitable treatment of persons displaced or whose property will be acquired as a result of federal financially assisted programs or activities.

Section 504 of the Rehabilitation Act of 1973 (29 U.S.C., 790) prohibits discrimination based on a handicap/disability.

The Federal-Aid Highway Act of 1973 (23 U.S.C., 324) prohibits discrimination based on sex (gender).

The Age Discrimination Act of 1975 (42 U.S.C., 6101) prohibits discrimination based on age.

ASSURANCE

The subrecipient must complete a statement assuring compliance with Title VI of the Civil Rights Act of 1964, and certain other associated regulations and statutes.

TITLE VI PROGRAM

Subrecipients of federal financial assistance may adapt or adopt the Iowa DOT's Title VI program, procedures or practices; or must have a Title VI program or signed assurance agreement, which, at a minimum, should contain the following elements.

Policy statement

The policy statement must indicate the subrecipient's commitment to assure nondiscrimination in its program and activities to the effect that no person shall on the grounds of race, color, national origin, sex, age, disability or income status be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any federally or nonfederally funded program or activity administered by the subrecipient and/or its contractors. The policy statement must be signed by the head of the subrecipient's organization.

Title VI liaison

The subrecipient must designate a liaison for Title VI issues and complaints within the organization.

The liaison is the focal point for Title VI implementation and monitoring of programs and/or activities receiving federal financial assistance from the Iowa DOT

Key responsibilities of the Title VI liaison include the following.

- Knowledge of Title VI and the complaint process
- Attend training on Title VI and other nondiscrimination authorities when offered by the Iowa DOT
- Disseminate Title VI information to the public and in languages other than English, when necessary
- Coordinate and execute Title VI educational and outreach activities
- Develop a process to collect information on race, gender and national origin of persons relocated, impacted citizens and affected communities to ensure low-income, minorities and other under-served groups are included and not disproportionately impacted
- Implement procedures for the prompt processing of Title VI discrimination complaints

COMPLAINT PROCEDURES

Subrecipients of federal financial assistance shall follow the Iowa DOT's procedure for processing discrimination complaints. Subrecipients shall accept all complaints of discrimination.

Complaints shall include:

- The complainant(s) name, address and phone number.
- A description of the incident that led the complainant to believe discrimination occurred.
- The basis of the complaint (i.e., race, color, national origin, sex, age, disability, income status or retaliation).
- The date(s) on which the alleged discrimination occurred.
- Name(s) and contact information of individuals who may have knowledge of the alleged discrimination.

All complaints shall be responded to, recorded and investigated. The records shall be maintained by the designated Title VI liaison.

* **Note: Subrecipients cannot investigate themselves.**