



Title VI Subrecipient Compliance Assessment Tool Technical Assistance Guide

Title VI Program
Civil Rights Division

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Introduction

The Texas Department of Transportation (TxDOT), as a recipient of federal financial assistance from the Federal Highway Administration (FHWA), is required to comply with Title VI of the Civil Rights Act of 1964, which provides that no person in the United States, on the ground of race, color, or national origin, shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any department program or activity receiving federal financial assistance.

Recipients of Federal financial assistance are required to comply with various nondiscrimination laws and regulations. “Recipient” is defined as any entity or individual to whom Federal assistance is extended, either directly or indirectly through another recipient, for any program. See 23 Code of Federal Regulations (CFR) 200.5(n). TxDOT receives Federal financial assistance directly.

In this guide, the term “subrecipient” is used to identify a recipient that receives Federal assistance indirectly (*i.e.*, through TxDOT). Subrecipients include, but are not limited to, cities, counties, consultants, contractors, suppliers, universities, colleges, planning agencies, and other recipients of Federal-aid highway funds. In accordance with 23 CFR 200.9(b)(7), TxDOT is required to conduct Title VI reviews of its subrecipients to effectively monitor compliance with Title VI/Nondiscrimination requirements.

The Civil Rights Division (CIV) at TxDOT developed this guide as a resource to assist subrecipients using the Title VI portion of the subrecipient compliance assessment tool (SCAT). The SCAT will identify subrecipients in need of technical assistance and outline the basic requirements of Title VI. CIV, in cooperation with TxDOT’s Local Government Office, are implementing the SCAT as a method to improve the way TxDOT identifies and provides technical assistance to subrecipients.

This guide is not a comprehensive inventory of all aspects of the Title VI requirements, but rather a framework for subrecipients striving to establish a compliant Title VI program. The purpose of this guide is to familiarize subrecipients with the SCAT process and provide recommendations for subrecipients to incorporate into their Title VI programs. Answering questions in the SCAT and following the recommendations in this guide will not guarantee compliance with all aspects of Title VI. However, achieving a satisfactory status in the SCAT will improve a subrecipient’s ability to comply with the Title VI/Nondiscrimination requirements. Compliance determinations are made on a case-by-case basis by either TxDOT or FHWA. For additional information or technical assistance, contact TxDOT’s CIV staff at (512) 416-4700.

Authorities under Title VI

The authorities applicable to TxDOT's Title VI/Nondiscrimination Program include, but are not limited to:

- **Title VI of the Civil Rights Act of 1964** (42 U.S.C. §2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- **49 CFR Part 21**, (entitled Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of The Civil Rights Act of 1964);
- **23 CFR Part 200**, the Federal Highway Administration's Title VI Program Implementation and Review Procedures;
- **Texas Administrative Code §9.4**, Civil Rights – Title VI Compliance

TxDOT's Title VI Program

TxDOT's Title VI program was established in accordance with federal rules under 49 CFR Part 21 and 23 CFR Part 200 and is administered by staff within CIV. CIV's office is located in Austin and forms a central resource for TxDOT Districts and Divisions (DDs), local governments, and the general public.

Within TxDOT's organizational structure the CIV Director serves as TxDOT's Title VI/Nondiscrimination Coordinator and is responsible for the overall implementation of the Title VI program. CIV is responsible for administering the Title VI program and is staffed with a Title VI Program Administrator that is knowledgeable on the Title VI Program, applicable regulations, and assists and supports TxDOT's Title VI Program by:

- Providing technical assistance and guidance to TxDOT personnel;
- Providing technical assistance and guidance to subrecipients;
- Evaluating TxDOT programs for compliance with Title VI and other nondiscrimination statutes;
- Working in partnership with TxDOT District personnel to address and review Title VI concerns at a project level;
- Conducting Title VI compliance reviews of internal program areas, local governments (LGs) and other subrecipients;
- Developing Title VI training materials, conducting training and workshops, and providing resource information on the TxDOT website;
- Developing Title VI information for dissemination to the public and, where appropriate, in languages other than English; and
- Processing Title VI external complaints of discrimination in accordance with the FHWA External Complaint Processing Procedures.

TxDOT's Title VI Coordinator and Program Administrator work collaboratively with Title VI liaisons located in TxDOT's 25 District and 34 Division Offices. This interdisciplinary approach allows CIV to continue to improve the effectiveness of the Title VI Program and implementation.

Title VI, Subrecipient Compliance Assessment Tool

CIV evaluates and verifies information submitted into the SCAT by subrecipients to:

1. Ensure compliance with Title VI;
2. Identify subrecipients requiring immediate Title VI Program technical assistance; and
3. Monitor Title VI Program compliance which is evaluated every three years.

Notification

Subrecipients will receive email notification to complete SCAT survey. Notifications will include a link to a website with guidance and instructions for using the SCAT.

Completing the SCAT survey for Title VI Review Cycle

Subrecipients have two weeks from receipt of the official notification to complete the SCAT survey and provide supporting documentation.

SCAT Review

CIV will review SCAT results and supporting documentation and assign one of three category codes to each subrecipient Title VI program:

- **Red (unsatisfactory status)** - Indicates that the SCAT is incomplete or one or more of the primary questions (#2 through #6) are answered negatively.
- **Yellow (unsatisfactory status)** – Indicates that while the primary questions have been appropriately answered with supporting documentation, other questions (#7 through #11) in the SCAT were answered negatively.
- **Green (satisfactory status)** - Indicates that all the SCAT questions have been completed and supporting documentation has been provided and verified. An agency demonstrating satisfactory status does not have to take the SCAT survey again for three years.

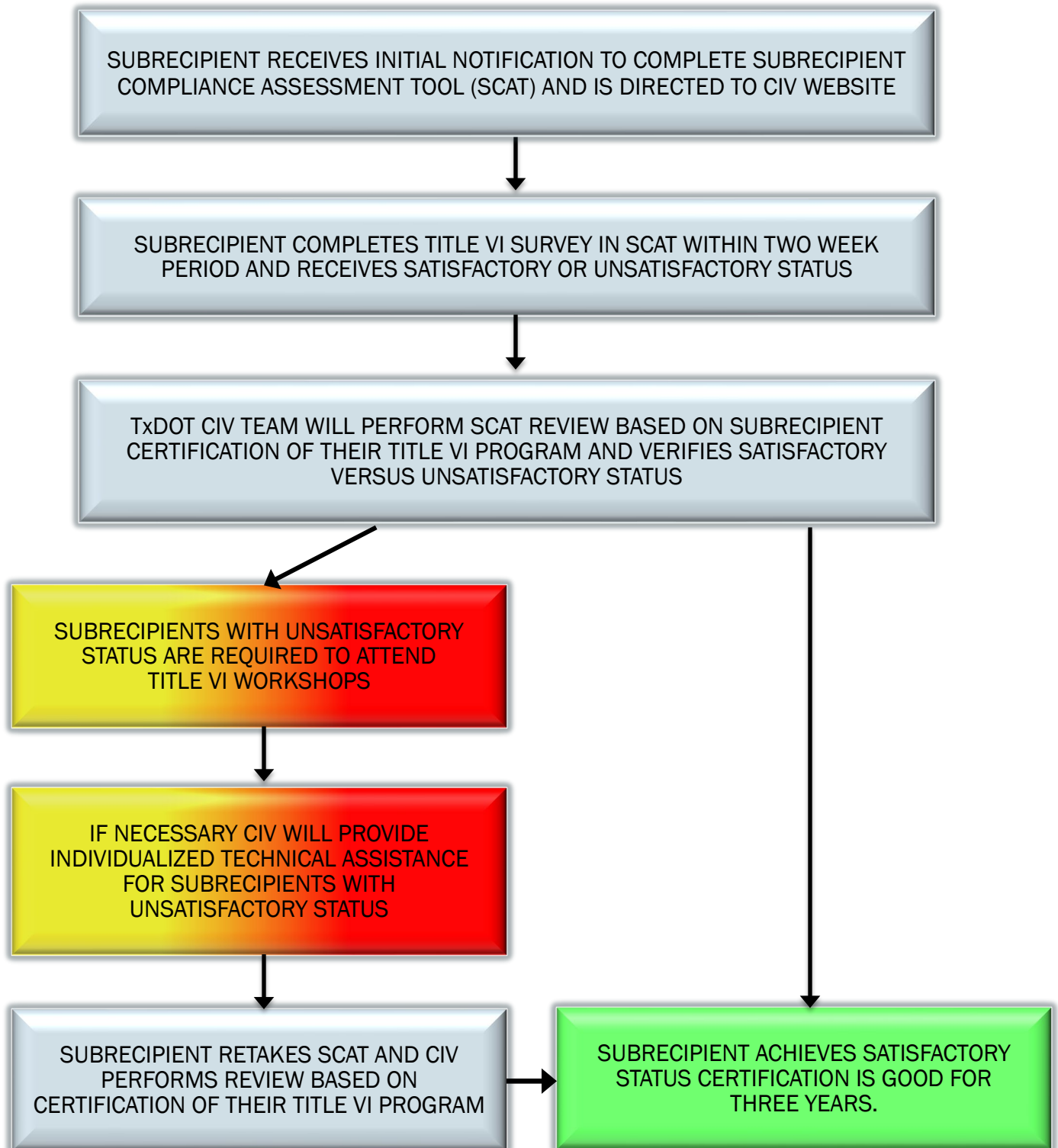
Deficiencies

Unsatisfactory status will be documented and must be corrected by the subrecipient within 90 business days. Subrecipients will retake the SCAT survey (Title VI Compliance Check) once the deficiencies are corrected. After the SCAT questions are completed and verified, the subrecipient will be assigned satisfactory status.

Technical Assistance

If a subrecipient receives an unsatisfactory status (Red or Yellow), a representative of the subrecipient must view the Title VI Subrecipient Technical Assistance Workshop. CIV will provide a link to the training. As part of the training, CIV will provide assistance in the form of templates and guidance documentation. Additional one-on-one technical assistance will be provided at the request of the subrecipient.

Subrecipient Compliance Assessment Tool Flow Chart



Title VI Questions on the SCAT survey

The SCAT is not a comprehensive survey for all Title VI requirements, but rather a tool to determine if a subrecipient is meeting the basic requirements of Title VI.

To ensure compliance with Title VI, subrecipients must be able to answer the following questions related to their agency's Title VI Program, including:

- Does your agency have a signed Title VI Policy Statement and Title VI Assurances?
- Do you have a current Title VI/Nondiscrimination Plan?
- Who in your agency serves as the Title VI Coordinator?
- Does your agency have an external discrimination complaint handling and processing procedure?
- Does your agency include Title VI contract provisions in solicitations, contracts and awards?
- How does your agency ensure that Limited English Proficient (LEP) individuals have access to your agency's programs and services?
- What outreach efforts does your agency utilize to solicit input from minority populations within your jurisdictional boundaries in order to ensure nondiscrimination in your public participation process?
- What data collection sources do you use for analyzing demographic data in the areas within your jurisdictional boundaries?
- How does your agency advise the public of Title VI/Nondiscrimination policies and procedures?

SCAT Title VI, Survey Question #1

Agency Information

The subrecipient must provide agency contact information. If CIV staff need further clarification on answers submitted in the SCAT survey this representative will be contacted.

Requested:

- Organization Name
- Contact (Preferably the agency's civil rights specialist or another agency representative)
- Email
- Phone (Contact number for the civil rights specialist or representative)

SCAT Title VI, Survey Question #2

Title VI/Nondiscrimination Policy Statement

A subrecipient must provide a statement of its commitment to Title VI and non-discrimination compliance that is signed by its top official and circulated throughout the organization and available to the general public. The policy statement must state that the agency will not discriminate in any program, service, or activity on the basis of race, color, national origin.

Question:

- Does your agency have a signed Title VI Policy Statement?

☐ Yes ☐ No

- a) Provide a link to the Agency's Title VI Policy Statement, if applicable
(This web address should be accessible by the public)

Requirements:

- The policy statement, signed by the head of the agency, should express the agency's commitment to the nondiscrimination provisions of Title VI:

That no person shall on the grounds of race, color, national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by the recipient regardless of whether those programs and activities are federally- funded or not.

Recommendations:

- Title VI Policy Statement should be circulated internally and to the general public
- Where appropriate, publish in languages other than English
- If your agency doesn't already have a signed policy statement, consider using TxDOT's template.

Note: An example of TxDOT's Nondiscrimination Statement and SCAT template is located on TxDOT's website at www.txdot.gov/inside-txdot/division/civil-rights/title-vi.html.

SCAT Title VI, Survey Question #3

Title VI/Nondiscrimination Assurances

A subrecipient In accordance with 23 CFR 200.9(a)(1) and Title 49, CFR part 21 is required to sign a Title VI and related statutes nondiscrimination assurance to certify to FHWA and TxDOT that its program, services, and activities are being conducted in a nondiscriminatory manner.

Question:

- Does your agency have a signed Title VI Assurance?

☐ Yes ☐ No

- a) Provide a link to the Agency's Title VI Assurances, if applicable
(This web address should be accessible by the public)

Requirements:

- The head of the agency is required to sign the U.S. DOT Standard Title VI Assurances every three years or within 30 days following a change in executive leadership. Signing Title VI and related statutes nondiscrimination assurances certifies to FHWA and TxDOT that its program, services, and activities are being conducted in a nondiscriminatory manner. The Assurances serve two important purposes:
 - They document agency commitment to nondiscrimination and equitable service to its community.
 - They serve as a legally enforceable agreement by which the Agency may be held liable for not adhering to.
- The Assurances lists all the Title VI requirements that a local agency agrees to perform in return for receiving FHWA funds from the State, including developing a nondiscrimination policy statement and a discrimination complaint handling procedure.

- The subrecipient is responsible for ensuring that the applicable appendices of the Standard Assurance are included in every contract that includes federal assistance.

Recommendations:

If your agency doesn't already have a signed Title VI Assurances, consider using TxDOT's template available on the TxDOT website at <https://www.txdot.gov/business/grants-and-funding/subrecipients-resources.html>

SCAT Title VI, Survey Question #4

Title VI/Nondiscrimination Plan

Every three years, a subrecipient is required to develop a Title VI/Nondiscrimination plan. The plan must include the implementation procedures, strategies, and activities to facilitate and assure nondiscrimination. The implementation plan sets forth the agency's goals and priorities over a three year period. The plan identifies the allocation of staff and resources to accomplish these goals.

Questions:

- 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 Agency's Title VI Plan, if applicable.

Recommendations:

- Use TxDOT's Title VI/Nondiscrimination Plan as a template
- The Title VI/Nondiscrimination Plan should contain procedures, strategies, and activities to facilitate and assure nondiscrimination in federally assisted programs and activities of the agency.
- Include mechanisms to guarantee effective and efficient implementation, compliance, and enforcement of Title VI.
- Include demographic data on minority and LEP populations for your service area (based upon the most recent Census data).
- Contractors, consultants, and suppliers are not required to submit a Title VI Program Plan.

Note: TxDOT's Title VI/Nondiscrimination Plan is located on TxDOT's website at:
<https://www.txdot.gov/about/programs/civil-rights/title-vi-nondiscrimination.html>

SCAT Title VI, Survey Question #5

Title VI Coordinator

Subrecipients are required to identify a Title VI Coordinator, and publish/post the Coordinator's contact information where it is available to the public (including online). In addition, the Coordinator must have unimpeded access to the head of the agency, for the purposes of discussing nondiscrimination issues. There should be a description of the Title VI Coordinator's responsibilities and an organizational chart showing the Title VI coordinator's relationship to the head of the agency.

Questions:

- Does your agency have a Title VI Coordinator?

☐ Yes ☐ No

- a) Provide contact information for the Title VI Coordinator (name, physical address, phone number and email)
- b) Does your agency's Title VI/Nondiscrimination Plan provide an organizational chart that includes the agency's Title VI Coordinator and description of their responsibilities?

☐ Yes ☐ No

Recommendations:

- Organizational chart or other literature should identify the Title VI Coordinator
- Title VI/Nondiscrimination Plan should include Title VI Coordinator's roles and responsibilities including:
 - Addressing Title VI issues or discriminatory practices or policies identified through self-monitoring and review activities.
 - Point of contact for Title VI implementation and monitoring of programs and/or activities receiving federal financial assistance.
 - Implementation of procedures for the prompt processing of Title VI external discrimination complaints.
 - Developing Agency specific Title VI information for public dissemination.

SCAT Title VI, Survey Question #6

Title VI Complaint Handling

Subrecipients are responsible for processing Title VI external discrimination complaints received by the agency. All discrimination complaints received by the agency must be referred to TxDOT Civil Rights Division for further review and action.

Question:

- 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 and processing protocols.

Requirements:

The subrecipient complaint handling procedures should indicate the following:

Any person who believes they, or any specific class of persons, to be subjected to prohibited discrimination based on race, color or national origin may file a written complaint individually or through a representative. A complaint must be filed no later than 180 days after the date of the alleged discrimination, unless the discrimination is ongoing, or the time for filing is extended by the FHWA. Complaints related to the Federal-aid highway program may be filed with TxDOT, FHWA Division Office, the FHWA Headquarters Office of Civil Rights (HCR), the USDOT Departmental Office of Civil Rights, or the USDOJ.

Complaints alleging violations of Title VI by subrecipients may be filed in writing directly with the following local, state and federal agencies:

(Name of your agency)

Attn: Title VI Coordinator

Street Address

City / Texas / Postal Code

Texas Department of Transportation
Civil Rights Division
Attn: Title VI Program Administrator
125 E. 11th Street
Austin, Texas 78701

Federal Highway Administration – Texas Division
300 E. 8th St.
Austin, TX 78701

Federal Highway Administration
Office of Civil Rights
HCR-20, Room E81-320
1200 New Jersey Avenue, SE
Washington, DC 20590

Complaint and investigation files are confidential. The contents of such should only be disclosed to appropriate agency personnel, state and federal authorities in accordance with Federal and State laws. Subrecipients will retain files in accordance with records retention schedules and all Federal guidelines.

Roles and Responsibilities

The subrecipient is responsible for processing Title VI external discrimination complaints received by the agency. All discrimination complaints received by the agency must be referred to TxDOT's CIV for review and action. TxDOT processes complaints consistent with FHWA's Questions and Answers for Complaints Alleging Violations of Title VI of the Civil Rights Act of 1964 guidance. Within 10 days of receipt of the complaint, TxDOT will inform the FHWA Division Office, which will forward the complaint to the FHWA Headquarters Office of Civil Rights (HCR) for review and further investigation if accepted.

Processing Complaints

The complaint documentation should contain the following information:

- Name, address, and phone number of the complainant;
- Name(s) and address(es) of alleged discriminating official(s);
- Basis of complaint (i.e., race, color, national origin);
- Date of alleged discriminatory act(s);
- Date of complaint received by TxDOT;
- A statement of the complaint;
- Other agencies (state, local or federal) where the complaint has been filed; and

- An explanation of any actions your agency has taken or proposed to resolve the issue raised in the complaint.

FHWA has the authority for making all final decisions, including dismissing complaints and issuing letters of findings for complaints concerning the Federal Highway Program. The following are four potential outcomes once a complaint is submitted to FHWA:

- **Accept:** if a complaint is filed timely, contains sufficient information to support a claim under Title VI, and concerns matters under FHWA's jurisdiction, then FHWA will send to the complainant, the respondent agency, and the FHWA Division Office a written notice that it has accepted the complaint for investigation.
- **Preliminary review:** if it is unclear whether the complaint allegations are sufficient to support a claim under Title VI, then FHWA may (1) dismiss it, or (2) engage in a preliminary review to acquire additional information from the complainant and/or respondent before deciding whether to accept, dismiss, or refer the complaint.
- **Procedural Dismissal:** if a complaint is not filed timely, is not in writing and signed, or features other procedural/practical defects, then FHWA will send the complainant, respondent, and FHWA Division Office a written notice that it is dismissing the complaint.
- **Referral\Dismissal:** if the complaint is procedurally sufficient but FHWA (1) lacks jurisdiction over the subject matter, or (2) lacks jurisdiction over the respondent entity, then FHWA will either dismiss the complaint or refer it to another agency that does have jurisdiction. If HCR dismisses the complaint, it will send the complainant, respondent, and FHWA Division Office a copy of the written dismissal notice. For referrals, FHWA will send a written referral notice with a copy of the complaint to the proper Federal agency and a copy to the USDOT Departmental Office of Civil Rights.

Investigative Process for Subrecipient Complaints

FHWA may delegate a Title VI complaint filed on a subrecipient to TxDOT for investigation. Within 60 days of receipt of the complaint, CIV will conduct and complete an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to FHWA. FHWA will issue final decisions in all cases, including those complaints investigated by CIV. The complaint will be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.

Recommendations:

- Ensure complaints are investigated by personnel trained in compliance investigations.
- External discrimination complaints filed under Title VI with the subrecipient in which the subrecipient or its lower tier subrecipient is named as the respondent must be forwarded to TxDOT for investigation within 10 calendar days.
- Develop an external discrimination complaint form.
- Distribute written discrimination complaint handling procedures to agency personnel.
- Make the public aware of the procedures for filing a discrimination complaint, such as making the information available on the agency's Web site or in a brochure.
- Maintain a complaint log, to include any complaints or lawsuits filed against the agency, that identifies:
 - 1) Each complainant by race, color, sex, or national origin
 - 2) The recipient
 - 3) The nature of the complaint
 - 4) The dates the complaint was filed and the investigation completed
 - 5) The disposition
 - 6) The date of the disposition
 - 7) Other pertinent information
 - 8) The status of the complaint investigation or lawsuit
 - 9) Corrective actions taken, if any
- Maintain all correspondence related to the complaint.

Note: An example of TxDOT's Title VI Complaint Form and SCAT template are located on TxDOT's website at www.txdot.gov/inside-txdot/division/civil-rights/title-vi.html.

SCAT Title VI, Survey Question #7

Solicitation for Bid/Request for Proposal

Subrecipients are required to include the Title VI/Nondiscrimination paragraph from the U.S. DOT Standard Title VI Assurances in all solicitations for bid or Requests for Proposals that include Federal assistance.

Question:

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

☐ Yes ☐ No

Requirements:

Subrecipients must include notification in all Solicitations for Bids and Contract Insertions that include Federal assistance:

- The subrecipient shall insert the following notification in all solicitations for bids for work or material.

“The (Recipient), in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, SubTitle A, Office the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidden that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.”

- The local agency must have a process for ensuring that FHWA Form-1273 is physically incorporated in contracts that receive Federal assistance. In agreements where FHWA Form 1273 is not required, the local agency must establish a process for ensuring that 49 CFR Part 26.13(b) assurance language is included in the contract documents.
- The local agency must ensure inclusion of US DOT Order 1050.2A Appendices A and E in all contracts, subcontracts, and agreements subject to Title VI of the Civil Rights Act of

1964. The subrecipient is responsible for ensuring that the applicable appendix of the Standard Assurance is included in each federally-assisted contract, subcontracts, and agreements. A template of the Standard Assurance and its appendices is available at <https://www.txdot.gov/inside-txdot/division/civil-rights/compliance-assessment/technical-assistance.html>

Recommendations:

- Develop procedures to monitor and verify that solicitations for bid/Requests for Proposals include the nondiscrimination paragraph from the U.S. DOT Standard Title VI Assurances

SCAT Title VI, Survey Question #8

Accommodations for Limited English Proficient Persons

Subrecipients must ensure meaningful access to the benefits, services, information, and other important portions of an agency's programs and activities for individuals who are Limited English Proficient (LEP).

Question:

- How does your agency ensure that Limited English Proficient (LEP) individuals have access to the agency's programs and services?

- ☐ Completed Language Assistance Plan
- ☐ Contract services for interpretation and translation
- ☐ Focused LEP outreach during planning and construction
- ☐ Identified bilingual employees
- ☐ Other, please explain _____

Recommendations:

- Develop an agency Language Assistance Plan
- Identify LEP populations affected by a project using the most recent Census data
- Conduct a language needs assessments or consider the following four factors:
 - 1) The number or proportion of LEP persons in the eligible service population
 - 2) The frequency with which LEP individuals come in contact with the agency's programs or activities
 - 3) The nature of the importance of the program, activity, or services provided by the agency
 - 4) The resources available to the agency and the costs

- Translate written information and outreach materials into regularly encountered languages other than English (ex: Spanish, Vietnamese, etc.), particularly vital documents if they contain information that is critical for obtaining services and/or benefits or is required by law
- Develop methods to provide oral interpretation either in person or via telephone interpretation services, and the procedures used by staff to access those services
- Attend training that focuses on helping staff better communicate with LEP persons
- Post notices detailing the agency's Title VI obligations and complaint procedures that have been translated into languages other than English
- Notify LEP customers of the availability of language services
- Maintain a list of bilingual staff and the languages they interpret or translate
- Translate the agency's external Web site
- Continually monitor and evaluate efforts to provide language access

SCAT Title VI, Survey Question #9

Public Participation Process

Subrecipients must provide an opportunity for public involvement and access to the transportation decision making process to all segments of the population, including minority communities and populations who are not proficient in English.

Question:

- 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
- ☐ Focused Committees or Advisory Groups
- ☐ Other, please explain _____

Recommendations:

- Develop an agency Public Participation Plan
 - Include demographic data on minority and LEP populations (based upon the most recent Census data).
 - The Title VI/Nondiscrimination Coordinator should actively participate in the development/update efforts and should be included in the approval process.
 - The Title VI/Nondiscrimination Coordinator should monitor how the agency implements the plan.
- Public involvement/participation procedures should detail how the agency notifies the public regarding:
 - The development of transportation plans and Improvement Programs and how it solicits and addresses the public's comments in the final documents.

- Public hearings and public meetings and how it collects and addresses the public's comments.
- Conduct early and continuous public involvement through stages of project development.
- Provide timely information to public and in languages other than English.
- Document efforts to utilize demographic data or knowledge of the community to perform outreach to specific populations.
- Seek out and consider the needs of minority, low-income, or other non-traditional stakeholders.
- Maintain a stakeholders list with contact information for organizations and individuals.
- Periodically review and evaluate the public participation processes/procedures.
- Ensure the processes/procedures are compliant with the Title VI/Nondiscrimination requirements (including LEP).

SCAT Title VI, Survey Question #10

Data Collection and Analysis

Subrecipients must develop procedures for the collection of statistical data (race, color, national origin) of participants and beneficiaries of an agency's programs (e.g., relocatees, impacted citizens and affected communities).

Question:

- *What data collection sources do you use for analyzing demographic data in the areas within your jurisdictional boundaries?*

- Recipients of federal funds are required to collect and analyze demographic data to ensure nondiscrimination for beneficiaries of programs, services and activities.

Identify the data collection sources for analyzing demographic data in the area of your jurisdictional boundaries.

- ☐ Census
- ☐ American Community Survey
- ☐ Department of Education
- ☐ Community Development Offices
- ☐ Other sources, please identify _____

Recommendations:

- Collect and analyze data to ensure that transportation programs, services, facilities, and projects effectively meets the needs of "all persons" without discrimination
- Data such as demographic maps, the racial composition of affected neighborhoods, or census data, may be necessary to develop a community profile.
- Develop forms, surveys, and other data collection methods designed to obtain a description of community boundaries, racial/ethnic make-up, income levels, tax base, or access to community services, schools, hospitals, shopping, etc.

- Engage and track historically under represented populations and businesses in the planning, project development, and maintenance processes, for example:
 - Obtain demographic data on public meeting participants.
 - Use demographic information and other tools to ensure future mobility projects are consistent with Title VI.
- Send correspondence to community leaders, community-based organizations, or local data-collecting agencies requesting their assistance in identifying the demographics of the population affected by the agency's programs and activities.

SCAT Title VI, Survey Question #11

Title VI Program Visibility

Subrecipients are required to identify how it advises the public of nondiscrimination policies, procedures and other related information. Electronic or web-based posting of Title VI program information alone is insufficient. The agency must post in publicly accessible locations, such as main lobbies, town halls, community centers and other public facilities.

Question:

- How does your agency advise the public of the 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 meeting or outreach
- ☐ Accessible publications
- ☐ Other, please specify _____

Recommendations:

- Title VI/Nondiscrimination policies need to be available where your agency is most likely to interact with the public; i.e., main lobbies, websites or newsletters.
- Where appropriate, display in languages other than English.
- If your agency doesn't already have a Title VI Poster, consider using TxDOT's template.

Note: An example of TxDOT's Title VI Poster is located on the TxDOT website at:

<https://www.txdot.gov/inside-txdot/division/civil-rights/title-vi.html>

Resources

Texas Department of Transportation (TxDOT), Civil Rights Division (CIV) Main Page

<https://www.txdot.gov/inside-tdot/division/civil-rights.html>

TxDOT, Title VI/Nondiscrimination Poster

<http://ftp.dot.state.tx.us/pub/txdot-info/civ/title%20vi/title-vi-poster.pdf>

TxDOT CIV Title VI/Nondiscrimination Plan

<https://www.txdot.gov/content/dam/docs/civil-rights/fy25-titlevi-nondiscrimination-plan.pdf>

TxDOT CIV External Discrimination Complaint Form (English, Spanish, Vietnamese, Chinese, Arabic)

<https://www.txdot.gov/inside-tdot/division/civil-rights/title-vi.html>

TxDOT CIV Language Assistance Plan

<https://www.txdot.gov/inside-tdot/division/civil-rights/title-vi.html>

FHWA Office of Civil Rights (OCR) Main Page

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

FHWA OCR Title VI Main Page

https://www.fhwa.dot.gov/civilrights/programs/title_vi/