

VERMONT

AGENCY OF TRANSPORTATION

FHWA Title VI Program Implementation Plan 2024

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**FEDERAL HIGHWAY ADMINISTRATION
TITLE VI PROGRAM IMPLEMENTATION PLAN 2024**

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I. INTRODUCTION

The Vermont Agency of Transportation (AOT) is a recipient of federal funds from the U.S. Department of Transportation (USDOT) modal agencies, including the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). All recipients of federal funding must comply with the requirements of Title VI of the Civil Rights Act of 1964 and other nondiscrimination statutes, regulations, and authorities. This Implementation Plan describes how AOT accomplishes nondiscrimination in the delivery of its federally assisted programs, services, and activities. It includes the structure of our Title VI program as well as the policies, procedures, and practices the AOT uses to comply with nondiscrimination requirements. This is intended to be a living document, regularly monitored, and updated to meaningfully reflect the program as it changes and grows.

II. TITLE VI STANDARD ASSURANCE

In accordance with USDOT Order 1050.2A, a copy of the AOT's updated Title VI Nondiscrimination Assurances signed by AOT Secretary on September 7, 2023, is located at [Appendix A](#).

III. POLICY STATEMENT

Agency of Transportation Title VI Nondiscrimination Statement

It is the policy of the Vermont Agency of Transportation (AOT) to effectuate Title VI of the Civil Rights Act of 1964, as amended, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all federal programs and activities. Pursuant to this obligation:

The AOT requires that no person shall, on the grounds of race, color, national origin, sex, age or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination in any federally-assisted program or activity; neither shall they be denied any service, financial aid or other benefit provided under its programs or experience distinctions in the quality, quantity or manner in which a benefit is provided, suffer segregation or separate treatment in any part of a program, restriction in the enjoyment of any advantages, privileges or other benefits provided to others, different standards or requirements for participation, methods of administration that, directly or through contractual relationships would defeat or substantially impair the accomplishments of effective nondiscrimination, discrimination in any activities related to highway and infrastructure or a facility built or repaired in whole or in part with federal funds and discrimination in any employment resulting from a program, the primary purpose of which is to provide employment.

In addition, the AOT will ensure the monitoring and enforcement of all sub-recipients and participants of federally assisted projects and activities. The AOT further assures that every effort will be made to ensure nondiscrimination in all of its programs and operations, regardless of the funding source.



September 7, 2023

Joe Flynn, Secretary
Agency of Transportation

Date



Policy Statement on Website

AOT maintains its Title VI Nondiscrimination Policy Statement, as signed by the Secretary of Transportation, on its [website](#).

Public Notice

In addition to this Policy Statement, the following notification is incorporated into all Vermont AOT public notices.



Office of Civil Rights & Labor Compliance

NOTIFICATION OF YOUR CIVIL RIGHTS

The Vermont Agency of Transportation (AOT) operates its programs without regard to race, color, national origin, sex, age, disability, low-income status, or Limited English Proficiency (LEP) in accordance with Title VI of the Civil Rights Act. Any person who believes they have been harmed by any unlawful discriminatory practice under Title VI by the Vermont AOT or the public transit providers who receive funding from AOT may file a complaint with AOT .

For more information on AOT's Civil Rights program and the obligations and procedures to file a complaint, call (802) 595-6959 or visit our [website](#).

IV. ORGANIZATION AND STAFFING

Office of Civil Rights

The AOT Office of Civil Rights and Labor Compliance has the primary responsibility for executing the *Vermont Agency of Transportation Title VI Program Implementation Plan*. The AOT's Title VI Coordinator administratively reports to the Civil Rights Director and periodically briefs the Secretary's Office and senior AOT management regarding Title VI issues. The [Organizational Chart for the AOT Office of Civil Rights](#) and the [Agency's Functional Organizational Chart](#) are included at the end of this section.

Title VI Coordinator Responsibilities:

- Coordinate Title VI Program development and implementation with internal program areas.
- Provide technical assistance and advice on Title VI matters to program area subject matter experts and program area managers.
- Conduct Title VI reviews of internal program areas, MPOs, and local subrecipients to ensure Title VI compliance.
- Review the AOT program areas to correct identified Title VI problems, including discriminatory practices or policies.
- Review the AOT program manuals, contracts, and policy documents to determine whether Title VI is appropriately addressed and implemented Agency wide.
- Provide Title VI training for the AOT internal staff, Title VI Liaisons, and subrecipients.
- Investigate and resolve complaints.
- Work with program area Title VI Liaisons to collect and document statistical data.
- Distribute and, where necessary, ensure translation of Title VI documents for the public.
- Complete the *Vermont Agency of Transportation Title VI Implementation Plan* for submission to FHWA by October 1st each year.
- Complete the *Vermont Agency of Transportation Title VI Annual Goals and Accomplishment Report* annually.

In addition to the Title VI Coordinator, with the assistance of Civil Rights staff, the Title VI Coordinator initiates and monitors day-to-day Title VI activities, processes Title VI complaints, and prepares requisite reports.

Title VI Liaisons

To help the AOT Title VI Coordinator, each Agency Division Director and the DMV Commissioner appointed one or more Title VI Liaisons. Many of the AOT's previous Title VI Liaisons had moved into different positions or left the AOT. The Title VI Liaisons throughout the AOT are responsible for working with the AOT Title VI Coordinator on Title VI review and compliance, observations and recommendations, data collection, and data reporting. The appointed Title VI Liaisons have responsible positions within the Division's, Bureau's, and/or Department's program areas and have the support of the Directors and Commissioner when performing data collection, analysis, and reporting. In conjunction with the Transportation Equity Framework implementation, we will incorporate this into the training for 2024. They also meet with the AOT Office of Civil Rights Title VI Coordinator periodically and are required to submit timely Title VI reports to the AOT Title VI Coordinator.

Title VI Liaison Responsibilities:

- Assist with the implementation and monitor the progress of Title VI policies for their respective Divisions.
- Provide Title VI awareness within their respective Divisions to include training, tutorials, and discussions.
- Advise the Civil Rights Title VI Coordinator of any related problems or Title VI complaints.
- Track accomplishments toward the identification and elimination of discrimination and recommend corrective action as necessary.
- Maintain statistical data by race, color, and national origin, as needed for respective program areas.
- Collaborate with the Title VI Coordinator in conducting program reviews.
- Assist in the development of Title VI information for public dissemination, where appropriate, in languages other than English.
- Complete and submit to the AOT Title VI Coordinator information for the annual *Title VI Goals and Accomplishment Report*.
- Provide periodic reports to the AOT Title VI Coordinator for inclusion in the annual *Title VI Program Implementation Plan*.
- Provide the final Division and Department Title VI report for the federal fiscal year to the AOT Title VI Coordinator by September 1st of each federal fiscal year.

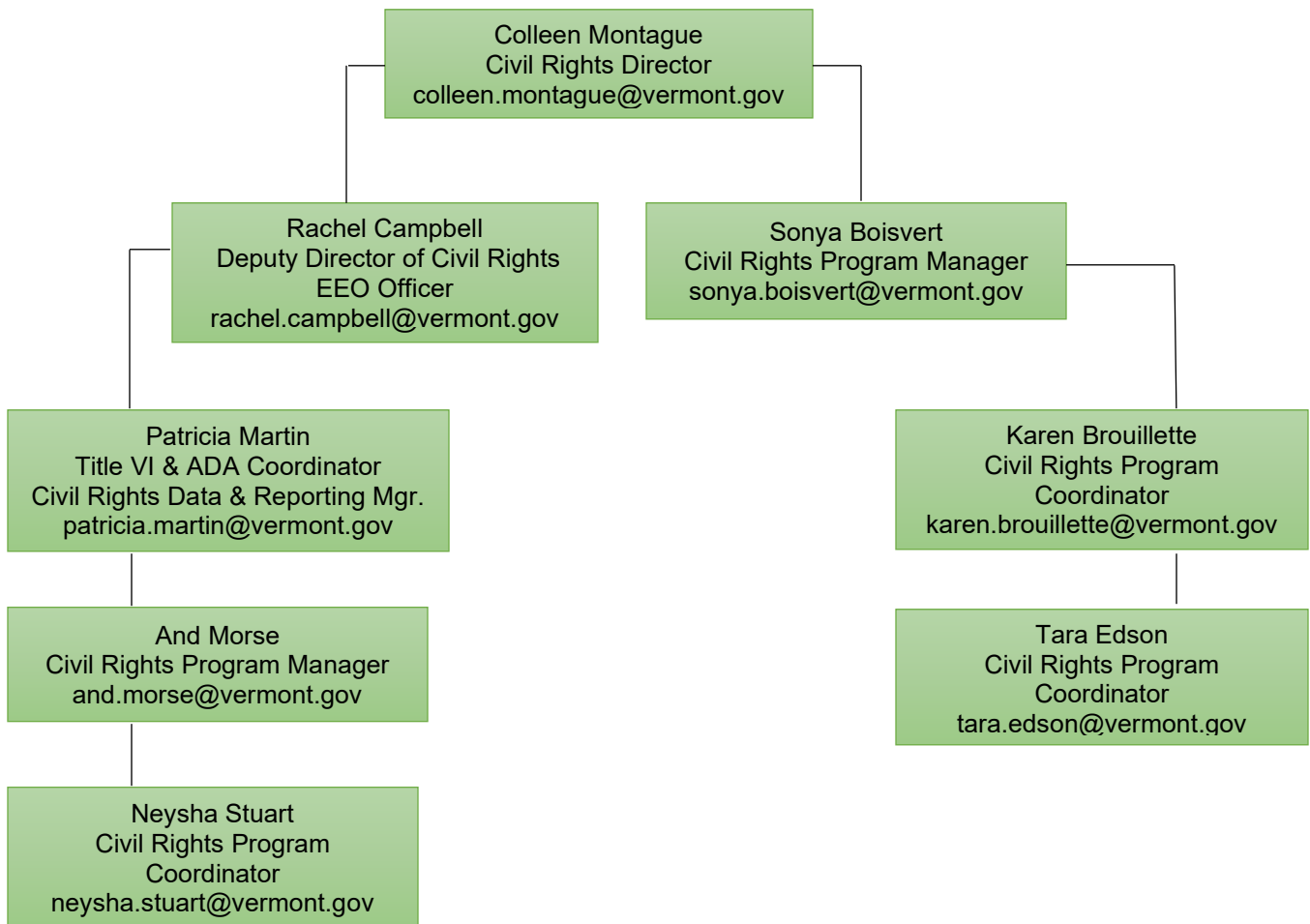
AOT Leadership

The AOT Secretary has delegated the responsibility for Title VI implementation to each Agency Division Director, Commissioner, Bureau Director, and Section Chief through the issuance of a Policy Statement and Assurances. Each AOT Director and Commissioner is responsible for the implementation of the Title VI Program area(s) within his/her Division, Bureau, Section, and/or Department. The Directors and Commissioner will advise the AOT Title VI Coordinator if, due to staffing changes, a new Title VI Liaisons(s) needs to be appointed.

Office of Civil Rights & Labor Compliance Organizational Chart



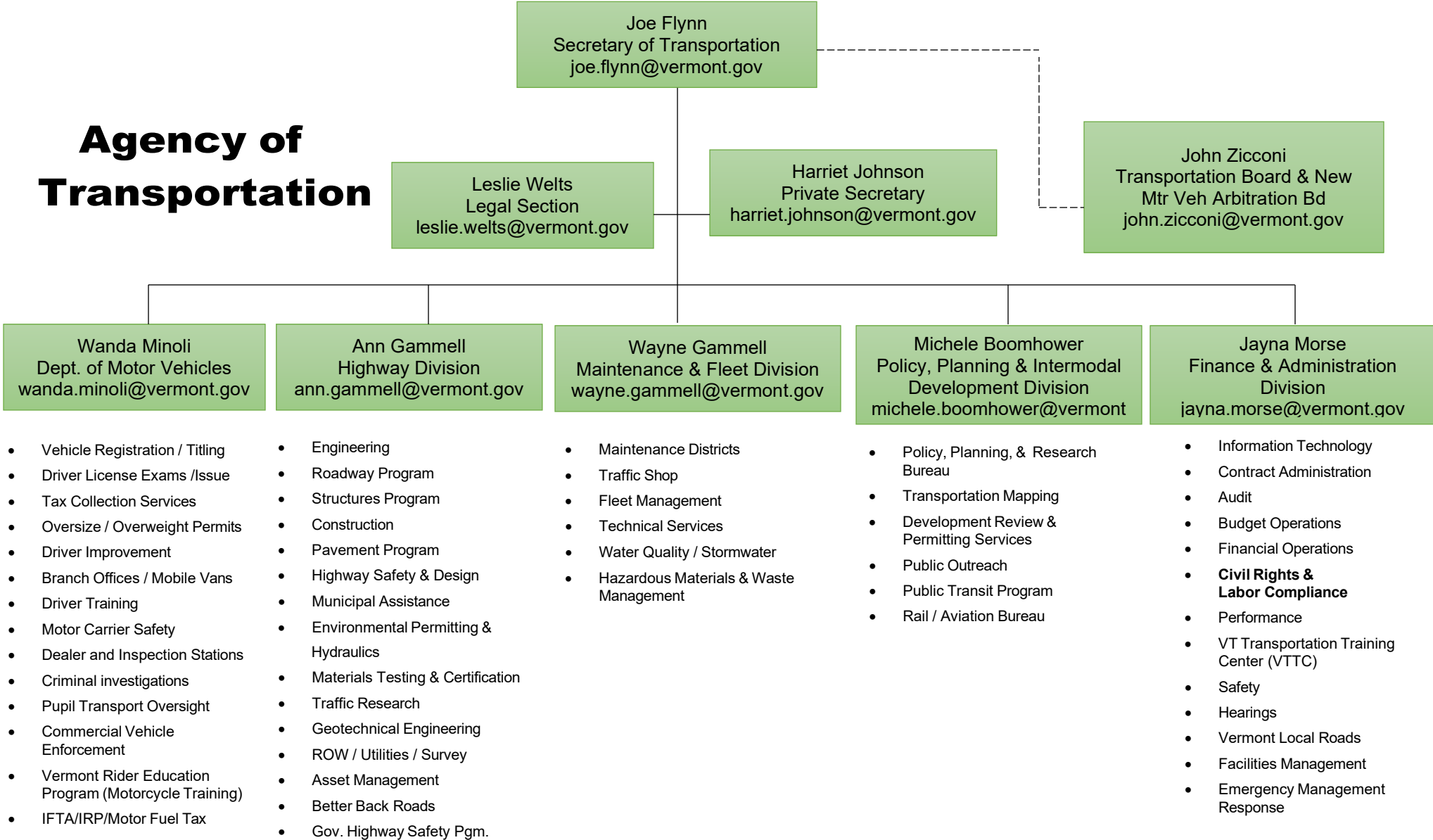
**Finance &
Administration
Division**
**AOT Office of Civil
Rights and Labor
Compliance**



Vermont AOT Functional Organizational Chart



Agency of Transportation



V. INTERNAL REVIEW PROCEDURES

Program Reviews

The Title VI Coordinator, with the help of Agency Title VI Liaisons, will perform periodic program area reviews to assess the AOT's compliance status in its administrative procedures and overall efforts to ensure nondiscrimination in all of its programs, services, and activities. Public involvement activities/practices, use of Title VI language, and program-specific documentation will be among the information reviewed. Reviews of these areas will be documented in the *Title VI Program Goals and Accomplishments Report*.

Scheduling

The goal of the Title VI Coordinator is to conduct program area reviews at least once every three years, beginning with Planning, then Environment and lastly, Construction and Right of Way. The schedule of reviews is flexible and will be based on:

- Staffing changes within the program area.
- Patterns indicating noncompliance.
- A need by the program area for support and guidance from the Title VI Coordinator

Procedure

When a program is scheduled to be reviewed, the Division Director will be notified in writing 30 days in advance to ensure that the date will work for people involved and to give the Division Director ample notification time. The notice of the review will include a Compliance Review Checklist (see Appendix D) – to include questions about Title VI measures in place by the program area – that is to be completed and returned to the Title VI Coordinator prior to the review.

The Title VI Coordinator will review the responses during preliminary analysis. This analysis provides an opportunity to review business practices and discuss it with program staff during the review, identifying any areas that need improvement or may serve as best practices for other areas of the AOT. The review helps to determine the extent of compliance with Title VI obligations. The result of this analysis is the development of refined Title VI work plans, technical assistance, and suggested training as well as tracking changes over time.

Program Constituent Roles and Responsibilities

Policy, Planning, and Intermodal Development Division

- A. General: The Division of Policy, Planning, and Intermodal Development (PPAID) oversees major non-highway transportation modes including state-owned rail lines, ten state-owned airports, and public transit providers. In addition to providing statewide planning and policy support, the division works with Vermont's eleven Regional Planning Commissions and, in the Burlington region, the Metropolitan Planning Organization, to develop regional transportation plans and generate input on prioritizing transportation projects in the regions. The Division's work is also supported by public input from the Rail Advisory Council, Aviation Advisory Council, and the Public Transit Advisory Council. PPAID is the lead on research, mapping, development review, and public outreach.

- B. Title VI Role: The Division Director makes every effort to identify and eliminate discrimination in the planning process. The Director is responsible for transportation projects with respect to social, economic, and environmental factors, design requirements, public involvement, and right-of-way acquisitions.

Through the solicitation of public input and coordination with the Metropolitan Planning Organization (MPO) and the Regional Planning Commissions (RPCs), project impacts that have the potential to result in disparate and disproportionately high adverse effect are identified and addressed prior to preliminary design. This is done in three ways. The Transportation Planning Initiative (TPI) offers an avenue for Regional Planning Commissions, Metropolitan Planning Organization, Program Managers, municipalities and both public and private organizations to provide input on important transportation issues, projects, and activities. To ensure public participation, each Regional Commission has created a Transportation Advisory Committee and consists of members of the public representing community parties. The AOT Policy, Planning and Research Bureau carries out the TPI working collaboratively to facilitate the flow of accurate information affecting and/or involving the public. Additionally, the Division provides technical support when needed.

With respect to the Airport Improvement Program (AIP), the Rail and Aviation Bureau acts as an agent for state airports applying for federal assistance. In addition, the Bureau utilizes Federal AIP funds for projects pursuant to the maintenance and operation of the state's airports. The Aviation Program Manager ensures that all services and benefits are provided in a manner consistent with Title VI. The Bureau further assures that these services provide equal access and mobility for any person as well as opportunities to participate in the aviation planning and decision-making process without regard to race, color, national origin, sex, age, disability, or LEP.

All Rail operations under the authority of the Division will operate in a manner consistent with Title VI requirements insofar as equal access to transportation services and mobility without regard to race, color, sex, national origin, age, disability, or LEP.

The Public Transit Section works with multiple state agencies, transit providers, and consumers to develop coordinated transportation services and programs that will achieve increased mobility and accessibility. The Public Transit Administrator ensures that all federally supported transit services and related benefits are distributed to subrecipients in a manner consistent with Title VI. The Public Transit Section further assures that these services provide equal access and mobility for any person and provide opportunities to participate in the transit planning and decision-making process without regard to race, color, national origin, sex, age, disability, or LEP.

C. Title VI Responsibilities:

- With the assistance of the Title VI Coordinator, ensure that Title VI requirements are considered when selecting project locations and that outreach efforts are implemented to encourage participation in the process by LEP communities. This is done using the Transportation Planning Initiative (TPI) mentioned above to allow public input on transportation projects; The Transportation Advisory Committee that is created by each Regional Planning Commission and the AOT Policy, Planning and Research Bureau carries out the TPI working coordinating public involvement on projects affecting and/or involving the public.

- Analyze and implement project alternatives when necessary. Based on feedback from public involvement, the AOT Policy, Planning and Research Bureau will adjust projects.
- Ensure that all consultant contracts include appropriate Title VI language in accordance with Title VI Assurances.
- Maintain general information concerning the status of Class I and Class III projects, with respect to environmental assessments, environmental impact statements and the implementation of mitigation.
- With the assistance of the Title VI Coordinator, review all Title VI Compliance Reports conducted within the Division and authorize and ensure corrective actions where needed.
- Utilize the AOT's Disadvantaged Business Enterprise (DBE) directory to identify DBE consultants available to perform related work and ensure fair and appropriate participation of the same.
- Assist the Title VI Coordinator to ensure that all grants, consultant contracts and Unified Work Programs include appropriate Title VI language in accordance with Title VI Assurances.
- Document the level of participation of LEP and persons with disabilities at public information meetings to the extent practical and as appropriate.
- Maintain records of all Title VI efforts and assist the Title VI Coordinator in the preparation of an annual Title VI Compliance Checklist and an annual *Title VI Goals and Accomplishments Report*.
- Maintain a record of all funding requests received from nonprofit organizations and advise the FTA on the manner in which the state selects applicants for funding under the Elderly and Handicapped Assistance Program (5310) every three years in accordance with UMTA(FTA) C4702.1, Chapter III, 3c.
- Conduct monitoring to determine the level and quality of transit services provided to minority communities against overall system averages in accordance with UMTA C4702.1, Chapter IV, paragraph 2 c. (1)(2).
- Ensure that special efforts are made and documented relative to the involvement of LEP communities, and that appropriate Title VI language provided by the Title VI Coordinator is used in all letters and public notices.

Highway Division

- A. General: The Highway Division of the AOT is organized into four Bureaus: Construction & Materials, Operations & Safety, Project Delivery, and Asset Management. Together, the Highway Bureaus provide the full range of project development services, oversight for construction projects; ensure the quality of materials; provide grants and technical support for municipal projects; provide information to the traveling public on road conditions; inspect bridges, culverts, signs, and signals; and act as the lead entity on operations, safety, and training.
- B. Title VI Role: All AOT Highway Division programs will be conducted in a fair and uniform manner with respect to the allocation of materials and resources. Agency managers will ensure that LEP communities do not experience disparate or adverse impact. This information will be considered when developing plans and conducting maintenance operations.

The program development process includes project scoping, data collection, coordination, preliminary engineering studies, environmental evaluation, hearings,

alternative selection, construction plan development, right-of-way acquisition and relocation assistance, and construction. Throughout development, the Director ensures that project teams implement measures to affect Title VI requirements. Special emphasis is placed on the public involvement process to ensure that all people have access to information and are invited to comment on project proposals. Pursuant to this effort, the Director ensures that, where applicable, outreach efforts and hearing formats are designed to encourage minority representation of impacted communities.

C. Title VI Responsibilities:

- Utilize statistical information provided, such as the [AOT Equity Mapping Tool](#), that is recommended by the Title VI Coordinator that identifies LEP populations.
- Ensure that the allocation of resources, priorities of work, and services do not have a disparate and adverse impact on communities.
- Ensure that appropriate Title VI language provided by the Title VI Coordinator is used in all notification letters and public notices regarding public meetings.
- Utilize the AOT's DBE directory to identify DBE consultants available to perform related work and ensure fair and appropriate participation of the same.
- Maintain records of all Title VI efforts and assist the Title VI Coordinator in the preparation of an annual Title VI Compliance Checklist and an annual *Title VI Goals and Accomplishments Report*.
- Ensure that all municipal agreements and subcontracts include the provided Special Contract Provisions and Title VI language in accordance with 23 CFR Part 230, Appendix A, Subpart A, and Appendix A and E of Standard Title VI Assurances.
- Ensure that pedestrian signals are designed and emplaced to accommodate persons with various disabilities in accordance with the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and Public Right of Way Accessibility Guidelines (PROWAG).
- Ensure that pedestrian signage complies with the criteria outlined in the ADAAG.
- Ensure that all mitigation measures are effectively implemented, i.e., health and safety, noise and air impacts, and employment and contracting goals.
- Monitor contractor activities to prevent discrimination or disparate treatment of persons or communities, i.e., waste/spill disposal, environmental compliance, and harassment.

Finance and Administration Division

- A. General: The Division of Finance and Administration provides services across the AOT to support the activities that deliver on the mission of the AOT including financial operations, budgeting, and business services; contract and grant administration; civil rights, labor compliance, talent acquisition and onboarding; performance and continuous improvement; audit and records management; hearings; training and employee development; facilities; and emergency management. As in all aspects of our work, state and federal statutes provide the guidance and boundaries for Finance and Administration's work.
- B. Title VI Role: Relative to Title VI, the Finance and Administration Division processes payments, transfers, payroll, and expenses, participates in recruitment and training activities, ensures contractor compliance, and includes auditing and administration of AOT contracts. The Office of Civil Rights includes AOT Equal Employment Opportunity (EEO), Americans with Disabilities Act (ADA), and Title VI compliance.

C. Title VI Responsibilities:

- Ensure that all appropriate individuals in the Division are provided with training developed and delivered by the AOT Title VI Coordinator in the areas of Title VI.
- Ensure that the AOT's contracting process and procedures are non-discriminatory and meet all Title VI requirements.
- Utilize the AOT's DBE directory to identify DBE contractors and consultants available to perform related work and ensure fair and appropriate participation of the same.
- Maintain records of all Title VI efforts and assist the Title VI Coordinator in the preparation of an annual Title VI Compliance Checklist and an annual *Title VI Goals and Accomplishments Report*.

Department of Motor Vehicles (DMV)

- A. General: The DMV is responsible for the implementation and monitoring of the state's motor vehicle laws and regulations. In this capacity, it serves the motoring public through driver licensing, vehicle registration, tax collecting, enforcement, and educational activities.
- B. Title VI Role: The provisions of this Title VI Program Plan apply to all recipients of Federal assistance with and through the Vermont Department of Motor Vehicles. A recipient includes any public or private entity or any individual receiving the benefits of any Federal Motor Carrier Safety Administration Program. The program applies to all phases of the Vermont Department of Motor Vehicle operations. DMV functions include licensing, vehicle registration, inspections, dealer oversight, the issuance of permits, enforcement, safety, conducting investigations, education, training, tax collection, and related support services. The DMV Commissioner ensures that all department functions and services are carried out in a manner consistent with Title VI requirements. The Commissioner further assures that all DMV operations provide equal access to its services and equal treatment under the law without regard to race, color, national origin, gender, age, or disability. In accordance with Title VI requirements, special emphasis is placed on service to individuals with LEP.
- C. Title VI Responsibilities:
- Ensure that all individuals directly serving the public are provided with training developed and delivered by the AOT Title VI Coordinator in the areas of Title VI and LEP.
 - Ensure that all areas open to the public are provided with appropriate signage advising Limited English Proficient individuals of their rights and their entitlement to free interpretive services.
 - As appropriate, ensure that department websites serving the public are available in languages other than English.
 - Utilize the AOT's DBE directory to identify DBE consultants available to perform related work and ensure fair and appropriate participation of the same.
 - Maintain records of all Title VI efforts and assist the Title VI Coordinator in the preparation of an annual Title VI Compliance Checklist and an annual *Title VI Goals and Accomplishments Report*.

District Maintenance and Fleet Division

- A. General: The Division of District Management and Fleet consists of the AOT's Maintenance Districts, Fleet Management, Traffic Shop, Technical Services, Water Quality and Stormwater, and Hazardous Materials and Waste Management.
- B. Title VI Role: The Division has an obligation to ensure that their efforts to maintain the state's bridges and highways are fair and equitable and do not have a disparate impact on populations protected by Title VI. The Division utilizes standard procedures in their maintenance decision making process in order to ensure the methodology is fair for all, whether it's making decisions about deploying plow trucks or prioritizing the repair of culverts, guardrail, and other assets.
- C. Title VI Responsibilities:
- Ensure that all appropriate individuals in the Division are provided with training developed and delivered by the AOT Title VI Coordinator in the areas of Title VI.
 - Ensure that the AOT's maintenance and fleet procedures are not based on factors such as race, color, or national origin of the populations residing in service areas and are carried out based on need according to the structural status and/or traffic patterns that necessitate improvement projects.
 - Ensure proper coordination with town/municipal officials to minimize impacts to the public and carry out public outreach measures proportionate to the classification and scope of projects.
 - Ensure that the AOT's maintenance and fleet contracting process and procedures are non-discriminatory and meet all Title VI requirements in the procurement of goods and services.
 - Utilize the AOT's DBE directory to identify DBE contractors and consultants available to perform related work and ensure fair and appropriate participation of the same.
 - Maintain records of all Title VI efforts and assist the Title VI Coordinator in the preparation of an annual Title VI Compliance Checklist and an annual *Title VI Goals and Accomplishments Report*.

VI. EXTERNAL/SUBRECIPIENT REVIEW PROCEDURES

The AOT is required to monitor its subrecipients to ensure compliance with Title VI and related nondiscrimination statutes. The purpose of the review is to verify compliance with Title VI, related statutes, and the regulations to provide assurance that each subrecipient will comply with the nondiscriminatory requirements of its agreement/contract. Our subrecipients include Metropolitan and regional transportation planning organizations, public transits, towns, municipalities, and institutions of higher education.

Subrecipient Review Selection Criteria

- The AOT staff have identified subrecipients with known Title VI issues or concerns.
- The subrecipient has submitted problematic responses to the Subrecipient Program Review Form (Appendix E) and/or submitted incomplete Title VI documentation.
- The subrecipient receives a large amount of funding from the AOT relative to other subrecipients.
- The length of time between the reviews.
- The AOT staff conducts reviews of five to eight public agencies each year, three transit grantees each year, and two regional planning commissions every other year.

All reviews will be conducted with the objective of ensuring that the AOT subrecipients are in compliance with all the federal and state mandates governing the federally- and state-funded programs and activities to include, but not limited to, reviewing for whether subrecipients:

- A. Conduct Title VI training with employees
- B. Educate the public of their rights under Title VI
 - Have a Title VI Complaint Procedure in place
 - Publish the Title VI Complaint Procedure
 - Maintain a Title VI Complaint Log
- C. Develop a LEP Plan
 - Conduct four-factor analysis
 - Have brochures and other documents translated in languages (if applicable)
- D. Develop a Public Participation Plan
 - Address what efforts are made to ensure the minority and/or LEP population is made a part of the transportation decision-making process
 - Publish a nondiscrimination poster/statement
- E. Perform data collection and analysis
 - Provide demographics on the service area (city/county population)
 - Provide demographics of the Board and committee members who make transportation-related decisions

Review Steps

Notice of Review

Thirty days prior to the review, the Title VI Coordinator will send to the subrecipient a notice of the compliance review which includes the reason for the review and a [Subrecipient Program Review Form](#), to be completed and submitted to the Title VI Coordinator prior to the review date. If the subrecipient needs more time, the Title VI Coordinator will grant an extension.

Desk Review

Information submitted by the subrecipient will be reviewed by the Title VI Coordinator, with the help of the Program Manager and the Title VI Liaison in that program area. If there are no areas of concern, there may be no need for an on-site review unless requested by the subrecipient. A desk review is warranted when the subrecipient already has a comprehensive Title VI Program with LEP Plan in place. During the desk review, we request that the program documents show effective implementation and evidence of monitoring its program. Evidence of Title VI monitoring includes documents translated for the local LEP population, use of demographic maps, training overviews and outreach events for underutilized populations and any other efforts that would provide evidence that the subrecipients ensured nondiscrimination in its programs and activities.

On-Site Review

An on-site review would be required if it has been determined that the subrecipient has no existing Title VI Program Plan. The AOT Title VI Coordinator would request an on-site review to assist the subrecipient with resources to develop such a plan and provide suggestions for monitoring. Additionally, if the subrecipient has just developed a new Title VI Program and LEP Plan then an on-site review would be requested. The AOT Title VI coordinator would review the Title VI Program and LEP plan and verify it includes monitoring activities to ensure nondiscrimination.

An on-site review may be scheduled if any of the following factors apply:

- Deficiencies are directly related to improvements being constructed or maintained by the subrecipient.
- Deficiencies include missing entire program components or there are other major deficiencies.
- The subrecipient's program coordinator or representative has not been identified and/or does not appear to have the support of the executive leadership of the AOT in ensuring program compliance.
- The Title VI Coordinator has concerns about the Title VI information submitted.

Desk Review or On-Site Visit Report

Upon completion of the desk review and/or on-site review, the Title VI Coordinator will provide the subrecipient with a written report, including comments and recommendations. Programs found to be out of compliance or in need of guidance/support will need to meet with the Title VI Coordinator to develop such a Title VI Program, LEP plan along with monitoring activities that would be in full compliance.

Grant Agreements with Subrecipients

The grant agreements signed by the AOT and the subrecipients of FHWA funds contain specific language regarding Title VI, as shown below:

Title VI - Civil Rights Act of 1964

1. Subrecipient agrees for itself, its assignees, and successors in interest (hereinafter collectively referred to as Subrecipient) that Subrecipient shall comply with the regulations governing nondiscrimination in Federally assisted programs of USDOT, as set forth in 49 CFR, Part 21, as they may be amended from time to time and hereinafter referred to as Regulations. Regulations are hereby incorporated by reference and made a part of this Agreement. Subrecipient shall not discriminate on the grounds of race, color, or national origin in selecting and retaining subcontractors, including procurements of materials and leases of equipment.
2. Subrecipient shall not participate, either directly or indirectly, in discrimination prohibited by Section 21.5 of the Regulations, including employment practices, when the Agreement covers a program set forth in Appendix B of the Regulations.
3. In all solicitations, either by competitive bidding or negotiation, made by Subrecipient for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by Subrecipient of Subrecipient's obligations under this Agreement and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. Subrecipient shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its accounts, books, records, other sources of information, and its facilities as may be determined by the State or the Federal Government to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of Subrecipient is in the exclusive possession of another who fails or refuses to furnish this information, Subrecipient shall so certify to the State or the Federal Government as appropriate and shall set forth what efforts it has made to obtain the information.
5. In the event of Subrecipient's noncompliance with the nondiscrimination provision of this Agreement, State shall impose such contract sanctions as it or the Federal Government may determine to be appropriate, including, but not limited to withholding of payments to Subrecipient under the Agreement until Subrecipient complies, and/or, cancellation, termination, or suspension of the Agreement, in whole or in part.
6. Subrecipient shall include the provisions of these paragraphs 35.1) through 35.6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. Subrecipient shall take such action with respect to any subcontract or procurement as State or the Federal Government may direct as a means of enforcing such provisions including sanctions for noncompliance; provided, however, that, in the event Subrecipient becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, Subrecipient may request State to enter into such litigation to protect the interests of State, and, in addition, Subrecipient may request the Federal Government to enter into such litigation to protect the interests of the Federal Government.

7. Subrecipient shall comply with the applicable provisions of Executive Order 11246 of September 24, 1965, Title VI of the Civil Rights Act of 1964, and the rules, regulations, and relevant orders of the Secretary of Transportation and the Secretary of Labor. In the event of Subrecipient's non-compliance with the nondiscrimination clauses of the Agreement or with any of the rules, regulations or orders, this Agreement may be canceled, terminated or suspended, in whole or in part, and Subrecipient may be declared ineligible for further Federally-assisted contracts, or State-assisted contracts, in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation or order of the Secretary of Labor, or as otherwise provided by law.

Through these stipulations, in accordance with the [Long-Range Transportation Plan](#), processes of passing financial assistance through to subrecipients, the AOT ensures that FHWA funds are allocated among subrecipients in a nondiscriminatory way and are used by those subrecipients in a nondiscriminatory way as well.

Providing Assistance

The AOT provides assistance to subrecipients related to Title VI in a number of ways. We provide training on Title VI regulations and materials to help subrecipients fulfill their Title VI obligations. The AOT has also designated Title VI Liaisons Agency wide to maintain ongoing communication about Title VI issues.

The AOT occasionally makes funds available to its subrecipients for planning studies or technical assistance. Requests from subrecipients for assistance related to Title VI receive special consideration from the AOT.

- **Website Resources:** The [AOT Civil Rights and Labor Compliance Title VI website](#) contains a wealth of information and resources for its subrecipients. The [Subrecipient Center page](#) includes links to a [Data Collection Tool Kit](#) (a systematic guide to data collection) and links to multiple subrecipient resources.
- **Technical Support:** The AOT Title VI Program Coordinator reviews and provides feedback to the public transit providers, Rural Planning Commissions (RPCs) and the Metropolitan Planning Organization (MPO) about their Title VI program plans.
- **Language Assistance:** The Title VI Program Coordinator provides language assistance information and translation tools to any AOT departments that need interpretation services and to subrecipients such as our public transit providers.
- **Transportation Planning Initiative:** The AOT has a consultative planning and public outreach relationship statewide through the Transportation Planning Initiative (TPI). Regional Transportation Planning Coordinators carry out the TPI in working partnership with the eleven non-metropolitan Regional Planning Commissions (RPCs) of the state and the Chittenden County Regional Planning Commission (CCRPC), Vermont's only Metropolitan Planning Organization. The Coordinators work directly with these regional commissions to solicit local input, identify community needs, hold public meetings, develop regional transportation plans and transportation improvement programs, and provide planning capacity and expertise on an ongoing basis. In addition, the Coordinators play a key role in the AOT's public outreach efforts, working collaboratively with the RPCs and other state agencies, the AOT program managers, and

an array of public and private organizations to inform the public on important transportation issues, programs, projects, and planning activities and to facilitate the flow of accurate planning information impacting the local population during the planning process. The AOT has completed the Transportation Equity Framework Project in September of 2023 which will act as a guide to inform a set of actions to achieve transportation equity. “Vermont’s transportation system provides a diverse set of travel options that is just and allows fair and equitable access to opportunities to meet the needs of all Vermonters” is the Vision for Transportation Equity. Implementation steps are being developed to be presented to executive leadership this Fall.

- **Review of Contract Language and the Development of Forms for Monitoring and Reporting Title VI Data:** Various forms have been developed and distributed to assist in the collection of Title VI data, including a Title VI Complaint Log, a Title VI Program Review Form, and a checklist. Agency documents, including contracts, publications, and websites have been reviewed to insure the inclusion of all appropriate and necessary language and contract provisions. The AOT continues to develop additional electronic resources, links, and Title VI best practice information on the AOT Civil Rights website.
- **Development of Title VI Maps:** These maps indicate valuable demographic information that depicts concentrations of minority, low income, and ethnically diverse populations within Vermont to help inform the future design, planning, and construction of all AOT projects. A new dynamic [online mapping tool](#) introduced in 2023 named the “AOT Transportation Equity Planning Tool,” was introduced this year and provides the spatial distribution of Title VI populations. This tool was produced by the AOT’s mapping staff for use by anyone interested in learning where vulnerable populations are located in Vermont as we work toward better outcomes for all Vermonters. Additionally, the AOT has updated [LEP static maps](#) to include data drawn from the 2017 – 2021 American Community Survey from the US Census.
- **Technical Assistance:** In providing technical assistance to its subrecipients, the AOT follows the procedure below to ensure that the process is nondiscriminatory:
 1. Review prevalence of minority groups served by each subrecipient.
 2. Itemize types of assistance available to subrecipients other than financial pass-through assistance including, but not limited to:
 - a. Technical assistance with planning studies;
 - b. Training on following federal and state regulations;
 - c. Training on computer software; and
 - d. Coordination of public involvement activities.
 3. Ensure that those subrecipients with concentrations of Title VI populations receive no less than their fair share of assistance proportional to the service area population and more if possible.

VII. DATA COLLECTION/REPORTING/ANALYSIS

Data Collection

As the AOT is comprised of the Divisions of Policy, Planning, and Intermodal Development, Highway, Finance and Administration, District Maintenance and Fleet, and the Department of Motor Vehicles (DMV), the AOT Title VI Liaisons are responsible for collecting all requisite Title VI-related program area data. Data collection will occur annually via a written report and by the Title VI Liaisons performing annual Title VI Reviews. As the AOT Public Transit Section has an FTA-approved Title VI Program, the Title VI Liaison is responsible for collecting data in accordance with the Title VI Program (from Transit Districts/Transit Providers receiving federal funds through the AOT). Providers of data may be outside of the AOT; for example, the AOT Policy, Planning, and Intermodal Development Division will collect data from federal-aid recipients, including the Chittenden County Regional Planning Commission (CCRPC), Regional Planning Organizations (RPOs) and educational institutions. The AOT Aviation Section is responsible for collecting data from airports receiving federal funds through the AOT.

Various forms, including Compliance Checklists for each program area (Appendix D) and a Subrecipient Program Review Form (Appendix E), have been developed and will be distributed to assist in the collection of Title VI data. Agency documents, including contracts, publications, and websites have been reviewed to insure the inclusion of all appropriate and necessary language and contract provisions. The AOT continues to develop additional electronic resources, links, and Title VI best practice information on the AOT Civil Rights website.

Data Analysis

Once Title VI data is collected, the data will be analyzed for the purpose of identifying patterns of discrimination. The Title VI Liaisons are responsible for analyzing the data collected and recommending corrective action as appropriate. A pattern of discrimination may result from a specific process and/or procedure or may occur as the result of a process and/or procedure being implemented in a discriminatory manner. Recommendations for corrective action will be based upon the analyzed data and will be included in the annual Title VI Reports.

Data Reporting

Each Title VI Liaison will be responsible for submitting annual Title VI Reports through the Division Director or Commissioner to the AOT Title VI Coordinator. The AOT Title VI Coordinator acts as the AOT clearinghouse for all Title VI Reports. Additionally, the Title VI Coordinator will provide input regarding Title VI corrective actions and will meet at a minimum will meet bi-annually, or sooner, based on need or requirements, with Division Directors, the DMV Commissioner, and the Title VI Liaisons to discuss Title VI issues. The Divisions and Department are responsible for providing the annual Title VI Updates to the applicable USDOT funding Agency (FHWA, FTA, and FAA) after coordination with the AOT Title VI Coordinator.

VIII. TITLE VI TRAINING

The Title VI Coordinator is responsible for Title VI training that consists of both an internal and an external component.

Internal Training

AOT has developed and deployed a diverse range of training tools and resources for its internal workforce, sub-recipients, and contractors, including the use of virtual training platforms, e-Learning, and enhanced online training portals. In an effort to align with the AOT's mission statement, the AOT and the AOT Office of Civil Rights delivers the following Title VI, non-discrimination, workplace civility and unconscious bias trainings to prepare our employees for success in accomplishing the AOT's mission.

AOT New Employee Welcome (NEW): The AOT delivers a six-month virtual Onboarding Program, NEW program, consisting of monthly one-on-one virtual check-ins by the AOT Office of Civil Rights staff with all new employees, including DMV employees, small group virtual training meetings covering information about Title VI and non-discrimination policies, and an enhanced intranet/SharePoint site for New Employees, with information about Title VI and all the AOT Civil Rights programs and policies. During the past state fiscal year, 163 new AOT employees have participated in this training program.

New Supervisor Orientation and Supervisory Training: The AOT provides orientation and online training for all new supervisors, that are promoted or newly hired. This training includes Title VI and non-discrimination information. During the past fiscal year, 48 new AOT supervisors and managers have participated in this training program. In addition, all new supervisors must take "Supervising in State Government Level 1," a four-day supervisory training, within six months of becoming a supervisor.

Transportation Leadership Institute: AOT offers the Transportation Leadership Institute a thirteen-month program for rising AOT leaders to expand their range of learning and participation in management practices, ongoing initiatives, organizational leadership, and public policy issues. During this past state fiscal year, 2 AOT employees have completed this leadership training. The AOT Office of Civil Rights develops and delivers a full day of training each year to the Leadership Institute participants, including Title VI and Title VII, non-discrimination, and unconscious bias training. The latest delivery of this training took place on May 23, 2023, as a full day (six-hour) virtual training.

Pathways to Supervision: The AOT offers the Pathways to Supervision training program which is a five-day program designed to provide the fundamentals of supervision to those looking to advance their careers, including team leaders and specialists. As part of this program, the AOT Office of Civil Rights delivers a two-hour virtual training to all Pathways to Supervision participants, including Title VI, non-discrimination, workplace civility and unconscious bias training. During the past fiscal year, 15 AOT employees have participated in this training program.

Specialized Training: Due to the nature of their job responsibilities, we provide specialized training for the AOT DMV employees which includes multicultural training and LEP training.

- Refresher Title VI Training: A refresher course of the Initial Title VI Training that includes USDOT Title VI Program Requirements to be provided to the Commercial Vehicle Enforcement Unit, which includes 22 employees.

Course Title: "Refresher Title VI Training"

Course Overview: This training delivers by lecture with audience participation and intended to supplement the mandatory “Understanding & Overcoming Bias in the Workplace” training. “Understanding & Overcoming Bias in the Workplace” covers all the Title VI protections and policies, understanding bias, and how to overcome bias in depth. This training more narrowly focused on the connection between Title VI and USDOT-funded programs. The purpose of the training was to answer four questions:

1. What is Title VI?
2. Who does it apply to?
3. Why do we need the training?
4. Where does a person make a complaint?

The Title VI PowerPoint presentation was designed to ensure that AOT staff understand how their activities impact different population segments. Attendees were also shown where Title VI information is located on the AOT websites and where/how a person can file a complaint.

External Training and Assistance

The AOT Title VI Coordinator provides opportunities for training to any subrecipient to ensure understanding and compliance with Title VI requirements. The Title VI Coordinator will conduct periodic subrecipient training for MPO and RPC Title VI Coordinators. The AOT provides updated information on an on-going basis to include subrecipients in general Title VI training sessions hosted by the AOT, FHWA, or USDOT.

IX. TITLE VI COMPLAINT PROCEDURE AND FORM

Vermont Agency of Transportation Title VI Complaint Procedure

Any person who believes that he or she, individually, or as a member of any specific class of persons, has been subjected to discrimination on the basis of race, color, national origin, sex, age, LEP, or disability may file a complaint with the AOT's Office of Civil Rights and Labor Compliance.

Complaints related to Title VI Program discrimination may be submitted online by accessing a [Title VI Complaint Form](#). Once submitted, the AOT Title VI Coordinator will contact the complainant. To submit a Title VI complaint by mail, email, or phone, the contact information is as follows:

Patricia Martin, Title VI Coordinator
Vermont Agency of Transportation
Office of Civil Rights and Labor Compliance
219 North Main Street
Barre, VT 05641

Email: patricia.martin@vermont.gov
Phone: 802.595.6959

Written complaints must be signed by the complainant. Complaints submitted by telephone or e-mail and unsigned written complaints must be followed by a complaint in writing, signed by the complainant or his/her representative within 10 business days of the initial verbal/electronic/unsigned complaint. Inquiries submitted by email are responded to and tracked. If the complainant requires assistance to submit a written document, a member of the AOT Office of Civil Rights Office will interview the complainant and assist the person in converting a verbal complaint to one in writing. This document must be signed by the complainant or his/her representative. Federal and state laws require that the complaint be filed within 180 days of the alleged incident of discrimination.

Once the complaint has been submitted in writing, the AOT will take the following steps to address the complaint:

1. The complaint will be logged on the AOT Title VI Complaint Log maintained by the AOT Office of Civil Rights, identifying the complainant's name, date of the incident, alleged harm, and pertinent demographic information about the complainant.
2. The AOT Title VI Coordinator will complete a Title VI Complaint Form (see page 29).
3. Essential information on the form includes the following:
 - a. Date of the incident that is the subject of the complaint;
 - b. Time of the incident;
 - c. Location of the incident; and

- d. Circumstances of the incident in as much detail as is available, including description of the issues and the names and job titles of those individuals perceived as parties in the complaint.
4. The completed form, along with the initial complaint letter and a summary of any other communication, will be submitted to the FHWA Vermont Division Office for ultimate submission to FHWA Headquarters Office of Civil Rights (HCR) in Washington, DC.
5. FHWA HCR decides whether to accept, dismiss, or transfer the complaint. When FHWA HCR decides whether to accept, dismiss, or transfer the complaint, FHWA HCR will notify the complainant, FHWA Vermont Division Office, AOT, and the subrecipient (where applicable). There are four potential outcomes for processing complaints:

Accept: If a complaint is timely filed, contains sufficient information to support a claim under Title VI, and concerns matters under FHWA's jurisdiction, then HCR will send to the complainant, AOT, 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 HCR 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 timely filed, is not in writing and signed, or features other procedural/practical defects, then FHWA HCR will send the complainant, AOT, 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 HCR will either dismiss the complaint or refer it to another agency that does have jurisdiction. If FHWA HCR dismisses the complaint, it will send the complainant, AOT, 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.

6. A complaint may be dismissed for the following reasons:
 - a. More than 180 days passed between the alleged incident and the filing of the initial complaint.
 - b. The allegation does not involve a basis covered under Title VI, such as race, color, national origin, age, gender, LEP, or disability.
 - c. The allegation does not involve the AOT or one of its subrecipients of federal funds.
 - d. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
 - e. The complainant cannot be located after reasonable attempts.

7. FHWA HCR is responsible for conducting all investigations of State Departments of Transportation and other primary Recipients. In the case of a complaint filed against a subrecipient, FHWA HCR may either conduct the investigation itself, or it may delegate the investigation to the primary Recipient State DOT. If HCR chooses to delegate the investigation of a subrecipient, HCR will communicate its acceptance of the complaint to the complainant and respondent, but AOT Title VI Coordinator will conduct all data requests, interviews, and analysis.

If the investigation is being conducted by the AOT Title VI Coordinator/Office of Civil Rights, it must be completed within 60 days of receipt of it being delegated from FHWA.

If FHWA HCR is conducting the investigation, there is no regulatory timeframe, but FHWA strives to complete all tasks with 180 days from the date of acceptance.

8. If the investigation is conducted by the AOT Title VI Coordinator, the Title VI Coordinator will create a Report of Investigation (ROI), which will be sent to FHWA HCR. HCR will review the ROI and compose a Letter of Finding based on the ROI.



Vermont Agency of Transportation

Title VI Program Complaint Form

Type of Complaint:

Basis of Complaint:

_____ External (from citizen/rider/contractor)

___ Race

_____ Internal (from staff/employee)

___ Color

___ National Origin

Name of person filing complaint: _____ Phone: _____

Address: _____

Date of Report: _____ Date of Incident: _____ Time of Incident: _____

Location of Incident: _____

Circumstances of Incident and Names/Titles of Other Involved Parties: _____

Alleged Harm: _____

Title VI Related? Yes _____ Maybe _____ No _____ (if in doubt, check "maybe")

Name and contact information of witnesses or other relevant parties: _____

Name of Person Taking Report Information: _____

Title VI Coordinators Section

Discussion with reporting person - Date: _____ Time: _____

Details of discussion: _____

Discussion(s) with involved AOT employees:

Name: _____ Date: _____ Time: _____

Details of discussion: _____

Name: _____ Date: _____ Time: _____

Details of discussion: _____

Other action/follow up required (i.e., information gathering, investigation, interviews): _____

Signature of Title VI Coordinator: _____

X. DISSEMINATION OF TITLE VI INFORMATION

The AOT Public Participation Plan

Public participation is an essential component of the planning process. From short-term service changes to long-range vision documents and investment strategies, input from the public about policies and services that affect them is critical to their successful implementation. AOT conducts ongoing planning activities as well as periodic programming and planning projects. Each of these has a public participation component as described below.

Ongoing Planning Efforts

Transportation Planning Initiative

The AOT has a consultative planning and public outreach relationship statewide through the TPI. Regional Transportation Planning Coordinators carry out the TPI in working partnership with the ten non-metropolitan Regional Planning Commissions (RPCs) of the state and the Chittenden County Regional Planning Commission (CCRPC), Vermont's only Metropolitan Planning Organization. The AOT's Planning Coordinators work directly with these regional commissions to solicit local input, identify community needs, hold public meetings, develop regional transportation plans and transportation improvement programs, and provide planning capacity and expertise on an ongoing basis. In addition, the Coordinators play a key role in the AOT's public outreach efforts, working collaboratively with the RPCs and other state agencies, Agency program managers, and an array of public and private organizations to inform the public on important transportation issues, programs, projects, planning activities, and to facilitate the flow of accurate planning information impacting the local population during the planning process.

The State Transportation Improvement Program

Each year, the AOT adopts a State Transportation Improvement Program (STIP). The STIP is a three-year, financially constrained plan for obligation of Federal transportation funds. It is closely linked to, and must be consistent with, a five-year capital budget for expenditures, forwarded by the AOT to the Vermont Legislature annually. Public involvement in the development of the STIP is achieved in a number of ways.

- a. Once each year during June and July, or as soon as possible thereafter following adjournment of the legislature, the AOT, in cooperation with the regional planning commissions, holds a public meeting to solicit public comment on the STIP. Accommodation will be made for members of the public who request it, including translation services for LEP persons. The public meetings discuss:
 - i. needed amendments to the current year's STIP, arising either from legislative action or from other causes;
 - ii. input and comment on the coming year's STIP. In addition to soliciting comment from the general public, notice for this meeting also solicits comment from affected public agencies, affected public jurisdictions, employee representatives of the AOT (including the Title VI coordinator of the Civil Rights Section) and other affected agencies, private transportation providers, and public transportation providers. Two weeks prior to the meeting, the draft STIP is printed and a public notice about its availability is issued statewide. The notice provides information on how copies of the draft STIP may be obtained, solicits

comments on the draft STIP, and provides a schedule for the public meetings. Written comments on the draft STIP are accepted for two weeks following the public meeting. All comments are carefully considered in the development of the final STIP. After publication of the final STIP, documentation on how comments were explicitly addressed is available to the public upon request.

- b. If necessary, each year during November or December, or otherwise as necessary, any major changes to the STIP will be made using a public involvement process similar to that found in part (a), above. Major changes shall consist of the addition of new large projects (over \$2,000,000) to the STIP, or cumulative changes which would drop a large project out of the STIP. The process shall be the same as found above, excepting that one meeting will be held in a suitable central location and comments will be accepted for three days after the meeting. Affected regional planning commissions will be notified directly in writing of proposed major STIP changes one week prior to the meeting.

The Long-Range Transportation Plan

The AOT prepares a Long-Range Transportation Plan, updated at intervals of no more than five years. Public involvement efforts related to this will include questionnaires regarding transportation issues, distributed to a statistically valid sample of Vermont residents to assure both demographic and geographic coverage; a number of regional meetings to be held in cooperation with the ongoing regional transportation planning effort; and an overall project Steering Committee containing representation from a diverse spectrum of Vermont residents and interests. The AOT will seek to include representatives from organizations advocating for minorities, immigrants, and low-income Vermonters on the Steering Committee.

Public Transit Policy Plan

The AOT last updated the [Public Transit Policy Plan in 2020](#). This document incorporated the federally required Human Service Transportation Coordination Plan. This project included extensive public outreach with eleven regional forums, two interactive online surveys with more than 3,300 total responses, stakeholder interviews, and numerous presentations to regional and statewide committees.

Other Planning Efforts

The AOT conducts other periodic statewide planning efforts related to transportation and DMV services. Separate public involvement plans are developed for each of these planning projects in cooperation with contractors who perform the studies. An example of a public involvement plan is the [Diverging Diamond Plan](#).

Public Outreach Plan

The AOT published its comprehensive [Public Involvement Guide](#) in June 2017.

The Guide has four main sections and 13 appendices:

1. Quick Guide: Outreach by Project Phase
2. Why Does Outreach Matter?
3. Preparing for Outreach
4. Engaging the Public

Chapters 2 and 4 have sections that deal specifically with Title VI-related issues and groups. Section 2.2 lays out the federal laws and regulations that affect outreach, including Title VI and Environmental Justice. This section contains the following statement:

Title VI should be considered throughout the planning, project development, and environmental review process. As with all project development issues, early identification of Title VI concerns increases the likelihood of successful resolution. All AOT staff should be proactive in identifying and addressing possible Title VI issues, and the AOT Civil Rights specialists should be actively engaged to provide input on areas of potential concern.

Section 4.1 provides specific guidance on preparations for public meetings and states the following:

Ensure that special efforts are made and documented relative to the involvement of minority and low-income communities and that appropriate Title VI language is used in all letters and public notices. Consult with Civil Rights staff for more information.

The document also includes the maps of Title VI-protected groups and linguistically isolated individuals. As this guide is disseminated and put into effect, public outreach efforts in the state should become yet more inclusionary and compliant with federal regulations.

Transportation Equity Framework

As described on [the Equity Page](#) within the AOT website, and in [Section XIV](#), the AOT has been working since 2021 on a Transportation Equity Framework. In response to executive orders from the Biden administration (EO 14008 and EO 13895), the Vermont Legislature directed the AOT “to undertake a comprehensive analysis of the AOT’s existing transportation practices and develop an equity framework to guide all future activities.”

Project documents define a Transportation Equity Framework as follows:

A Transportation Equity Framework is a tool to help decision makers plan for and prioritize projects, ensure accurate representation in decision making, and enhance the equitable delivery of services. The framework helps answer questions like:

- Who may not be meeting their needs due to current inequities in the transportation system?
- What projects or programs are needed to make our transportation system more equitable?
- Which projects or programs should be funded and in what order?
- How are all individuals involved in the decision-making process and how are their voices and concerns heard?
- How can services and the delivery of the AOT’s work be carried out in a respectful, equitable, and fair manner that respects our differences and elevates those already underserved and overburdened?

The report is close to completion and is expected to be published online and widely disseminated in September 2023, after which the AOT will begin implementing comprehensive, prioritized action steps to fundamentally change the process for how transportation investments and services are carried out throughout the state. Pending publication, drafts of the [Stakeholder and Public Involvement Chapter](#) and a [Gaps and Needs Analysis](#) study have been completed and published, as well as an [online mapping tool](#) that has been made available so that all stakeholders can understand the spatial distribution of Title VI-protected populations. The [online mapping tool](#) was produced by the AOT’s mapping staff for use by anyone interested in

learning where vulnerable populations are located in Vermont as we work toward better outcomes for all Vermonters.

The Transportation Equity Framework can be understood as a positive extension of Title VI in that not only is discrimination against minorities, foreign-born people and low-income people prohibited, but future investments should be directed to rectify past discrimination and inequities and ensure that representation in decision making leads to a more equitable transportation system in the future.

Measures to Ensure Minority, Low-Income and LEP Participation

As the AOT benefits and services are perhaps disproportionately relevant to the daily lives of Title VI-protected groups and low-income Vermonters, the AOT will ensure that groups that represent these populations are included in these outreach efforts and that representatives of these organizations are invited to participate in project steering committees.

All public meetings held as part of this community involvement process will be properly noticed in accordance with the requirements of Title VI of the Civil Rights Act of 1964 and the Vermont Public Meeting Law (Vermont Title 1, section 310 et seq., as annotated), including public announcement of all meetings at least 24 hours before the meeting. Notes are taken at all meetings so that members of the public are not required to submit written comments in order to have their opinions recorded.

The AOT and the regional planning commissions maintain contact with organizations that represent the interests of low-income, immigrant, and minority groups and notify them of upcoming community outreach activities. Many of these organizations are concentrated in Chittenden County, due to the large percentage of Vermont's BIPOC and New American communities that live there.

Meeting times and locations are designed to maximize accessibility for low-income and disadvantaged groups. A mix of daytime and early evening meetings are scheduled and transit access to the meeting is guaranteed, including an extension of service span, if necessary, to provide rides home at the end of the meeting.

In FY24 and beyond, the AOT will continue to encourage the participation of Title VI-protected groups in public outreach and community participation activities. Notices for public meetings will include a statement in Spanish and French that translation services languages are available upon request and a telephone number for more information about the meeting. In Chittenden County, the same statements will also be included in Nepali, Arabic, Ukrainian, Serbo-Croatian, Chinese, and Vietnamese. "I Speak" cards will be made available at all public meetings.

At least two weeks, but preferably one month prior to any public meeting held by the AOT for a statewide planning effort, the project manager will contact organizations representing low-income, minority and LEP individuals in the region where the meeting will be held. The project manager will discuss specific steps to encourage participation by these Title VI-protected groups.

The AOT will contact representative organizations in their service area at least two weeks and preferably one month in advance of any public meetings or hearings being held regarding service changes or any other planning efforts. The AOT will maintain a master list of these organizations statewide and communicate these to the providers. The AOT will also coordinate with the regional planning commissions through the TPI, to ensure outreach to Title VI-protected groups.

Upon the completion of the Transportation Equity Framework, these measures may be amended to incorporate recommendations of that project that go beyond what is stated here.

The AOT Office of Civil Rights verifies that the meeting locations for the AOT planning projects are in locations that are conveniently situated with respect to minority and low-income populations within each region.

The following federal initiatives impact how the AOT will increase public participation. On June 6, 2023, the USDOT requested public comment on their [Equity Action Plan](#) with four key focus areas – wealth creation, power of community, interventions, and expanding access in response to [Executive Order 13985: Advancing Racial Equity and Support for Underserved Communities Through the Federal Government](#). One key focus area, “Power of Community” includes agency review of any discriminatory impact of project milestones before awarding federal funds. The goal is to increase community voice in decision-making when transportation decisions affect them expanding access to all communities including the underserved. Additionally, the Biden Administration passed [Executive Order 14008: Tackling the Climate Crisis at Home and Abroad](#) creating the [Justice40 Initiative](#) to increase affordable transportation options and connect Americans to jobs, to resources, increasing the quality of community life and fighting climate change.

The following resources assist the AOT in ensuring meaningful access to all programs, services, activities, and benefits of federal assistance to the Limited English Proficient (LEP) populations, communities, and groups within Vermont. Further recommendations for making all state services accessible for LEP, as mentioned in [Section XIV](#), were published by the Office of Racial Equity in their [2023 Language Access Report](#).

[Propio Language Services](#), includes on-demand American Sign Language (ASL) interpretation via video call on their Propio-One application that can be used on any mobile device. Propio’s service provides translation for over [350+ languages](#).

[Vancro ASL Interpreting Services](#) continues as the service provider for in-person meetings including ASL and Tactile American Sign Language.

[Association of Africans Living in Vermont \(AALV\) Interpreter Services](#) provides in-person interpretation for over 20 languages.

XI. ACCESS TO SERVICES BY PERSONS WITH LEP

Introduction

On Aug. 11, 2000, President Clinton signed Executive Order 13166: Improving Access to Service for Persons with LEP, to clarify Title VI of the Civil Rights Act of 1964. The executive order was issued to ensure accessibility to programs and services to otherwise eligible individuals not proficient in the English language. The executive order stated that individuals with a limited ability to read, write, speak, and understand English are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit, or encounter. These individuals are referred to as being limited in their ability to speak, read, write, or understand English, hence the designation, “LEP,” or Limited English Proficient.

The USDOT published “Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficiency” in the Dec. 14, 2005, Federal Register. The guidance explicitly identifies state agencies such as the AOT organizations required to follow Executive Order 13166.

The guidance applies to all DOT funding recipients, which include state departments of transportation, state motor vehicle administrations, airport operators, metropolitan planning organizations, and regional, state, and local

transit operators, among many others. Coverage extends to a recipient's entire program or activity; i.e., to all parts of a recipient's operations.

To meet Title VI and LEP requirements of the FTA and FHWA, the AOT will evaluate, on a continuing basis, activities that would be appropriate for compliance with LEP requirements.

A. Four Factor Analysis

The USDOT guidance outlines four factors' recipients should apply to the various kinds of contacts they have with the public to assess language needs and decide what reasonable steps they should take to ensure meaningful access for LEP persons:

1. The number and proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.
2. The frequency with which LEP individuals come in contact with the program.
3. The nature and importance of the program, activity, or service provided by the recipient to the LEP community.
4. The resources available to the AOT and overall cost.

Factor 1 – Prevalence of LEP Persons

According to the 2017-2021 American Community Survey, 7,705 residents of the state of Vermont ages five or older spoke English less than very well, representing 1.26% of the population. The largest language-group among these LEP persons was French with 1,570 LEP individuals, reflecting French-Canadians who are most-commonly represented in rural areas across the northern tier of Vermont. Other Indic Language speakers were the second largest group, with 1,205 LEP individuals, reflecting the large influx of Bhutanese refugees into the Burlington metropolitan area over the past 15 years. Spanish speakers were the third largest group, with 1,200 LEP individuals. Many of the Spanish speakers are migrant farmworkers in the rural areas of the state. The only other language group with more than 500 individuals is Chinese, with 737. Maps and tables presented below show the number and percentages of LEP persons by tract for all languages combined, and then by tract for each of the top four languages with LEP. Other efforts to identify LEP persons besides the use of Census data are described below.

Within the realm of public transportation, the AOT interacts with LEP persons in two primary ways. In terms of direct experience, the AOT may come in contact with LEP individuals at public meetings or public hearings associated with planning efforts. The AOT has two primary periodic planning efforts wholly within or related to public transportation that entail public review and comment:

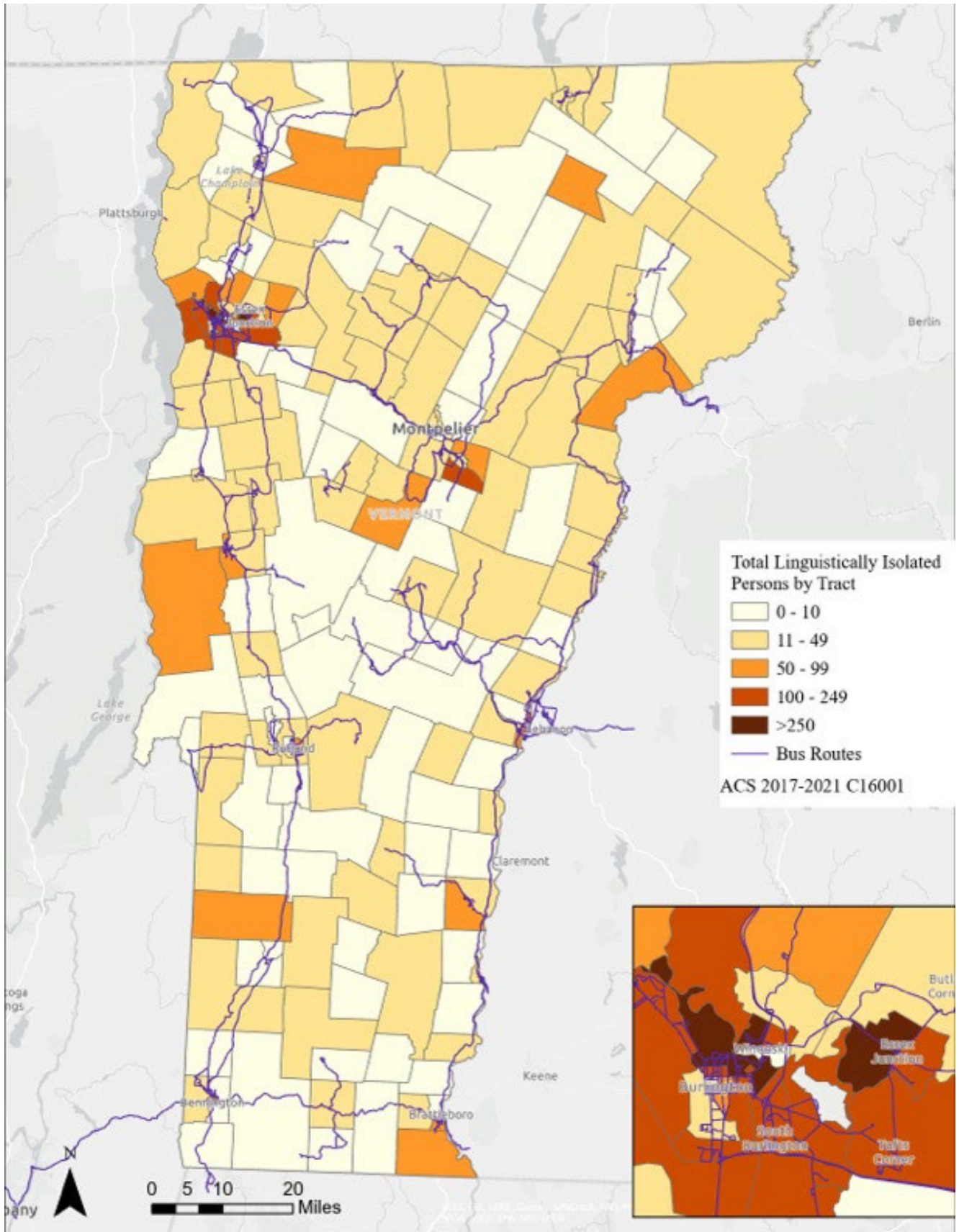
- Long Range Transportation Business Plan
- Public Transit Policy Plan/Human Service Transportation Coordination Plan

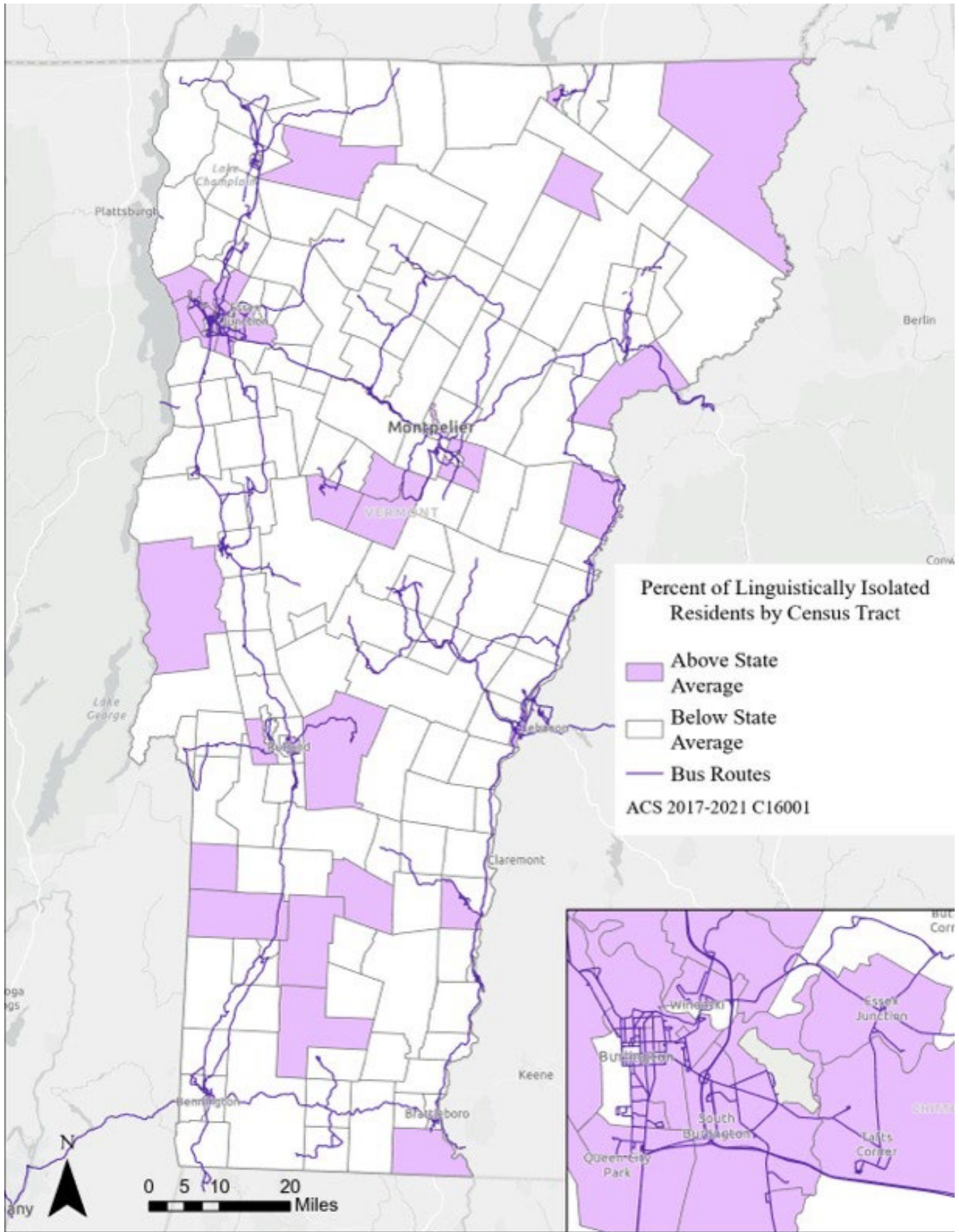
At public meetings for these projects, it is incumbent upon the AOT to provide a means for LEP individuals to participate in a meaningful way. In advertising the meetings, the AOT indicates that translation services are available upon request. Given the very low prevalence of LEP individuals, this service has not been requested at a meeting in the past three years. For projects located in an area with a higher prevalence of LEP persons—central Chittenden County—the AOT and the CCRPC (if applicable) also collaborate with community organizations representing immigrant populations to encourage participation and facilitate communication.

Other than these outreach efforts, there is little reason for the general public to contact the AOT directly about public transportation issues. Thus, the other primary form of interaction of LEP individuals with the AOT is through subrecipients. The seven public transit providers in Vermont have more direct contact with LEP persons than the AOT, though the degree of

interaction varies across the state. It is the responsibility of the providers—which include one transit authority, one transit district, and five private non-profit agencies—to deploy the resources necessary to ensure that LEP individuals have fair access to the available services. However, it is the AOT’s responsibility to monitor the efforts of the providers and ensure compliance with Executive Order 13166.

The maps presented on pages 15-16 illustrate where LEP individuals reside in the state of Vermont. The maps use Census tracts and are based on 2017-2021 American Community Survey data, the most recent available at the tract level. The first map shows the number of individuals by tract who speak English “less than very well.” In 35 of the 192 Census tracts in Vermont, there are zero people who are “linguistically isolated” (i.e., speaking English less than very well). In another 37 tracts, there are between one and ten linguistically isolated individuals. The LEP guidance from the USDOT indicates lower requirements for recipients that serve “very few” LEP individuals. In total, 154 of Vermont’s 192 tracts (80%) have fewer than 50 LEP individuals. There were only eight tracts with 200 or more LEP individuals; all of these were in Chittenden County. The second map shows tracts where the percentage of LEP individuals is higher than the 2017-2021 statewide average of 1.26%; i.e., “concentrations” of LEP individuals.





It is clear from the data, as well as from the experience of the transit providers, that LEP is not a widespread issue in Vermont. Outside of the core of Chittenden County, there are only two tracts where there are 100 or more people who don't speak English very well: one in Barre Town and one in the center of Bennington. Note that the Census data do not reflect recent influxes of refugees from Afghanistan (2021-2022) or Ukraine (2022-2023).

The next step in the analysis was to consider specific language groups and where there are concentrations of individuals who do not speak English well. In the maps above, it can be seen that at the tract level, other than in the core of Chittenden County, the numbers of people who do not speak English well are small. When these groups are broken down further into specific languages, the numbers become even smaller.

The maps on the pages 43-50 display the number of persons who speak English "less than very well" and whose primary language is French, Spanish, Other Indo-European Languages, Chinese, Other Asian and Pacific Islander (primarily Burmese), Russian/Polish/Slavic, Vietnamese, and Korean. Statewide, these are the only languages (besides "Other and Unspecified") that have more than 100 individuals who speak English "less than very well."

On the French map (1,619 total linguistic isolates), the highest numbers of linguistic isolates are in the center of Chittenden County and Barre Town. A pattern in prior Title VI patterns of a high incidence of French speakers among the northern tier has dissipated to some extent, as these tracts in northern Essex County and Orleans County now have between 20 and 35 linguistic isolates whereas in previous data sets had more than 40. This trend could represent older residents with ties to Quebec passing on in the intervening years. The higher numbers in Barre and the Burlington area likely reflect recent immigration from Haiti rather than legacy ties to Quebec. Indeed, the highest absolute numbers and highest percentages of French speakers are in the South End of Burlington, the southern part of Barre Town and the eastern part of South Burlington.

Compared to prior Census data, LEP individuals who speak Spanish are spread over a wider area with fewer concentrations. In 2015, there were three tracts with percentages well over two percent, but in the current data, only Tract 104 in Franklin County crosses that threshold at 2.07%. The highest absolute number in any tract is 72, in the Old North End of Burlington. Concentrations in prior analyses were attributed to migrant farmworkers. It is possible that there were fewer such farmworkers during the pandemic.

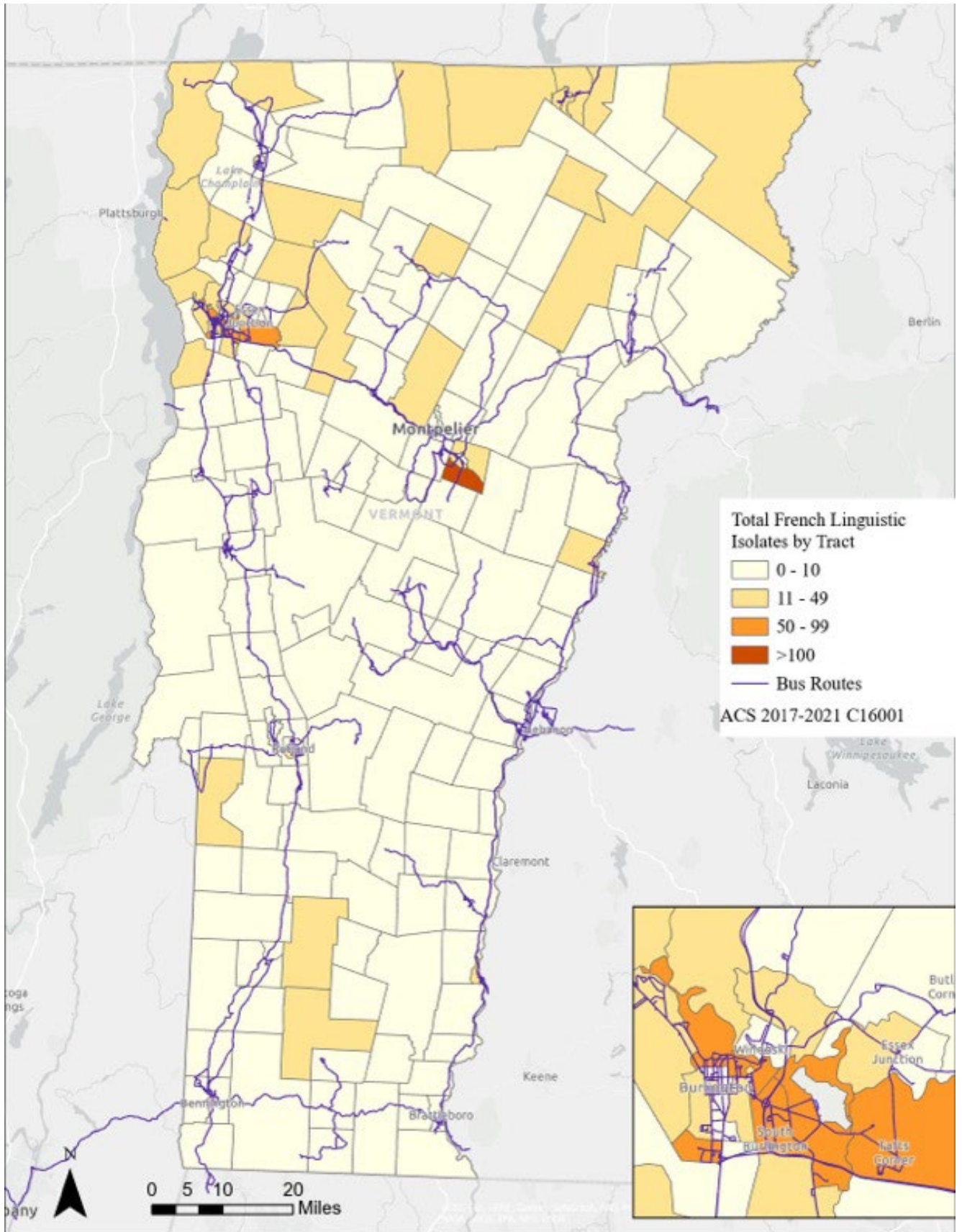
Other Indo-European Languages, spoken by 1,748 linguistically isolated individuals, mostly comprises Nepali, Marathi, or other Indic languages (1,205 of the 1,748) reflecting the many refugees from Bhutan that settled in Chittenden County from 2008 to 2017 (see Factor 2 below). The great majority of these individuals are located in the core of Chittenden County, in Winooski, the western part of Essex Junction and the Intervale neighborhood of Burlington. The percentages of total population in these tracts range from 3.7% in the Intervale to 11.4% in the western part of Winooski. The central part of Bennington has 103 linguistic isolates in this language group (2.45% of the population), but the Census data do not provide more detailed information on which specific language is spoken by these individuals.

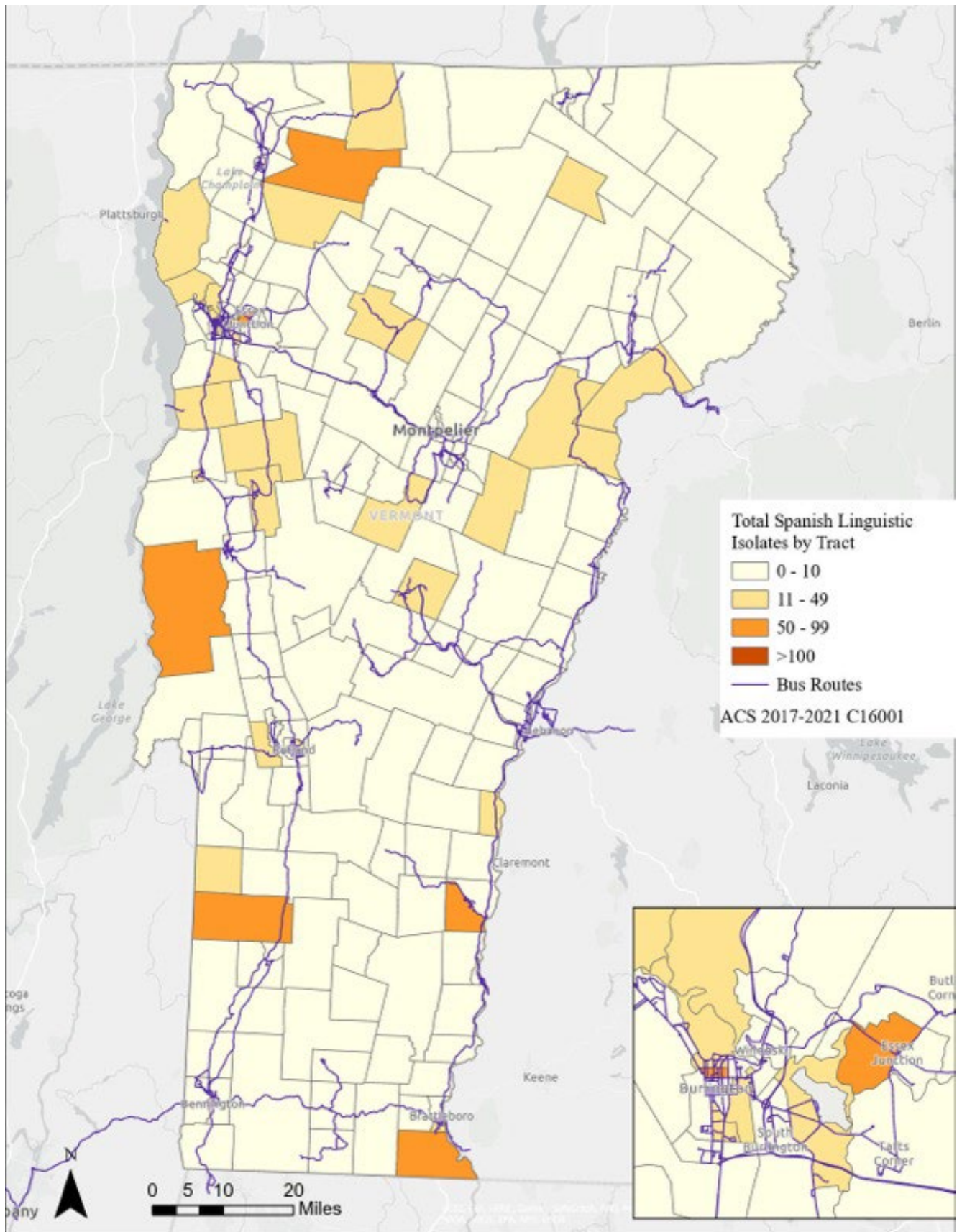
On the Chinese map (737 total linguistic isolates), it can be seen that linguistically isolated Chinese speakers are clustered almost exclusively in tracts in Chittenden County. Earlier data sets showed a wider distribution. The highest concentrations are in the Route 116 corridor in South Burlington, the northern part of Williston, and the portion of Burlington containing UVM.

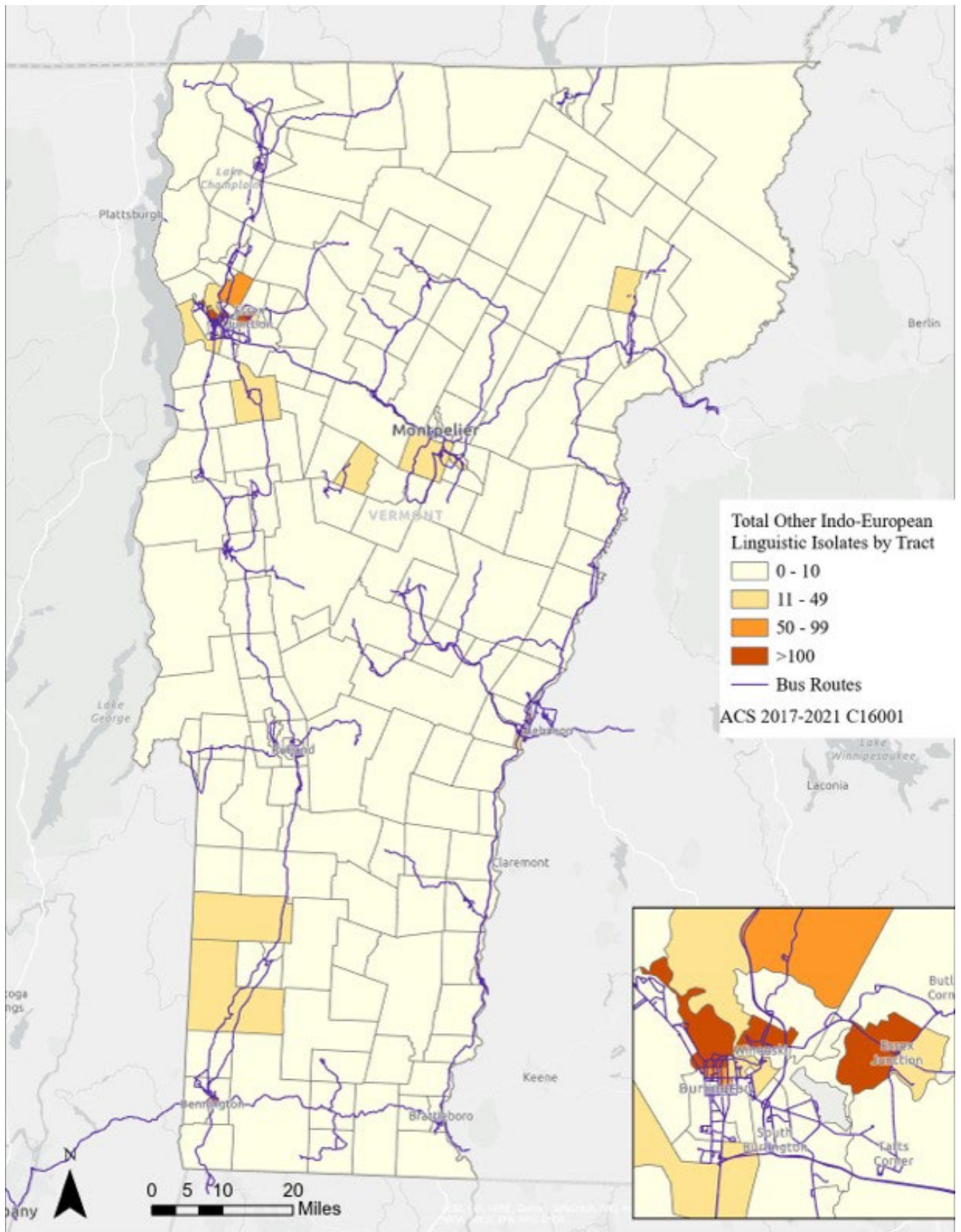
Other Asian and Pacific Islander languages reflect primarily Burmese refugees who have settled in Chittenden County. There are scattered other tracts in St. Johnsbury, Hartford, Guilford, and Northfield where there are clusters of speakers of these languages.

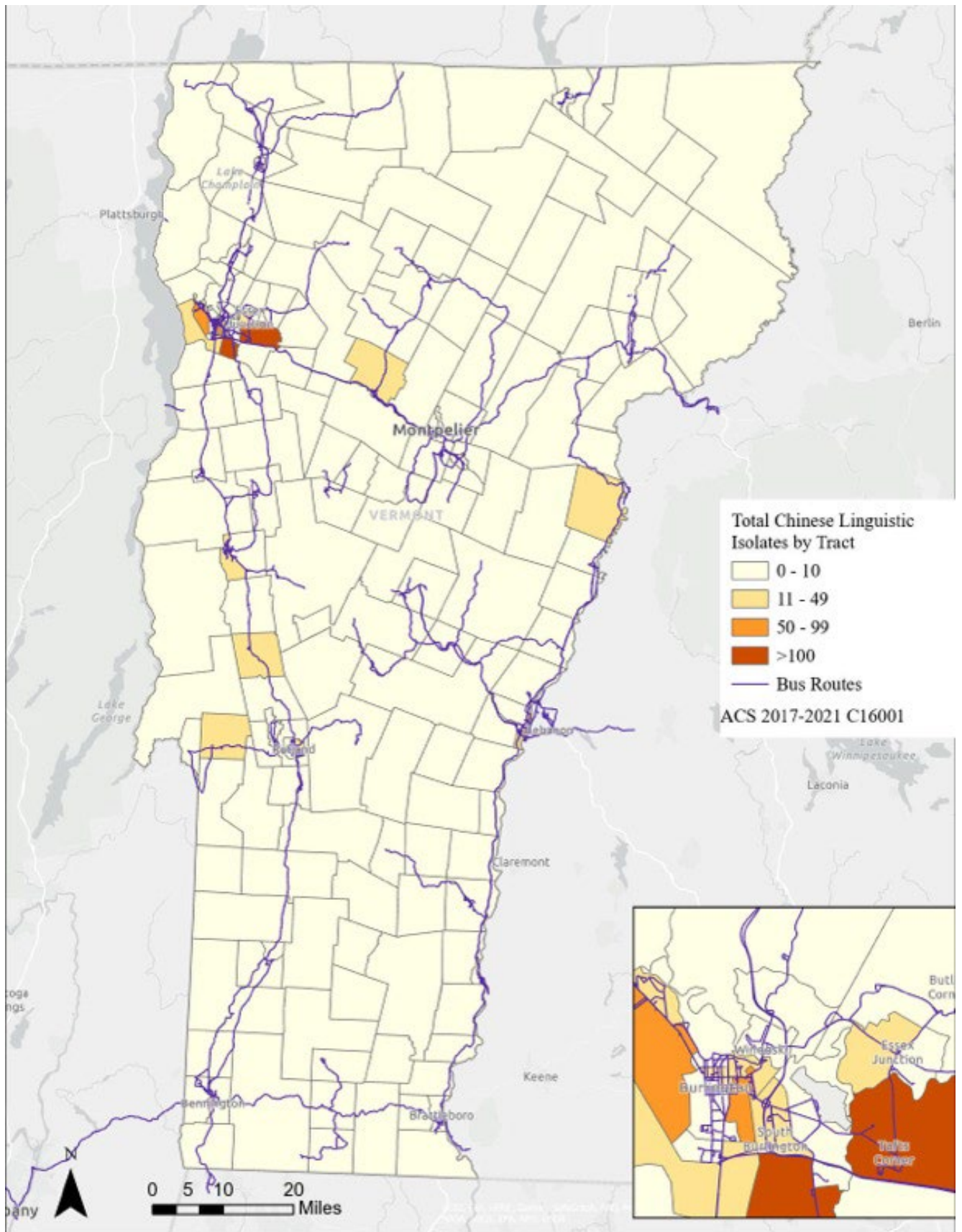
Speakers of Slavic languages also reflect an influx of refugees, this time Bosnians who speak Serbo-Croatian and arrived in Chittenden County more than a decade ago. There are other tracts as well, including Middlebury, Rutland, Northfield, Barre, and Newbury, among others.

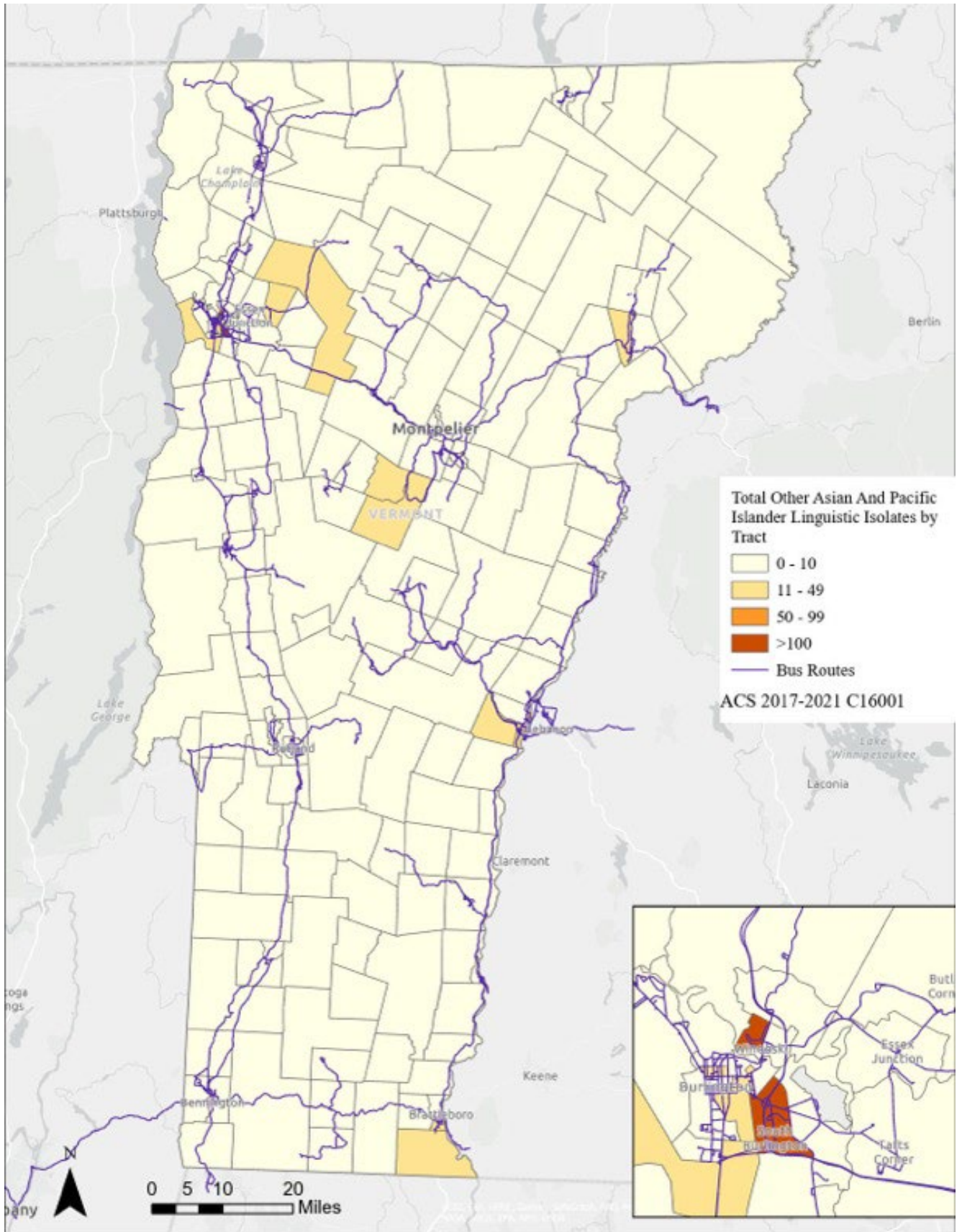
Vietnamese and Korean have relatively fewer speakers in Vermont, with fewer than 200 speaking English less than very well. Vietnamese speakers are almost exclusively in the New North End of Burlington, as well as some in Essex Junction. Tracts with Korean speakers are spread over the state, with no significant clusters visible.

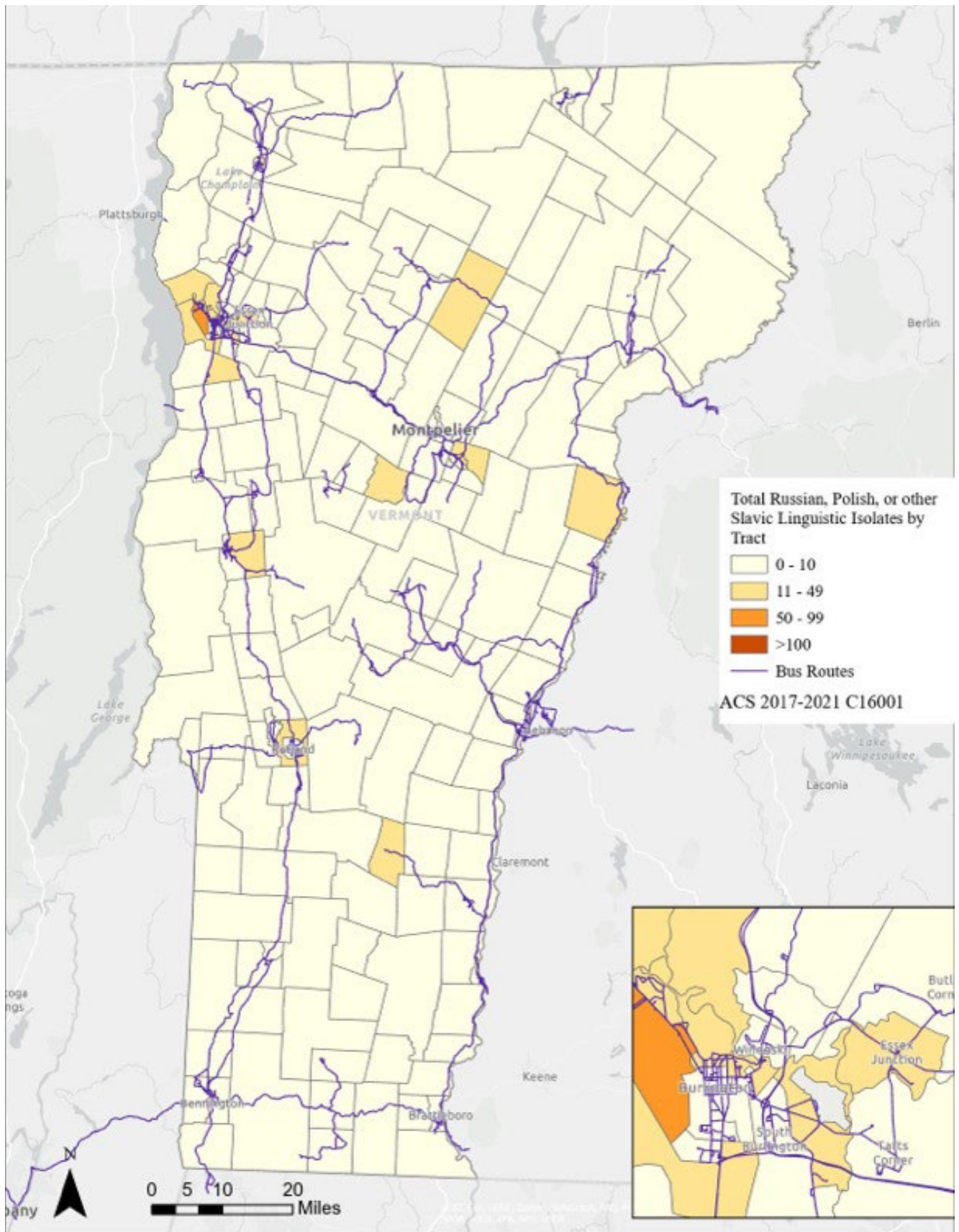


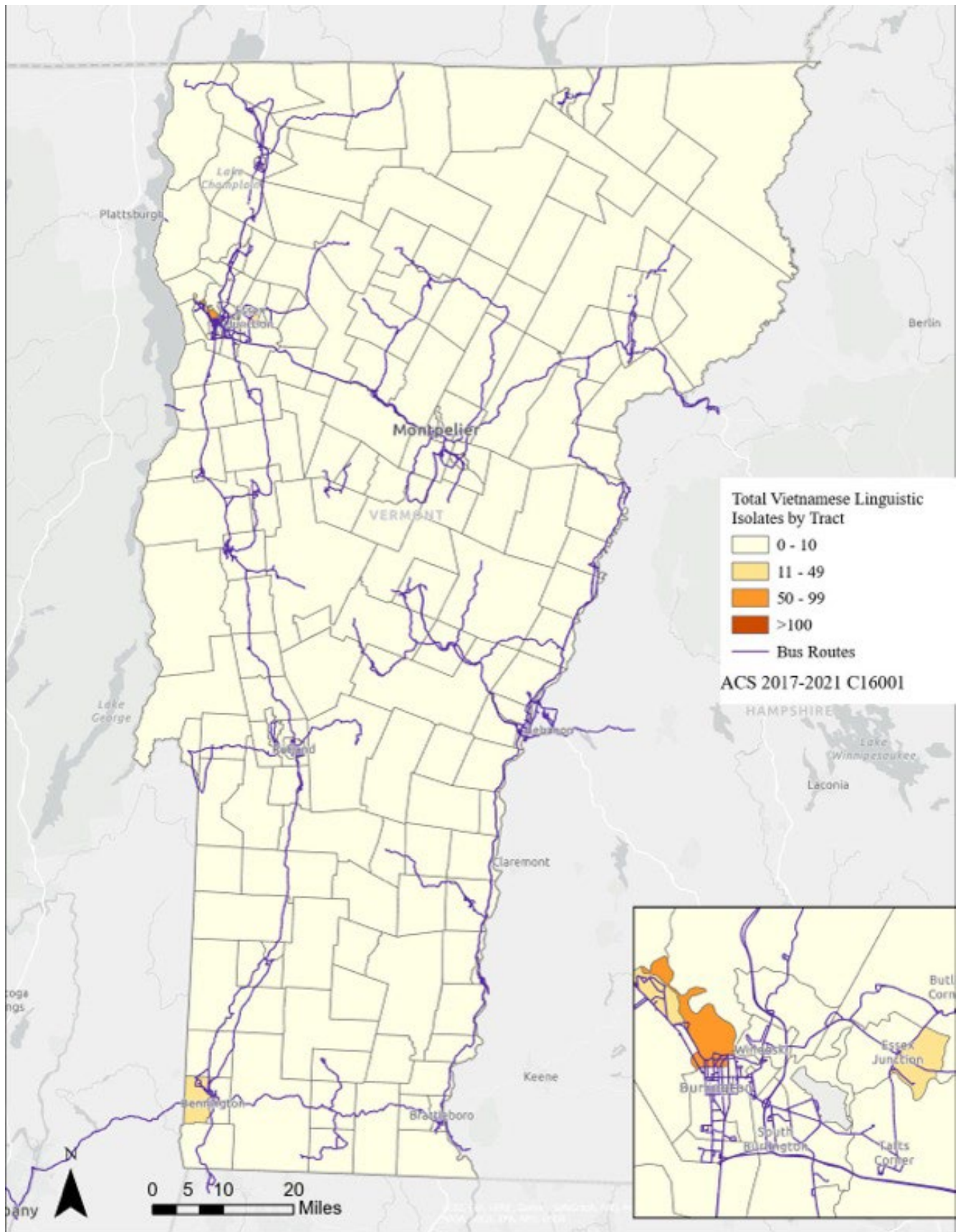


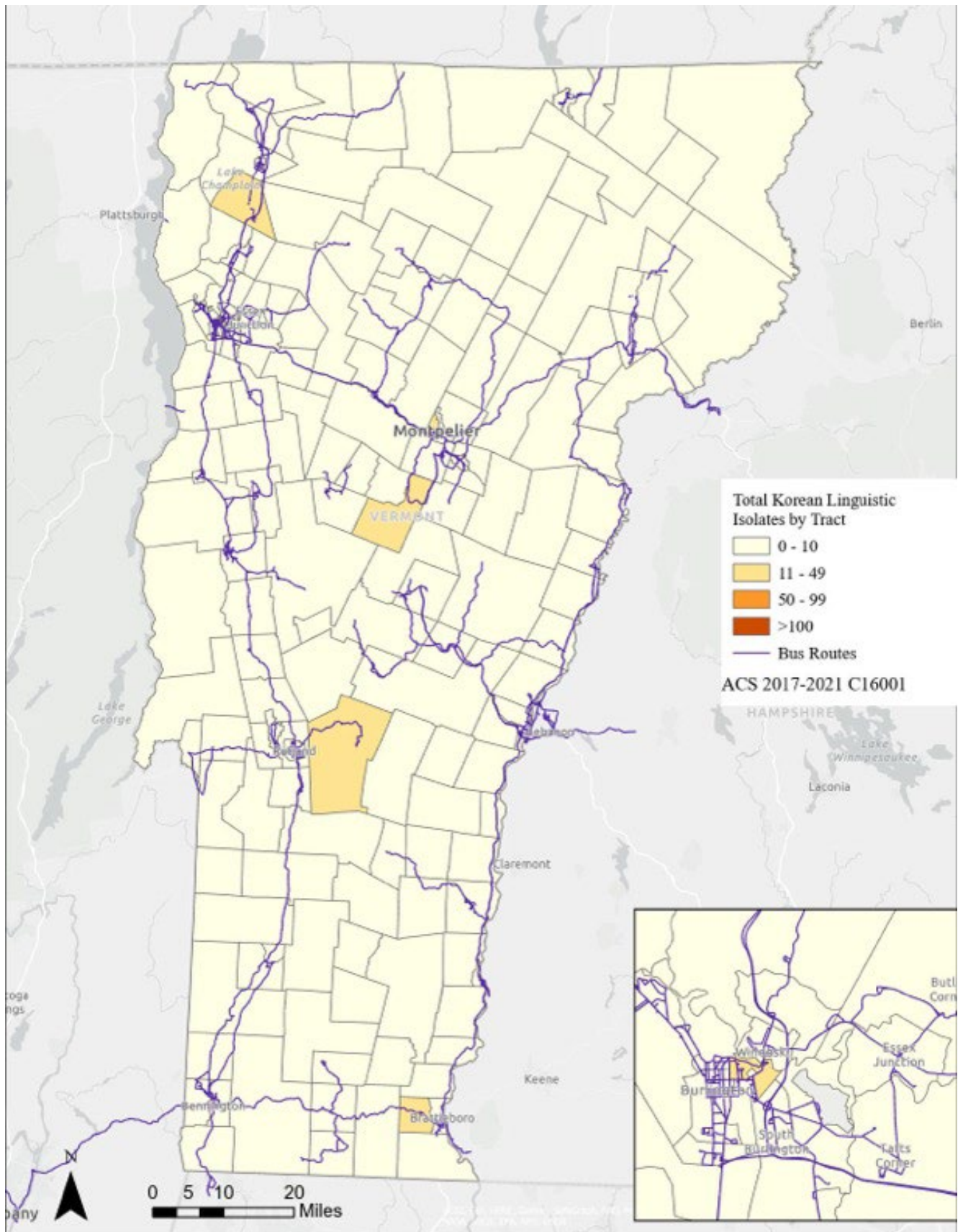












There are three tracts in Chittenden County where linguistic isolates in one language surpass 5% of the population. These cases involve refugees from Bhutan and Burma in Tract 24, and additional Bhutanese refugees in Tract 25.01 and Tract 26.01.

At the statewide level, French, Nepali and Spanish have more than 1,000 individuals, but as stated above, the French speakers are spread across the entire northern tier of the state with some newer concentrations in Chittenden County, and Spanish speakers are spread among many tracts. Refugees from Bhutan who speak Nepali are more concentrated and outreach activities in the central part of Chittenden County should always include outreach and accommodation of this population.

On the occasions when the AOT holds public meetings on statewide projects, it offers translation services upon request (see below for more information). It would not be an effective use of resources to prepare all vital documents in Spanish and French without a direct request to do so from one or more individuals. If, in the future, there are requests for statewide documents to be translated into French or Spanish (or other languages), the AOT will honor those requests either by providing the written translation or contacting those individuals to provide oral translation services to answer their questions.

Factor 2 – Frequency of Contact with LEP Persons

As indicated in discussion of Factor 1, the AOT is most likely to have direct contact with LEP individuals at public meetings associated with public transportation planning efforts where the AOT operates no transit service. The AOT staff does handle occasional phone calls and e-mails from the public for its vanpool/rideshare program, Go Vermont, though its contractor, Commute with Enterprise, handles most of the public interaction. Though in ten years there have been no LEP people calling in to use this service, on call translation via telephone is available if anyone should do so.

Factor 3 – Importance to LEP Persons of Program, Activities and Services

Many LEP persons, at least in the short term, rely on public transportation for mobility. The seven public transit providers are responsible for ensuring that LEP individuals are not hindered from using local transit systems because of the inability to speak English well. The AOT must ensure through its oversight activities that the providers are upholding this responsibility.

In addition, as the state transportation agency responsible for coordinating the statewide transportation planning process, the AOT must make sure that all segments of the population, including LEP persons, have the opportunity to be involved with the planning process. The impact of proposed transportation investments on underserved and underrepresented population groups is part of the evaluation process. The AOT provides oversight and ensures in its own planning projects that LEP and other protected classes of persons are not overlooked.

In its ongoing communication with organizations representing immigrant and low-income populations, the AOT will make sure that the state and its subrecipients are carrying out these LEP responsibilities effectively. Within state government, the [State Refugee Office](#) within the AOT of Human Services coordinates relief and resettlement efforts. It works with the [US Committee on Refugees and Immigrants](#), the [Ethiopian Community Development Council](#) and the [Association of Africans Living in Vermont](#), three nonprofit agencies working to support refugees in Vermont. The table on the next page shows the number of refugee arrivals in Vermont by origin country over the past 25 years.

Factor 4 – Resources Available and Cost

Because of the very low incidence of LEP persons in Vermont overall, the cost to accommodate them has not been burdensome. The AOT provides in-person and telephone translation services

for all the AOT activities and the AOT subrecipients. It is not foreseen that the resources available or the cost of translation services will hinder the accommodation of the needs of Vermont's LEP population. See the [AOT Civil Rights Office LEP webpage](#) for more information.

B. Providing Language Assistance

The AOT provides oral and written translation; written interpretation and translation; and sign language, as requested, or as a result of an LEP analysis on any given project or projected program. The AOT will continue to examine its services and survey its employees and subrecipients to determine the extent of contact or the possibility of contact with LEP individuals as needed.

The State's Office of Racial Equity has published the [2023 Language Access Report](#), with more information and recommendations for making all state services accessible to Vermonters no matter their ability to speak and read English.

C. Providing Notice to LEP Persons

After LEP populations have been identified, strategies are developed to provide notice of a program, service, or activity, using appropriate media, including brochures (also in languages other than English). Community groups serving LEP populations are contacted, as well as schools, church groups, chambers of commerce, and other relevant entities.

D. Monitoring, Evaluating and Updating the Language Assistance Plan

Through monitoring news reports and communication with the State Refugee Office, the AOT stays abreast of changes in the composition of language access needs in Vermont. The AOT also works closely with its subrecipients, which have more direct interactions with immigrants, to update its information regarding LEP needs (see the following chart "[Summary of Vermont Refugee Resettlements 2012 – 2022](#)").

Summary of Vermont Refugee Resettlements 2012 - 2022

Country \ FFY	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Afghanistan											269
Bhutan	297	256	171	189	217	86	54				
Burma	42	17	24	7	4	5	3	15	4	2	2
Burundi				6	5	48		8		6	
Congo				1							
Dem. Rep. Congo		1	15	31	75		76	89	14	31	42
Eritrea		1	1								
Ethiopia						2					
Guatemala											3
Iran					3						
Iraq	10	18	47	20	1	18				5	
Nepal	1		2	3	1	2		1		3	
Rwanda		1									
Somalia		25	47	55	80	59		1	5		2
Sudan		3	10			1					33
Syria						14					
Ukraine											100
Total	350	322	317	312	386	235	133	114	23	47	451

Data provided by the [Refugee Processing Center of the US Department of State](#) and the Vermont State Refugee Office. Fiscal years begin on October 1 of the previous calendar year. Figures include refugees resettled by USCRI – Vermont and Ethiopian Community Development Council (Brattleboro) as well as humanitarian parolees from Afghanistan and Ukraine who are not officially refugees according to government definitions. The figures do not account for people who moved to or from Vermont after initial resettlement.

E. Training Staff and Others

All the AOT staff involved in public outreach and public involvement receive training on identifying LEP populations and providing LEP translation and interpretation. Subrecipients and the CCRPC must provide LEP services to be in compliance with Title VI and Executive Order 12898. Sub-recipient reviews are conducted to ensure compliance with this executive order.

Oversight of Subrecipients' LEP Programs

Each of the Regional Planning commissions, municipalities and towns which are subrecipients of FHWA funds has an LEP plan in place as part of its Title VI Program. The AOT requires that all subrecipients submit a Title VI Program at least every three years, and these programs must contain an LAP that is compliant with federal regulations. Validity of the LAP is part of the triennial reviews that the AOT conducts. The Regional Planning commissions, municipalities, and towns track interactions with LEP persons that result in not addressing the needs of that individual, whether it occurred in the field (on the bus) or in the course of contact with office staff (i.e., a reservation specialist or a front-desk employee answering questions in person or on the phone). The providers will also be responsible for maintaining contact with local organizations that represent immigrant populations to stay abreast of changes in the mix of languages in their service areas. Resources, language service providers and point-to-your-language poster are available via the [AOT Civil Rights Office LEP webpage](#).

XII. REVIEW OF STA DIRECTIVES

The Title VI Coordinator periodically reviews the AOT directives to determine if a given directive has Title VI implications. If it is determined to have Title VI implications, an analysis will be made on the impact of each program and coordinated with the Secretary if modifications are necessary.

XIII. COMPLIANCE AND ENFORCEMENT PROCEDURES

Deficiencies, Remedies, and Sanctions

The AOT may determine, after the completion of a pre-award or post-award desk audit review, compliance review, or compliance investigation, that a recipient is not in compliance with Title VI. Deficiencies can take the form of technical violations, such as failing to include an equal opportunity statement on a poster or filling out an assurance form incorrectly or, in the form of more serious, overt discriminatory practices that have the effect of denying equal access to program funds.

Noncompliance Procedures as Specified in 23 C.F.R. § 200.11

1. The Title VI Coordinator will forward the Deficiency Report with a cover letter to the subrecipient for corrective action.
2. The Title VI Coordinator will schedule a meeting or teleconference with the subrecipient, to be held no later than 30 days from the receipt of the Deficiency Report.
3. Subrecipients placed in deficiency status shall be given a reasonable time, not to exceed 90 days after receipt of the Deficiency Report and letter, to voluntarily correct deficiencies.
4. The Title VI Coordinator will seek cooperation from the subrecipient to correct deficiencies found during the review and will provide technical assistance and guidance needed to aid the subrecipient to comply voluntarily.
5. If voluntarily compliance is not possible, the case file and recommendation that the subrecipient be found in noncompliance is submitted to Chief of Civil Rights and Labor Compliance.
6. After review, the AOT will send recommendations to the Federal Highway Division Administrator. Should the Federal Highway Division Administrator's recommendations concur with the AOT's recommendations, the file is referred to the Office of the Secretary, USDOT for appropriate action in accordance with 49 C.F.R.

When Compliance Cannot be Achieved Voluntarily (49 C.F.R. § 21.13)

Referral to the Department of Justice for litigation in Federal court, these "other means" include administrative avenues such as:

Consulting with or seeking assistance from state or local agencies with nondiscrimination enforcement authority; Refusal to Grant or Termination of Funds: (49 C.F.R. § 21.13). In the event that compliance cannot be achieved, Title VI also provides one other sanction in the event that a state DOT may refuse to grant or may terminate funds after notice and an opportunity for a hearing. USDOT guidelines provide procedures for conducting fund termination or denial hearings. They also permit, in limited circumstances, a state DOT to defer action on an assistance application temporarily pending initiation and completion of the notice and hearing. Such temporary suspension of funds allows agencies to prevent the continuation of the alleged discrimination pending a final determination.

XIV. FY2023 TITLE VI ACCOMPLISHMENTS & BEST PRACTICES

Vermont made significant progress in FY23 on a number of critical Title VI initiatives. Three of them are highlighted in this section: [Vermont's Transportation Equity Framework Project](#), [Vermont's Online Mapping Tool](#), and Language Access and Translation Services, including the [2023 Language Access Report](#).

Transportation Equity Framework and Vermont's Online Mapping Tool

Beginning in FY22, AOT launched an 18-month project, in consultation with the State's 11 Regional Planning Commissions (RPCs), and with the assistance of a team of subject matter consultants, to develop a new transportation equity framework that will increase mobility options, address environmental justice considerations, and enhance public engagement and economic opportunities for communities that have been historically underserved and or underrepresented.

Transportation equity is necessary to ensure projects minimize burdens and maximize benefits for disadvantaged and marginalized populations. The Transportation Equity Framework advisory workgroup includes representation by Agency leadership at the DMV and all other Divisions of the AOT. This workgroup has been engaged in the evaluation of current policies and practices and the development of a new model for stakeholder and public involvement that will bring new voices to the table and elevate those previously marginalized or underrepresented in the planning process through direct community engagement and stakeholder interviews, conduct a gap analysis and needs assessment, develop new mapping tools using 2020 census data, and formulate recommendations and an implementation plan, including a draft report that will be delivered in August 2023 for stakeholder and public review and comment.

Pending publication of the report, the scope of this project can be viewed on [the Transportation Equity Framework webpage](#). This page also includes the draft of the [Stakeholder and Public Involvement Chapter](#), the [Gaps and Needs Analysis](#), and other project documents and tools including most notably a dynamic [online mapping tool](#) named the "AOT Transportation Equity Planning Tool," that provides the spatial distribution of Title VI populations. This tool was produced by the AOT's mapping staff for use by anyone interested in learning where vulnerable populations are located in Vermont as we work toward better outcomes for all Vermonters.

Language Access and Translation Services

In recent years, the AOT, including the DMV has responded to increased language access needs by developing and deploying a comprehensive range of in-person and electronic language access tools to best meet the language needs of Vermonters. Each DMV office has a "[Need an Interpreter/Please point to your language](#)" poster displayed so offering real-time interpreters via a three-way call with a qualified interpreter. There is no cost to utilize this service. Additionally, Vermonters can obtain [visor cards at any DMV office](#) to help drivers with hearing loss communicate with police officers. The AOT has provided their employees with translation services information, training, and resources via their [translation services and resources webpage](#).

During FY23, the DMV announced the addition of Ukrainian language Driver's Licenses and Non-Driver Identification forms to its list of available options. The DMV's continued efforts to expand language options are part of a larger initiative to provide accessible and equitable services to all residents of Vermont. By offering materials in multiple languages, the DMV aims

to reduce barriers and make essential services more accessible to non-native English speakers. In addition to Ukrainian, the DMV now offers [forms and tests](#) in Arabic, Bosnian/Serbian/Croatian, Burmese, Dari, French, Kirundi, Mandarin Chinese, Nepali, Pashto, Russian, Somali, Spanish, and Swahili

In FY2023, the Office of Racial Equity released the [2023 Language Access Report](#) providing recommendations for all Vermont state agencies to provide accessible services to Vermonters covering those that do not speak or read English (in addition to visually impaired/blind and hard of hearing/deaf Vermonters). These services are much needed as Vermont has seen a dramatic increase in the number of refugees and asylum seekers in recent years. 2022 marks the highest number of refugees seeking resettlement in the past ten years. In 2022, 369 humanitarian parolees from Afghanistan and Ukraine came to Vermont seeking refuge and resettlement. In addition, 83 additional refugees from Burma, Dem. Rep. Congo, Guatemala, Somalia, and Sudan also arrived in Vermont seeking refuge. The AOT's DMV has been proactive in its services and provides oral and written translation including American Sign Language (ASL) to accommodate these new additions to the state.

In addition to the dynamic [online mapping tool described above, during FY23, the AOT developed updated static maps using data](#) from the 2017-2021 American Community Survey from the US Census, in order to best identify LEP) and linguistically isolated populations in Vermont.

The [Summary of Vermont Refugee Resettlements table](#) from Federal Fiscal Year 2012 to 2022, provides detailed historical data for refugee resettlements over ten years.

ADA Compliance Training

AOT Office of Civil Rights Staff in collaboration with the Federal Highway Administration's Vermont Division held an ADA Compliance training March 22nd with 44 attendees from Vermont municipalities and partners. Also in attendance were community partners who shared their knowledge and expertise from the Vermont Center for Independent Living, Vermont League of Cities and Towns and AARP Vermont. The link to the recorded session is available on our [website](#).

XV. APPENDICES

- Appendix A: Standard DOT Title VI Assurances and Appendices
- Appendix B: Definitions
- Appendix C: Abbreviations
- Appendix D: Compliance Checklists
- Appendix E: Subrecipient Program Review Form

Appendix A: Standard DOT Title VI Assurances and Appendices

AOT has executed the USDOT Standard Title VI/Non-Discrimination Assurances, in accordance with DOT Order No. 1050.2A, in the form set forth in [Section II](#) of this document.

Notice to comply with Title VI is also made available in contractual documents and is made known to all of Vermont's towns and municipalities by inclusion of Title VI notice language in bidding and contracting documents and through Title VI online resources for all AOT subrecipients.

In addition, Title VI Notice is provided to the public by working collaboratively with the AOT's subrecipients and regional partners on continuing efforts to monitor subrecipient activities, train external staff, and to provide guidance and assistance to partner entities as they work to develop and implement their respective Title VI programs.

The United States Department of Transportation Standard Title VI/Non-Discrimination Assurances DOT Order No. 1050.2A

The Vermont Agency of Transportation (herein referred to as the “Recipient”), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the USDOT, through the Federal Highway Administration (FHWA), is subject to and will comply with the following:

Statutory/Regulatory Authorities

- 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);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Title IX of the Education Amendments of 1972, as amended, (20 U.S.C. § 1681 *et seq.*), (prohibits discrimination on the basis of sex in education programs or activities);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability);
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 *et seq.*), (prohibits discrimination on the basis of disability);
- 49 C.F.R. Part 21 (entitled *Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 49 C.F.R. Part 27 (entitled *Nondiscrimination On The Basis Of Disability In Programs Or Activities Receiving Federal Financial Assistance*);
- 49 C.F.R. Part 28 (entitled *Enforcement Of Nondiscrimination On The Basis Of Handicap In Programs Or Activities Conducted By The Department Of Transportation*);
- 49 C.F.R. Part 37 (entitled *Transportation Services For Individuals With Disabilities (ADA)*);
- 49 C.F.R. Part 303 (FMCSA’s Title VI/Nondiscrimination Regulation);
- 28 C.F.R. Part 35 (entitled *Discrimination On The Basis Of Disability In State And Local Government Services*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the “Acts” and “Regulations,” respectively.

Although not applicable to Recipients directly, there are certain Executive Orders and relevant guidance that direct action by Federal agencies regarding their federally assisted programs and activities to which compliance is required by Recipients to ensure Federal agencies carry out their responsibilities. Executive Order 12898, 3 C.F.R. 859 (1995), entitled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” emphasizes that Federal agencies should use existing laws to achieve Environmental Justice, in particular Title VI, to ensure nondiscrimination against minority populations. Recipients should be aware that certain Title VI matters raise Environmental Justice concerns and FHWA intends that all Recipients evaluate and revise existing procedures (as appropriate) to address and implement Environmental Justice considerations. See the [FHWA website](#) for more information and facts about Environmental Justice.

Additionally, Executive Order 13166, 3 C.F.R. 289 (2001) on Limited English Proficiency, according to the U.S. Department of Justice in its Policy Guidance Document dated August 16, 2000 (65 Fed. Reg. at 50123), clarifies the responsibilities associated with the “*application of Title VI’s prohibition on national origin discrimination when information is provided only in English to persons with limited English proficiency.*” When receiving Federal funds Recipients are expected to conduct a Four-Factor Analysis to prevent discrimination based on National Origin. (See also U.S. DOT’s “*Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons,*” dated December 14, 2005, (70 Fed. Reg. at 74087 to 74100); the Guidance is a useful resource when performing a Four-Factor Analysis).

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

“No person in the United States shall, on the grounds of race, color, national origin, sex, age, disability, low-income, or LEP be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from DOT.”

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973) by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurances, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted FHWA Program:

1. The Recipient agrees that each “activity,” “facility,” or “program,” as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an “activity”) facilitated, or will be (with regard to a “facility”) operated, or will be (with regard to a “program”) conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations;
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all FHWA Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

“The Vermont Agency of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, all contractors will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of the owner’s race, color, national origin, sex, age, disability, income-level, or LEP in consideration for an award.”;

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations;
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient;
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith;
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property;
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the Vermont Agency of Transportation also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the FHWA access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the FHWA. You must keep records, reports, and submit the material for review upon request to FHWA, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The Vermont Agency of Transportation gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the USDOT under the FHWA Program. This ASSURANCE is binding on the Vermont Agency of Transportation, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the FHWA Program. The person (s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Vermont Agency of Transportation



by _____
Joe Flynn, Secretary

September 7, 2023

DATED _____

Assurance Appendix A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor”) agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Nondiscrimination in Federally assisted programs of the USDOT, FHWA, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations as set forth in Appendix E, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor’s obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the FHWA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor’s noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

Assurance Appendix B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the *Vermont Agency of Transportation* will accept title to the lands and maintain the project constructed thereon in accordance with laws of Vermont, the Regulations for the Administration of FHWA Program, and the policies and procedures prescribed by the FHWA of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the *Vermont Agency of Transportation* all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto *Vermont Agency of Transportation* and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the *Vermont Agency of Transportation* its successors and assigns.

The *Vermont Agency of Transportation*, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the *Vermont Agency of Transportation* will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI.)

Assurance Appendix C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the *Vermont Agency of Transportation* pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add “as a covenant running with the land”] that:
 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, *Vermont Agency of Transportation* will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the *Vermont Agency of Transportation* will have the right to enter or re-enter the lands and facilities thereon, and the above-described lands and facilities will there upon revert to and vest in and become the absolute property of the *Vermont Agency of Transportation* and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to effectuate the purpose of Title VI.)

Assurance Appendix D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by *Vermont Agency of Transportation* pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, “as a covenant running with the land”) that (1) no person on the ground of race, color, national origin, sex, age, disability, income-level, or LEP will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, national origin, sex, age, disability, income-level, or LEP will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, *Vermont Agency of Transportation* will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, *Vermont Agency of Transportation* will there upon revert to and vest in and become the absolute property of *Vermont Agency of Transportation* and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to effectuate the purpose of Title VI.)

Assurance Appendix E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor”) agrees to comply with the following non-discrimination statutes and authorities; including but 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), as implemented by 49 C.F.R. § 21.1 *et seq.* and 49 C.F.R. § 303;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (102 Stat. 28.), (“...which restore[d] the broad scope of coverage and to clarify the application of title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and title VI of the Civil Rights Act of 1964.”);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by Department of Justice regulations at 28 C.F.R. parts 35 and 36, and Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with LEP, and resulting agency guidance, national origin discrimination includes discrimination because of LEP. To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*), as implemented by 49 C.F.R. § 25.1 *et seq.*

Appendix B: Definitions

Compliance – The satisfactory condition existing when a recipient has effectively implemented all of the Title VI requirements or can demonstrate that every good faith effort toward achieving this end has been made.

Discrimination – The act (or action), whether intentional or unintentional, through which a person in the United States, solely because of race, color, or national origin, has been subjected to unequal treatment under any program or activity receiving financial assistance from the FHWA under Title 23 U.S.C.

Metropolitan Planning Organization (MPO) – A policy board, designated by local officials and the Governor of the state, in a region created and designed to carry out the metropolitan transportation planning process for urbanized areas with populations greater than 50,000.

Noncompliance – The condition that exists when a recipient has failed to meet prescribed requirements and has shown an apparent lack of good faith effort in implementing all the Title VI requirements.

Persons – Where designation of person by race, color, or national origin is required, the following designations ordinarily may be used: “White not of Hispanic origin,” “Black not of Hispanic origin,” Hispanic,” “Asian or Pacific Islander,” and “American Indian or Alaskan Native.” Additional subcategories based on national origin or primary language spoken may be used, where appropriate, on either a national or regional basis.

Program – Includes any project or activity for the provision of services, financial aid, or other benefits to individuals. This includes education or training, work opportunities, health, welfare, rehabilitation, housing, or services, whether provided directly by the recipient of federal financial assistance or provided by others through contracts or other arrangements with the recipient.

Public Participation – An open process in which the rights of the community are informed, to provide comments to the government, and receive a response from the government through a full opportunity to be involved and express needs and goals.

Recipient – Any state, territory, possession, the District of Columbia, Puerto Rico, or any political subdivision, or instrumentality thereof, or any public or private agency, institution, or organization, or other entity, or any individual, in any state, territory, possession, the District of Columbia, or Puerto Rico, to whom Federal assistance is extended, either directly or through another recipient, for any program. Recipient includes any successor, assignee, or transferee thereof. The term “recipient” does not include any ultimate beneficiary under any program.

Subrecipient – An entity that receives Federal financial assistance from FHWA or FTA through a primary recipient.

Title VI Program – The system of requirements developed to implement Title VI of the Civil Rights Act of 1964. References in this part to Title VI requirements and regulations shall not be limited only to Title VI of the Civil Rights Act of 1964. Where appropriate, this term also refers to the Civil Rights provisions of other Federal statutes to the extent that they prohibit discrimination on the grounds of race, color, or national origin in programs receiving Federal financial assistance of the type subject to Title VI.

Appendix C: Abbreviations

ADA	Americans with Disabilities Act
ADAAG	Americans with Disabilities Act Accessibility Guidelines
AIP	Airport Improvement Plan
AOT	Agency of Transportation
CCRPC	Chittenden County Regional Planning Commission
CFR	Code of Federal Regulations
DBE	Disadvantaged Business Enterprise
DMV	Department of Motor Vehicles
DOJ	Department of Justice
DOT	Department of Transportation
EEO	Equal Employment Opportunity
FAA	Federal Aviation Administration
FFY	Federal Fiscal Year
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
GMT	Green Mountain Transit
HCR	Headquarters Office of Civil Rights
LAP	Language Assistance Plan
LEP	Limited English Proficiency
MUTCD	Manual on Uniform Traffic Control Devices
RCT	Rural Community Transportation
RPC	Regional Planning Commission
STA	State Transportation Agency
STIP	State Transportation Improvement Program
TPI	Transportation Planning Initiative
USDOT	United States Department of Transportation

Appendix D: Compliance Checklists

Construction and Materials Bureau Compliance Checklist

I. Addressing Disproportionate Impact

- What measures are in place to ensure that the AOT Resident Engineers are trained and cognizant of potential Title VI impacts during construction? Please describe:
- How are mitigation measures implemented to reduce project impact? Please describe:

II. ADAAG (ADA Accessibility Guidelines)/ADA Title II Compliance

- What procedures are in place to ensure pedestrian and other facilities meet minimum ADAAG accessibility standards? Specifically, when plans do not address existing natural features that make compliance technically infeasible. Please describe:

III. Documentation

- What documentation is maintained reflecting Title VI related correspondence (email, notes, or memorandums), training, and other activities? Please list:
- Is an internal audit recorded conducted in the past 12 months ? Yes/No
- Has a Goals and Accomplishments Report been submitted to the Title VI Coordinator within the past 12 months? Yes/No

IV. Date/Name/Signature of Reviewer

Date

Printed Name of Reviewer

Signature of Reviewer

V. Routing Instructions

- Copy to: Title VI Coordinator and Title VI Liaison
- Recipient will be provided with written determination.
- NOTE: This form must be maintained for a period of three years.

Highway/Bridge Design/Bridge Maintenance

I. Public Involvement

- Does public involvement meet the needs of minority and low-income communities? Are provisions made to accommodate disabled persons? Please describe:
- What efforts are made to identify and encourage participation of minority and low-income persons/communities? Please describe:
- Do letters and notices include appropriate Title VI language? Please describe:
- What public involvement techniques do project teams utilize to identify Title VI issues of discriminatory potential as early as possible? Please describe:
- What type of informal contact is used to encourage participation of minorities, low-income, and persons without extensive education? Are informal open-forum public meetings/hearings used that allow one-on-one comments to a recorder? Please describe:

II. Identification of SEE Impacts and ADAAG (ADA Accessibility Guidelines)/ADA Title II Compliance

- Are disproportionate effects on minority and low-income communities identified; What is the process to ensure that measures are taken to avoid or mitigate impacts? Please describe:
 - Is this a discovery process based on input from those that participate?
- Adverse effects may include limited access to services/facilities: disruption of community cohesion; disruption of people, businesses, and farms; changes in tax base and property values; traffic; noise; necessity for relocation; diminished quality of water, air, or natural environment. Please describe:
- What procedures are in place to identify and incorporate design criteria mandated by the Architectural Barriers Act of 1968 to ensure pedestrian and other facilities meet minimum design standards? Please describe:

III. Documentation

- Has the level of participation of minorities and low-income persons at public meetings been documented? Please describe:
- What documentation is maintained reflecting Title VI related correspondence (email, notes, memorandums), training, and other activities? Please list:
- Is there record of a Special Area of Emphasis Internal audit conducted in the past 12

months (due September 1st)?

- Has a Goals and Accomplishments Report been submitted to the Title VI Coordinator within the past 12 months? Yes/No

IV. Consultant Contracts

- Is DBE participation monitored and reported to the Department's DBE Liaison Officer for all consultant contracts? Please describe:
- What actions have been taken to identify sub-contracted/consulting opportunities and solicit interested, bids, and quotes from DBEs? Are all contract opportunities communicated to the DBE Liaison Officer? Please describe:

V. Date/Name/Signature of Reviewer

Date	Printed Name of Reviewer	Signature of Reviewer
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VI. Routing Instructions

- Copy to: Title VI Coordinator and Title VI Liaison
- Recipient will be provided with written determination.
- NOTE: This form must be maintained for a period of three years.

Environmental Compliance Checklist

I. Public Involvement/Participation

- Is information regarding project impacts and mitigation measures provided at public meetings/hearings? Yes/No
- Does any written information provided include appropriate Title VI language? Yes/No

II. Identification of Social, Economic, and Environmental (SEE) Impacts

- To what extent is statistical data regarding minority and low-income populations used to identify the potential for disproportionate impacts? Please describe:
- What procedures are in place to identify impacts such as: Access to services/facilities; disruption of community cohesion; disruption of people, businesses, and farms; changes in tax base and property values; traffic; noise; necessity for relocation; diminished quality of water, air, or natural environment. Please describe:

III. Documentation

- What documentation is maintained reflecting Title VI related correspondence (email, notes, memorandums, or demographic data), training and other activities? Please list:
- How is NEPA documentation maintained for Class I and Class III environmental assessments and analysis? Please describe:
- How are records maintained that reflect the identification of and implementation of mitigation measures? Please describe:
- Is there record of an audit conducted in the past 12 months? Yes/No
- Has a Goals and Accomplishments Report been submitted to the Title VI Coordinator within the past 12 months? Yes/No

IV. Consultant Contracts

- What actions have been taken to identify sub-contracting opportunities and solicit interest, bids, and quotes from DBEs? Please describe:
- Are all contracting opportunities communicated to the DBE Program Manager? Yes/No

V. Date/Name/Signature of Reviewer

_____	_____	_____
Date	Printed Name of Reviewer	Signature of Reviewer

VI. Routing Instructions

- Copy to: Title VI Coordinator and Title VI Liaison
- Recipient will be provided with written determination.
- NOTE: This form must be maintained for a period of three years.

Maintenance Districts Compliance Checklist

I. Addressing Disproportionate Impact

- What procedures are in place to ensure that maintenance operations are conducted in a fair and uniform manner? Please describe:
- Is the level of service and delivery the same for all segments of the population served? Please describe:

II. ADAAG /ADA Title II Compliance

- Except for routine maintenance, what procedures are in place to ensure that necessary alterations are incorporated into each project to ensure ADAAG compliance (i.e., Ramps must be installed where pedestrian paths cross curbs. This standard applies where milling is part of a resurfacing project.) Please describe:

III. Documentation

- What documentation is maintained reflecting Title VI related correspondence (email, notes, or memorandums), training, and other activities? Please list:
- Is there record of an internal audit conducted in the past 12 months? Yes/No
- Has a Goals and Accomplishments Report been submitted to the Title VI Coordinator within the past 12 months? Yes/No

IV. Date/Name/Signature of Reviewer

Date	Printed Name of Reviewer	Signature of Reviewer
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V. Routing Instructions

- Copy to: Title VI Coordinator and Title VI Liaison
- Recipient will be provided with written determination.
- NOTE: This form must be maintained for a period of three years.

Materials and Research Compliance Checklist

I. Outreach

- What efforts have been made to identify and solicit participation from minority colleges and universities within reasonable proximity? Please describe:

II. Documentation

- What documentation is maintained reflecting Title VI related correspondence (email, notes, or memorandums), training, and other activities? Please list:
- Is there record of an internal audit conducted in the past 12 months? Yes/No
- Has a Goals and Accomplishments Report been submitted to the Title VI Coordinator within the past 12 months? Yes/No

III. Consultant Contracts

- What actions have been taken to identify subcontracting/consulting opportunities and solicit interest, bids, and quotes from DBE's? Please describe:
- What actions have been taken to ensure nondiscrimination in the consultant selection process? Please describe:

IV. Date/Name/Signature of Reviewer

Date

Printed Name of Reviewer

Signature of Reviewer

V. Routing Instructions

- Copy to: Title VI Coordinator and Title VI Liaison
- Recipient will be provided with written determination.
- NOTE: This form must be maintained for a period of three years.

Municipal Assistance Program (MAB) - Local Projects Compliance Checklist

I. Communication of Federal Contract Requirements

- What process is undertaken to ensure that the local entity is informed of municipally managed bid/contract schedules (to ensure contract review and project monitoring)? Please describe and provide samples of correspondence if appropriate:
- Has the Title VI Coordinator reviewed the current language used in all municipal agreements? Yes/No Describe and provide specific examples:
- How are Federal contract EEO requirements communicated to municipalities/subrecipients and monitored for compliance? Please describe:
- What efforts have been undertaken to train municipal managers of State and Federal compliance requirements? Please describe and attach training/meeting agendas:

II. ADAAG (ADA Accessibility Guidelines)/ADA Title II Compliance

- What procedures are in place to identify and incorporate design criteria mandated by the Architectural Barriers Act of 1968 to ensure pedestrian and other facilities meet minimum accessibility standards? Please describe:

III. Documentation

- What documentation is maintained reflecting Title VI related correspondence (email, notes, or memorandums), training, and other activities? Please list:
- Is there record of a Special Area of Emphasis internal audit conducted in the past 12 months? Yes/No
- Has a Goals and Accomplishments Report been submitted to the Title VI Coordinator within the past 12 months? Yes/No
- Are pre-Federal assistance reviews conducted before municipal agreements are approved? Yes/No List the reviews conducted this year:

IV. Contracts

- What procedures are in place to identify and encourage participation of DBE appraisers? Please describe:
- Is there a process in place whereby the DBE Program Manager monitors the municipal bid/selection process so that contracting opportunities are publicized to DBEs in a timely manner? Yes/No Please describe:

V. Date/Name/Signature of Reviewer

_____	_____	_____
Date	Printed Name of Reviewer	Signature of Reviewer

VI. Routing Instructions

- Copy to: Title VI Coordinator and Title VI Liaison
- Recipient will be provided with written determination.
- NOTE: This form must be maintained for a period of three years.

Policy, Planning and Research Bureau Compliance Checklist

I. Public Involvement/Participation

- What actions have been taken to identify and include minority and low-income persons and communities in the notification process for public meetings and public review of Agency documents? (Examples include demographic studies, use of minority media, etc.) Please describe and provide documentation:
- What measures have been taken to contact minority groups or leaders to identify information needs and planning/programming issues of concern? Please describe and provide documentation:
- Is technical information available in formats and at places and times conducive to review by minority and low-income persons? Yes/No
- What procedures are in place to provide information to sight-impaired persons, non-English speakers, and for persons without formal education? Please describe and provide documentation:
- Are Citizens Advisory Committees (CACs) representative of population within the region? Yes/No If not, what outreach efforts have been used to solicit participation from underrepresented groups? Please describe and provide documentation:
- Do meeting formats encourage participation of minority and low-income people/communities and are accommodations made for disabled persons? Yes/No
- What methods are used to secure public involvement? (Examples include door-to-door canvassing, fact sheets, community/public workshops, information office, exhibits, etc.) Please describe and provide documentation:

II. Consideration of Input from Minority Groups/Persons

- Is consideration of input actively demonstrated via newsletters, leaflets, or other mediums that will potentially reach the target group/audience? (Does the recipient inform the public of the importance of their input and how it is used)? Yes/No
- Does public information contain Title VI language? Yes/No Please describe and provide documentation:

III. Data Collection/Analysis

- Does the data collected reflect community boundaries, racial and ethnic makeup, income levels, property taxes/appraisal information, community services, schools, hospitals, and shopping areas? What sources were used and how?

IV. Social, Economic, and Environmental (SEE) Impacts

- What method is used to ensure SEE impacts are identified at the earliest possible stages?
Please describe:
- Is demographic data reviewed to determine the probability of disproportionate effects on EJ Populations? Yes/No

V. Documentation

INTERNAL:

- What documentation is maintained reflecting Title VI related correspondence (email, notes, or memorandums), training and other activities? Please list:
- Is there record of external reviews of Unified Work Programs (MPOs/RPCs) conducted within the past 24 months? Yes/No Please list reviews conducted:

EXTERNAL:

- Do MPOs/RPCs keep record of information pertaining to Citizens Advisory Committee selection criteria and demographic make-up (race, gender, and position within the organization)? Yes/No Please provide documentation and comments:
- Does the MPO/RPC have established procedures to document the level of participation of Title VI protected group members at CAC meetings/hearings when offered in predominantly minority or low-income communities? Yes/No Please provide documentation and comments:

VI. Contracts

- Is DBE participation monitored and reported to the AOT's DBE Program Manager for all UPWP agreements and consultant contracts? Yes/No
- What actions have been taken to identify sub-contracting opportunities and solicit interest, bids, and quotes from DBEs? Please describe:
- Are all contracting opportunities communicated to the DBE Program Manager? Yes/No

VII. Date/Name/Signature of Reviewer

Date	Printed Name of Reviewer	Signature of Reviewer
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VIII. Routing Instructions

- Copy to: Title VI Coordinator and Title VI Liaison
- Recipient will be provided with written determination.
- NOTE: This form must be maintained for a period of three years.

Public Transit Compliance Checklist

I. Documentation

- What documentation is maintained reflecting Title VI related correspondence (email, notes, or memorandums), training, and other activities? Please list:
- Is there record of an internal audit conducted in the past 12 months (due on September 1st)? Yes/No
- Has a Goals and Accomplishments Report been submitted to the Title VI Coordinator within the past 12 months (due on September 1st)? Yes/No
- How are records maintained for all funding requests under the 5310 and 5311 grant programs? Please describe:
- Is data collected and reported in accordance with Chapter 3 of UMTA (FTA) Circular 4702.1? Yes/No
 - Lawsuits (2.a.)
 - Pending applications for Federal assistance (2.b.)
 - Compliance review activities (2.c.)
 - Assurances (2.d.)
 - List of all grant applicants and selection process (3.c.)
- How are grantees monitored to ensure procedures are in place to determine the level and quality of service provided to minority communities against overall system averages? Please describe:
- Do all letters and public notices contain appropriate Title VI language? Yes/No
- What efforts have been made to identify available/prospective DBE consultants? Please describe:

II. Date/Name/Signature of Reviewer

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Date	Printed Name of Reviewer	Signature of Reviewer

III. Routing Instructions

- Copy to: Title VI Coordinator and Title VI Liaison
- Recipient will be provided with written determination.
- NOTE: This form must be maintained for a period of three years.

Rail and Aviation Bureau Compliance Checklist

I. Public Involvement

- Where appropriate, what efforts have been made to identify and solicit participation from minority and low-income communities in the aviation and rail planning process? Please describe:
- Do all public notices and letters include appropriate Title VI language? Yes/No
- What efforts have been made to document the level of participation of minorities, low-income, and disabled persons at public information meetings? Please describe and provide documentation:

II. Documentation

- What documentation is maintained reflecting Title VI related correspondence (email, notes, or memorandums), training, and other activities? Please list:
- Is there record of an internal audit conducted in the past 12 months? Yes/No
- Has a Goals and Accomplishments Report been submitted to the Title VI Coordinator within the past 12 months? Yes/No

III. DBE Participation

- What actions have been taken to identify available/prospective DBEs to perform related subcontract work? Please describe:

IV. Date/Name/Signature of Reviewer

Date

Printed Name of Reviewer

Signature of Reviewer

V. Routing Instructions

- Copy to: Title VI Coordinator and Title VI Liaison
- Recipient will be provided with written determination.
- NOTE: This form must be maintained for a period of three years.

Right of Way Compliance Checklist

I. Public Involvement

- What outreach efforts have been conducted to advise property owners, tenants, and others of their rights and options regarding negotiation, relocation, etc.? Please describe:
- Do letters and notices include appropriate Title VI language? Yes/No
- What special outreach efforts have been made to contact and encourage participation of minorities' and low-income persons' communities at public hearings? Please describe using specific examples:

II. Preventing Discrimination

- What procedures are in place to ensure that property values and communications associated with appraisal and negotiation operations do not have a disparate impact on minority or low-income populations? Please describe:

III. Documentation

- What documentation is maintained reflecting Title VI related correspondence (email, notes, or memorandums), training, and other activities? Please list:
- Is there record of an internal audit conducted in the past 12 months (due on September 1st)? Yes/No
- Has a Goals and Accomplishments Report been submitted to the Title VI Coordinator within the past 12 months (due on September 1st)? Yes/No
- Has the level of participation of minorities and low-income persons at hearings been documented? Yes/No Please provide documentation and comments:
- Is statistical data maintained concerning the race, color, national origin, age, income, and disability status of relocates or otherwise impacted residents? Yes/No Please provide documentation:

IV. Consultant Contracts, Deeds, Permits

- What procedures are in place to identify and encourage participation of DBE appraisers? Please describe:
- What actions have been taken to identify available/prospective DBEs to perform subcontract work such as personal services contracts, real estate negotiation, relocation, and property management? Please describe:
- Do all deeds, permits, and leases include appropriate Title VI clauses (Appendices B and C of the Standard Title VI Assurances)? Yes/No

V. Date/Name/Signature of Reviewer

_____	_____	_____
Date	Printed Name of Reviewer	Signature of Reviewer

VI. Routing Instructions

- Copy to: Title VI Coordinator and Title VI Liaison
- Recipient will be provided with written determination.
- NOTE: This form must be maintained for a period of three years.

Regional Planning Commission (RPC) Compliance Checklist

I. Public Involvement

- What actions have been taken to identify and include minority and low-income persons and communities in the notification process for public meetings and public review of RPC documents? Examples include demographic studies, use of minority media, etc. Please provide documentation and comment:
- What measures have been taken to contact minority groups or leaders to identify information needs and planning/programming issues of concern? Please provide documentation and comment:
- Is technical information available in forms and at places and times conducive to review by minority and low-income persons? Yes/No
- What procedures are in place to provide information to sight-impaired persons, non-English speakers, and for persons without formal education? Please provide documentation and comment:
- Are Transportation Advisory Committees (TACs) and Boards representative of populations within the region? Yes/No If not, what outreach efforts have been used to solicit participation from underrepresented groups? Please provide documentation and comment:
- Do meeting formats encourage participation of minority and low-income people/communities and are accommodations made for disabled persons? Yes/No
- What methods are used to secure public involvement? Examples include door-to-door canvassing, fact sheets, community/public workshops, information office, exhibits, etc. Please provide documentation and comment:

II. Consideration of Input from Minority Groups/Persons

- Is consideration of input actively demonstrated via newsletters, leaflets, or other mediums that will potentially reach the target group/audience? Yes/No
- Does the recipient inform the public of the importance of their input and how it is used? Yes/No
- Does public information contain Title VI language? Yes/No Please provide documentation and comments:

III. Data Collection/Analysis

- Does the data collected reflect community boundaries, racial and ethnic make-up, income levels, property taxes/appraisal information, community services, schools, hospitals, and shopping areas? Yes/No
- What sources were used and how? Please provide documentation and comments:

IV. Documentation

EXTERNAL

- Do MPOs/RPCs keep records of information pertaining to Transportation Advisory Committee and Board selection criteria and demographic make-up (race, gender, and position within the organization)? Yes/No Please provide documentation and comments:
- Does the MPO/RPC have established procedures to document the level of participation of Title VI protected group member (i.e., including race, color, national origin, gender, age, and disability) at TAC & Board meetings and hearings when offered in predominantly minority or low-income communities? Yes/No Please provide documentation and comments:

V. Contracts

- Is Disadvantaged Business Enterprise (DBE) participation monitored and for the MPOs reported to the AOT DBE Program Manager for all agreements and consultant contracts? Yes/No
- What actions have been taken to identify sub-contracting opportunities and solicit interest, bids, and quotes from DBEs? Please describe:

VI. Date/Name/Signature of Reviewer

Date	Printed Name of Reviewer	Signature of Reviewer
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VII. Routing Instructions

- Copy to: Title VI Coordinator and Title VI Liaison
- Recipient will be provided with written determination.
- NOTE: This form must be maintained for a period of three years

Structures Compliance Checklist

I. Public Involvement

- Does public involvement meet the needs of minority and low-income communities in terms of time, location and setting? Yes/No Comments:
- What efforts are made to identify and encourage participation of minority and low-income persons/communities? Please describe and provide documentation:
- Do letters and notices include appropriate Title VI language? Yes/No Please provide examples:
- What public involvement techniques do project teams utilize to identify Title VI issues of discriminatory potential as early as possible? Please describe and provide documentation:
- What type of informal contact is used to encourage participation of minorities, low-income, and persons without extensive education? Please describe and provide specific examples:
- Are informal open-forum public meetings/hearings used that allow one-on-one comments to a recorder? Yes/No

II. Identification of Social, Economic, and Environmental (SEE) Impacts and ADAAG (ADA Accessibility Guidelines)/ADA Title II Compliance

- Are disproportionate effects on minority and low-income communities identified? Yes/No
- What is the process to ensure that measures are taken to avoid or mitigate impacts? Please describe:
- Is this, to a greater extent, a discovery process based on input from those that participate? Yes/No

NOTE: Adverse effects may include limited access to services/facilities; disruption of community cohesion; disruption of people, businesses, and farms; changes in tax base and property values; traffic; noise; necessity for relocation; diminished quality of water, air, or natural environment.

- What procedures are in place to identify and incorporate design criteria mandated by the Architectural Barriers Act of 1968 to ensure pedestrian and other facilities meet minimum accessibility standards? Please describe:

III. Documentation

- Has the level of participation of minorities and low-income persons at hearings been documented? Yes/No Please describe and provide documentation:

- What documentation is maintained reflecting Title VI related correspondence (email, notes, or memorandums), training, and other activities? Please list:
- Is there record of a Special Area of Emphasis internal audit conducted in the past 12 months (due on September 1st)? Yes/No
- Has a Goals and Accomplishments Report been submitted to the Title VI Coordinator within the past 12 months (due on September 1st)? Yes/No

IV. Consultant Contracts

- Is DBE participation monitored and reported to the Department’s DBE Liaison Office for all consultant contracts? Yes/No
- What procedures are in place to identify and encourage participation of DBE appraisers? Please describe:
- What actions have been taken to identify subcontracting/consulting opportunities and solicit interest, bids, and quotes from DBE’s? Please describe:
- Are all contracting opportunities communicated to the DBE Liaison Officer? Yes/No
Please describe:

V. Date/Name/Signature of Reviewer

Date	Printed Name of Reviewer	Signature of Reviewer
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VI. Routing Instructions

- Copy to: Title VI Coordinator and Title VI Liaison
- Recipient will be provided with written determination.
- NOTE: This form must be maintained for a period of three years

Traffic Research Compliance Checklist

I. ADAAG (ADA Accessibility Guidelines) and MUTCD (Manual on Uniform Traffic Control)

- Describe how traffic engineers identify the need for audible and vibro-tactile devices in planned pedestrian crossings.
- Is statistical data of disabled persons in the impacted area obtained and reviewed? Yes/No
- How are state-owned systems managed to ensure compliance with the most current MUTCD technical specifications? Please describe:
- Is a current inventory of installed signals and accessibility features maintained so that a compliance status is readily available? Yes/No
- Are crosswalk pavement markings and pedestrian signals only installed at crossings that meet ADAAG technical specifications (i.e., curb ramps with tactile surfaces)? Yes/No
- Do *permitted* crossings meet ADAAG technical specifications (i.e., curb ramps with tactile surfaces)? Yes/No

II. Documentation

- What documentation is maintained reflecting Title VI related correspondence (email, notes, memorandums, or demographic data), training, and other activities? Please list:
- Is there record of an internal audit conducted in the past 12 months (due on September 1st)? Yes/No
- Has a Goals and Accomplishments Report been submitted to the Title VI Coordinator within the past 12 months (due on September 1st)? Yes/No

III. Consultant Contracts

- What actions have been taken to identify subcontracting/consulting opportunities and solicit interest, bids, and quotes from DBE's? Please describe:
- Are all contracting opportunities communicated to the DBE Liaison Officer? Please describe:

IV. Date/Name/Signature of Reviewer

Date

Printed Name of Reviewer

Signature of Reviewer

V. **Routing Instructions**

- Copy to: Title VI Coordinator and Title VI Liaison
- Recipient will be provided with written determination.
- NOTE: This form must be maintained for a period of three years

Appendix E: Subrecipient Program Review Form

1. AGENCY, PROJECT, AND PROGRAMS/SERVICES INFORMATION

a. Agency Information:

Recipient: _____

Administrator Name: _____ Title: _____

Address: _____

City/State: _____ Zip Code/County: _____

Phone: _____

Email: _____

b. Subrecipient Project Overview

PROJECT DESCRIPTION	FUNDING AMT

c. Please list the Program (s) or Service (s) receiving financial assistance from the Agency of Transportation (AOT) and the amount received for the current year.

PROGRAMS/SERVICES	FUNDING AMT	RECURRING (YES/NO)

2. TITLE VI CERTIFICATIONS AND ASSURANCES

- a. Has the agency signed and submitted its Title VI Assurances?
- b. Has the sub-recipient submitted its Title VI Program plan to the AOT? Note: (only large urban areas with population over 200,000)
- c. What is the process used by sub-recipients to assure Title VI compliance? Please explain:

3. SUBRECIPIENT DEMOGRAPHICS

- a. City/County Population & Demographic Information:
 - i. Race/Ethnicity

RACE	#	%	HISPANIC	#	%
White			White		
Black or African American			Non-White		
Am. Indian/Alaskan Native			Other/Unknown		
Native Hawaiian/Other Pacific Islander					
Other/Unknown					

ii. Sex

SEX	#	%
Male		
Female		

iii. Minority/Non-Minority

STATUS	#	%
Minority		
Non-Minority		

iv. Low-Income/Non-Low Income

STATUS	#	%
Low-income		
Non-Low income		

v. Age

AGE	#	%

vi. Disability

STATUS	#	%
Low-income		
Non-Low income		

4. **PUBLIC NOTIFICATION OF RIGHTS AND ACCESSIBILITY**

- a. Is Title VI information publicly displayed and accessible to staff and service beneficiaries?
 - i. If yes, please describe mechanism:
- b. Does all Title VI related information and materials identify the name and contact information to whom complaints should be referred?
- c. Does the subrecipient disseminate Title VI information to employees, clients, and

constituents?

i. If yes, please describe process:

5. **LIMITED ENGLISH PROFICIENCY (LEP) PLAN**

- a. Does the subrecipient have a LEP plan?
- b. What steps has the subrecipient taken to ensure meaningful access to the benefits, services, information, and other important components of its programs and services to persons with LEP?
 - i. Please describe:

6. **TRANSPORTATION (BOARDS AND COMMISSIONS)**

- a. List transportation-related appointed board(s), commission(s), or advisory board(s), if any:
- b. Racial/Ethnic Breakdown of the Transportation-Related Board(s) and/or Commission(s)

GROUP	NUMBER
Male	
Female	
White	
Black or African American	
Am. Indian or Alaskan Native	
Asian	
Native Hawaiian or other Pacific Islander	
Other	

7. **PUBLIC PARTICIPATION AND OUTREACH**

- a. Please provide documentation/evidence describing efforts to identify and involve minority and low-income residents and communities within your service area in the decision-making process:
- b. Please describe the methods used to inform low-income, and minority populations of planning efforts for transportation-related services and/or improvements:
- c. List minority and/or community media utilized to ensure notification of public meetings or public review of agency documents for residents in minority and low-income communities:
- d. List adverse social, environmental, economic, or demographic impacts identified on any planned or programmed transportation-related projects during the last two years:

8. **INVESTIGATION AND COMPLAINT PROCESS**

- a. Does your agency have written procedures for responding, recording, and resolving Title

VI and ADA investigations complaints, lawsuits?

- i. Please provide a copy of procedures.
- b. Has your agency made the public aware of the right to file a complaint?
 - i. If so, by what mechanism?
- c. Please list any Title VI complaints on the basis of race, color, and national origin in your agency in the past two years:
 - i. Were the complaints investigated?
 - ii. If so, by whom?
 - iii. If “yes” provide a summary of the findings of the investigation, include a copy of the complaint and any corrective action taken by the agency.
 - iv. If “no” provide a reason for not investigating the complaint.

9. **DECLARATION OF THE RESPONDENT**

I declare that I have provided information as part of the Title VI Site Review to the best of my knowledge and believe it to be true, correct, and complete.

Respondent **Date**

10. **DECLARATION OF THE ADMINISTRATOR**

I declare that I have reviewed and approved the information provided in the Title VI Site Review and to the best of my knowledge believe it to be true, correct, and complete.

Administrator **Date**