

Public Involvement

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

Federal-Aid Contract Provisions

Sub-recipients must include notification in all solicitations for bids of work or material and agreements informing contractors that they are subject to Title VI of the Civil Rights Act of 1964 and other nondiscrimination authorities. Sub-recipient's contractor(s) may not discriminate in the selection and retention of any subcontractors. Subcontractors also may not discriminate in the selection and retention of any subcontractors.

Sub-recipients, contractors and subcontractors must not discriminate in their employment practices in connection with highway construction projects or federal financial assisted projects.

Data Collection

Sub-recipients must develop procedures to collect statistical data (race, color, national origin, sex, age, handicap/disability and income status) of participants and beneficiaries of their programs. Data includes, but is not limited to, public meetings, relocations and limited English proficient individuals served.

Annual Accomplishment Report

Sub-recipients must complete and submit an annual report of Title VI accomplishment for the past year and goals for the upcoming year to the federal aid recipient. An annual work plan shall be prepared and submitted outlining the Title VI monitoring and review activities planned for the upcoming year, when each activity will be accomplished and a target date for completion.

Disclaimer: This brochure is intended to be a guide for sub-recipients. It is not intended to be inclusive of all Title VI and other nondiscrimination authorities or sub-recipient responsibilities.



A GUIDE TO SUB-RECIPIENTS UNDER TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

For more information contact:

Federal Highway Administration
Mississippi Division
100 West Capitol Street, Suite 1062
Jackson, MS 39269

and/or

Mississippi Department of Transportation
Office of Civil Rights
Attention: Title VI Coordinator
P.O. Box 1850
Jackson, MS 39215-1850

tel. 601.359.7466
fax 601.576-4504



For more information or a copy of a complaint form, please visit GoMDOT.com.

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."



OFFICE OF CIVIL RIGHTS

Who is a Sub-Recipient?

A **sub-recipient** is an entity or person that indirectly receives federal financial assistance in order to implement a program or activity which subjects them to Title VI compliance responsibilities. A sub-recipient may include, but is not limited to a city, county, metropolitan planning organization, college/university, contractor or sub-grantee.

A **recipient** is an entity or person that directly receives federal financial assistance and/or manages a program or activity which would subject them to Title VI compliance responsibilities.

What is Title VI?

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

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

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

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

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



Other related statutes that provide protection against discrimination on the basis of age, sex or disability by programs receiving federal financial assistance include:

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

The Federal Aid Highway Act of 1972 (23 U.S.C. 324) prohibits discrimination based on sex (gender).

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

Assurances

Sub-recipients must have a signed assurance to establish full and affirmative compliance with Title VI of the Civil Rights Act of 1964 and other nondiscrimination authorities.

Title VI Program

Sub-recipients of federal financial assistance may adapt or adopt a state Department of Transportation's Title VI Program, procedures or practices; or should have a Title VI Program or signed agreement which at a minimum should contain the following elements:

- **POLICY STATEMENT**
The policy statement must indicate the sub-recipient's commitment to assure nondiscrimination in its programs and activities to the effect that no person shall on the grounds of race, color, national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any federally or nonfederal funded program or activity administered by the sub-recipient and/or its contractors. The policy statement must be signed by the head of the sub-recipient's organization.

■ TITLE VI SPECIALIST/COORDINATOR

The sub-recipient must designate a Title VI Specialist who has a responsible position within the organization. The Title VI Specialist is the focal point for the Title VI implementation and monitoring of programs and/or activities receiving federal financial assistance from the Department.

The following includes key responsibilities of the Title VI Specialist/Coordinator:

- Coordinate and execute Title VI compliance activities.
- Provide technical assistance, guidance, and training on Title VI and other nondiscrimination authorities.
- Develop and disseminate Title VI information to the public in languages other than English, when necessary.
- Coordinate and execute Title VI educational and outreach activities.
- Maintain statistical data of participants and beneficiaries of federally assisted program to ensure that minority and other underserved groups are included in federally assisted programs and activities.
- Implement procedures to resolve determinations of noncompliance.
- Implement procedures for the prompt processing of Title VI discrimination complaints.

Compliant Procedures

Sub-recipients of federal financial assistance shall follow the recipient's procedure for processing discrimination complaints.

A complaint should contain at least the following:

- A written explanation of what has happened;
- Your contact information (e.g., email address)
- The basis of the complaint (e.g., race, color, or national origin)
- The identification of the agency alleged to have discriminated and date of occurrence;
- Sufficient information to understand the facts that lead to the complaint to believe that discrimination occurred in a federal-aid program.

*NOTE: Sub-recipients can not investigate themselves.