



Alaska Department of Transportation & Public Facilities

Introduction to Title VI



Title VI of the Civil Rights Act of 1964

“(N)o person in the United States shall, on the ground 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.”



Federal Highways Title VI Program

[The Title VI Program refers to the Civil Rights Act of 1964 and]...” to the civil rights provisions of other Federal statutes to the extent that they prohibit discrimination on the grounds of race, color, sex, or national origin in programs receiving Federal financial assistance of the type subject to Title VI itself. 23 CFR 200.1 *et seq.*



Alaska Department of Transportation & Public Facilities (ADOT&PF) Title VI Goals

- 1. Meaningful community outreach and involvement**
- 2. Develop accurate demographic and statistical data**
- 3. Identification and mitigation of adverse effects**
- 4. Effective self-monitoring efforts**
- 5. Title VI training**
- 6. Process Title VI Complaints**



Department/Division/Section Title VI Liaisons

- Self-monitoring & Documentation
- Title VI reviews
- Annual update reports
- Teleconferences
- Complaints
- Limited English Proficiency interpreters/ translations
- Main regular contact for Title VI Specialist



Title VI Compliance – Why it Matters

- 1. It is illegal to discriminate, either intentionally or unintentionally**
- 2. It is part of the Department's assurance to US DOT that we will administer the Highway program free of discrimination**
- 3. Failure to do so could result in partial or complete loss of federal funding for a single project or statewide**
- 4. It's the right thing to do**



Title VI Requirements

- **Environmental Justice,**
- **Limited English Proficiency populations (LEP), and**
- **Demographic Profile**



Executive Orders

1. Environmental Justice (EJ) – EO # 12898
(minorities & low-income)
2. Limited English Proficiency (LEP) – EO # 13166
(individuals for whom English is a second language)



Environmental Justice

Executive Order 12898 (1994)

“Each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on *minority* populations and *low-income* populations.”



3 Principles of Environmental Justice

1. Avoid, minimize, or mitigate effects
2. Full and fair participation in decision-making
3. Prevent denial, reduction, and delay of benefits
for
Minority Communities
Low Income Population



Minority Communities

As defined by the Environmental Justice EO

- **Black**
- **Hispanic**
- **Asian**
- **American Indian & Alaska Native**
- **Native Hawaiian or other Pacific Islander**



Low-Income Populations

A person whose household income (or in the case of a community or group, whose median household income) is at or below the U.S. Department of Health and Human Services poverty guidelines.

The current HHS poverty guidelines can be found at HHS' website:

<http://aspe.hhs.gov/poverty/index.shtml>




Limited English Proficiency (LEP)

Executive Order # 13166

1. Comes from Title VI: National origin
2. Public involvement process to seek out and consider needs of LEP population: translators and interpreters
3. Meaningful access to programs, activities & services



Title VI and Public Involvement

 Multilingual information

Q & A

 Graphics & Visual Displays

Continuity



Vital Documents

Must be translated for distribution:

- **Policy statements regarding ADA and Title VI**
- **Civil Rights brochures informing persons of rights, including the right to file a complaint.**
- **Complaint form**
- **Vital documents for your program area**



Interpreters

- Applies anytime there is an impact on a LEP person
- Professional vs friend/relative
- No fee to the public



Available CR Brochures

www.dotcivilrights.alaska.gov

- English
- Spanish
- Yup'ik
- Inupiat
- Braille
- Korean
- Tagalog
- Hmong
- Russian





OUTREACH

Public Outreach and Involvement



The Basics About Title VI Implementation

- **Effective Title VI Implementation means:**
 1. **Identifying Minority Communities (Title VI & EO 12898)**
 2. **Identifying Low Income Populations (Environmental Justice EO 12898)**
 3. **Identifying affected residents that have Limited English Proficiency (EO 13166- LEP & Title VI)**
 4. **Communication that is meaningful and accurate about the impacts a highway project may/will impose on the resident.**



Develop Accurate Demographic Data

By project area, identify areas where there are concentrations of minority and low come populations as well as LEP persons (by residence and congregation areas)

Use existing sources to determine

- Census (2010, not 2000)
- School districts (ask about racial make up/languages spoken at area elementary schools)
- Community centers
- Religious presence: churches, temples, mosques, etc.
- Ethnic organizations (e.g., Hispanic, Arab)
- Visual inspection: grocery stores, specialty shops, publications?
- Dept. of Commerce, Community, Economic Development & other government agencies
- Other program areas – Planning & PD&E (should have accurate demographic info preceding ROW involvement)
- Other government agencies



Public Involvement

- **Public Outreach Plan**
- Addresses your project population (both residents and people that frequent the area)
- Has components to effectively reach out to Minority and Low-Income populations, as well as communications in appropriate languages for LEP population
- Effectively records the concerns of the attendees and commitments made by staff
- Memorializes the concerns and commitments for Design finalization and Construction



Early Involvement

1. Opportunity to prevent/avoid disproportional adverse impacts
2. Improves data collections, monitoring, and analysis tools
3. Improves ultimate outcome
4. Identify unavoidable impacts early.



Public Involvement Barriers

- **lack of trust/past experience (theirs)**
- **work schedules**
- **transport costs**
- **cultural & language**
- **experience (yours)**
- **assumptions**



Review

- The Civil Rights Acts protects the following from discrimination in programs and activities using Federal funds:
 - Race
 - Color
 - National Origin



Review

Two Executive Orders focused on specific populations that are traditionally underrepresented in decision making:

1. Environmental Justice

(a) minorities and (b) low-income

2. Limited English Proficiency (LEP)

Individuals for whom English is a second language



Review

- Translations of brochures and other important documents can be found and downloaded at the ADOT&PF Civil Rights website:

www.dotcivilrights.alaska.gov



Review

- Outreach to protected groups must be **proactive**
- Outreach must strive for **meaningful** participation
- Outreach must recognize **barriers** for those traditionally underrepresented individuals
- **Proactive outreach** may involve translating documents, or
- Providing an interpreter at **no cost** to the public.



COMPLAINTS

Purpose – To provide an avenue of redress when an individual believes s/he has been subjected to discrimination, while protecting the due process rights of the complainant and the respondent.



FIND US AT:



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Civil Rights Office
2200 E 42nd Ave
PO Box 196900
Anchorage, AK 99519-6900



Phone: (907) 269-0851
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