Association of Central Oklahoma Governments (ACOG) Title VI Plan

November 2011

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This document is also available online at:
http://www.acogok.org/transportation-planning/civil-rights-in-the/

Maps/data presented in this report were created and assembled by the Association of Central Oklahoma Governments (ACOG) for informational, planning reference and guidance only. You are admonished to use these materials only as a starting point and not a final product or document. None of these materials should be utilized by you or other parties without the benefit of advice and instruction from appropriate professional services. These materials are not verified by a Registered Professional Land Surveyor for the State of Oklahoma and are not intended to be used as such. ACOG makes no warranty, express or implied, related to the accuracy or content of these materials and data.

PROGRAM OVERVIEW

INTRODUCTION

The Association of Central Oklahoma Governments (ACOG) is a recipient of federal transportation funds. As a regulatory condition of receiving these funds, ACOG is required to administer a program that establishes Title VI goals and objectives which pertains to highway and transportation programs.

The focal point of nondiscrimination law is Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin. However, the broader application of nondiscrimination law may be found in other statutes, regulations, and executive orders. Discrimination based on sex, disability, and age is prohibited as well as unfair and inequitable treatment of persons as a result of projects which are undertaken with federal financial assistance. The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities whether they are federally funded or not.

Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations," signed in February of 1994, requires a federal agency to achieve environmental justice as a part of its mission by identifying disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations. The Federal Highway Administration (FHWA) requires ACOG to carry out environmental justice responsibilities as part of its nondiscrimination program.

Title VI regulations differ from Title VII regulations in that Title VI is for the protection of the public in regard to ACOG's activities and effects. Title VII, on the other hand, is specific regulations to protect ACOG's employees.

ACOG is required to protect the public interest by developing a plan for their benefit. In addition, the Title VI plan indicates what ACOG will do to prevent discrimination, how it will do it, and the steps it will take to monitor Title VI.

Title VI assurances are the foundation of our commitment to nondiscrimination. ACOG deals with Title VI issues through the monitoring of its compliance with the principles specifically set forth in the law. ACOG also acknowledges its responsibilities to work toward increased effectiveness regarding Title VI compliance.

POLICY STATEMENT

It is the policy of the Association of Central Oklahoma Governments (ACOG), under Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1968; Section 504 of the Rehabilitation Act of 1973; Age Discrimination Act of 1975; Section 324 of the Federal-aid Highway Act of 1973; Civil Rights Restoration Act of 1987; and other related authorities and regulations, that no person in the United States shall, on the basis of race, color, national origin, sex, age, handicap/disability, religion, or familial status be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any federally or non-federally funded program or activity administered by the Association of Central Oklahoma Governments (ACOG) or its sub-recipients.

The most recent signed version of the Policy Statement may be viewed and downloaded at http://www.acogok.org/wp-content/uploads/2017/05/Policy-Statement-from-2011-Not-signed-Not-updated.docx

AUTHORITIES

The applicable authorities related to Title VI are:

1. Major Title Statutes:

    a. Title VI of the Civil Rights Act of 1964, as amended. P.L. 88-352, 78 Stat. 252 (Nondiscrimination in Federally-Assisted Programs). (42 U.S.C. 2000d-2000d-4)

    b. Title VIII of the Civil Rights Act of 1968, as amended. P.L. 90-284, 82 Stat. 81 (Fair Housing). (42 U.S.C. 3601-3619)

    c. The Federal Aid Highway Act of 1968, as amended. P.L. 90-495, Section 22 (Equal Employment Opportunity). (23 U.S.C. 140).

    d. The Federal Aid Highway Act of 1970, as amended. P.L. 91-605, Section 136(b) (Adverse Economic, Social, and Environmental Impacts of Highway Construction). (23 U.S.C. 109(h)).

    e. Uniform Relocation Assistance and Real Property Acquisition Policies of 1970, as amended. P.L. 91-646, 84 Stat. 1894 (Uniform and Equitable Treatment of Relocations Wherever Real Property is Acquired). (42 U.S.C 4601, 4602, 4621-4638, 4651-4655).

    f. The Federal Aid Highway Act of 1973, as amended. Sections 162(a) and 165(b) (Prohibition of Discrimination Based on Sex and Handicap). (23 U.S.C. 324)

    g. The Rehabilitation Act of 1973, as amended. Sections 501, 502, and 504 (Prohibition of Discrimination Based on Handicap). (29 U.S.C 794)

    h. The Age Discrimination Act of 1975, as amended. (Prohibition of Discrimination Based on Age). (42 U.S.C. 6101)

    i. The Civil Rights Restoration Act of 1987. P.L. 100-259, provides:

    “To restore 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.”

    (Restores the broad, institution –wide scope and coverage of the nondiscrimination statutes to include programs and activities of federal-aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not)

    j. Title II of the Americans with Disabilities Act of 1990. P.L. 101-336.

2. Related Title VI Statutes:
    a. The Surface Transportation Act of 1978, as amended. (23 U.S.C. ' 101 et.seq.)
    b. The Federal Aid Highway Act of 1979, as amended. (23 U.S.C. ' 101 et. seq.)
    c. The Surface Transportation Assistance Act of 1982, as amended.
    (23 U.S.C. ' 101 et. seq.)

d. The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) P.L. 102-240, 105 Stat. 1914

3. Presidential Executive Orders (E.O.):
(http://www.archives.gov/federal-register/executive-orders/disposition.html)

a. E.O. 11063
b. E.O. 11141
c. E.O. 11246
d. E.O. 11247
e. E.O. 11375
f. E.O. 11514
g. E.O. 11593
h. E.O. 11625
i. E.O. 11738
j. E.O. 11758
k. E.O. 11988
l. E.O. 11990
m. E.O. 11991
n. E.O. 12067
o. E.O. 12086
p. E.O. 12138
q. E.O. 12185
r. E.O. 12250

4. Code of Federal Regulations:
(https://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR)

a. CFR Title 3, The Presidential (Executive Orders)
b. CFR Title 13, Business Credit and Assistance (Part 124)
c. CFR Title 23, Highway (parts 172, 200, 260, 420, 511, 520, 613, 625, 630, 633, 635, 652, 656, 710, 712, 740, 750, 770, 771, 790, 795, 810, 820, 825, 1235)
d. CFR, Title 28, Department of Justice (Parts 35, 36, 41, 42, 50.3)
e. CFR, Title 49, Department of Transportation (Parts 21, 27)

5. U.S. Department of Transportation (DOT) Orders
(http://www.dot.gov/)

a. USDOT Order 1000.1F
b. USDOT Order 1000.12
c. USDOT Order 1050.2
d. USDOT Order 4000.7
e. USDOT Order 5610.1B
f. USDOT Order 5620.1
g. USDOT Order 5650.1
h. USDOT Order 5650.2
i. USDOT Order 56600.16

6. Department of Transportation, Federal Highway Administration (FHWA) directives
(http://www.fhwa.dot.gov/legsregs/elecdirs.htm):

a. FHWA Notice 6560.1
b. FHWA Order 4710.1
c. FHWA Order 4710.2

d. FHWA Transmittals 7, 77, 143, 155, 202, 212, 233, 317

7. All rules and regulations in the Federal Highway Policy Guide shall be adhered to (http://www.fhwa.dot.gov/legsregs/directives/cfr23toc.htm).

8. Department of Transportation, Urban Mass Transportation Administration (UMTA) Circulars (https://cms.fta.dot.gov/)
   a. UMTA Circular C 9040.1B
   b. UMTA Circular C 9716.1A
   c. UMTA Circular C 4220.1B

9. Office of Management and Budget (OMB) (https://www.whitehouse.gov/omb/information-for-agencies/circulars) and Federal Management (FM) Circulars (https://www.whitehouse.gov/omb/information-for-agencies/circulars#financial)
   a. OMB Circular A-46
   b. OMB Circular A-95
   c. OMB Circular A-102
   d. OMB Circular A 103
   e. OMB Circular 74-4
   f. OMB Circular 74-7
   g. OMB Circular 74-8

10. Association of Central Oklahoma Governments Authorities (http://www.acogok.org/transportation-planning/civil-rights-in-the/):
   a. ACOG Standard DOT Title VI Assurances
   b. ACOG Title VI Plan

49 CFR Transportation
Subtitle A - Office of the Secretary of Transportation
Transportation-Effectuation of Title VI of the Civil Rights Act of 1964
(http://www.fhwa.dot.gov/hep/49cfr21.htm)

Notice 4720.6
Impacts of the (Civil Rights Restoration Act of 1987) On FHWA programs
(https://www.fhwa.dot.gov/legsregs/directives/notices/n4720-6.cfm)

Executive Order 13166
Improving Access to Services for Persons with (Limited English Proficiency)
(http://www.dol.gov/oasam/regs/statutes/eo13166.htm)

Executive Order 12898
Federal Actions to Address (Environmental Justice) in Minority Populations and Low-Income Populations
(https://www.epa.gov/laws-regulations/summary-executive-order-12898-federal-actions-address-environmental-justice)

US Department of Transportation Order on Environmental Justice
(https://www.fhwa.dot.gov/environment/environmental_justice/ej_at_dot/orders/order_5610 2a/)

ASSURANCES

Below is the text of ACOG's Title VI Assurances. The most recent signed version of the Assurances may be viewed and downloaded at http://www.acogok.org/wp-content/uploads/2017/05/Assurances.pdf

TITLE VI ASSURANCES

The Association of Central Oklahoma Governments (hereinafter referred to as the Recipient) HEREBY AGREES THAT, as a condition to receiving any federal financial assistance from the Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 42 U.S.C. 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations), and other pertinent directives to the end that, in accordance with the Act, regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, age, national origin, disability/handicap, or income status, 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 the Department of Transportation, including the Federal Highway Administration; and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by Subsection 21.7(a) (1) of the Regulations, a copy of which is attached.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its Federal-aid Highway Program:

1. That the Recipient agrees that each "program" and each "facility," as defined in Subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted or will be (with regard to a "facility") operated in compliance with all requirements imposed by or pursuant to the Regulations.

2. That the Recipient shall insert the following notification in all solicitations for bids for work or materials subject to the regulations made in connection with the Federal-aid Highway Program and, in adapted form, in all proposals for negotiated agreements:

   The Association of Central Oklahoma Governments, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4, and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the Department of Transportation, issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, Disadvantaged Business Enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, age, national origin, disability/handicap, or income status in consideration for an award.

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.

4. That the clauses of Appendix B of this assurance shall be included, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.

5. That where the Recipient receives federal financial assistance to construct a facility or part of a facility, the assurance shall 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 shall extend to rights to space on, over, or under such property.

7. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties (a) for the subsequent transfer of real property acquired or improved under the Federal-aid Highway Program; and (b) for the construction or use of, or access to space on, over, or under, real property acquired or improved under the Federal-aid Highway 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 used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; of (b) the period during which the Recipient retains ownership or possession of the property.

9. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation, or the official to whom he or she delegates specific authority, to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest; and other participants of federal financial assistance under such program will comply with all requirements imposed by or pursuant to the Act, 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 Act, the Regulations, and this assurance.

    THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts, property, discounts, or other federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the federal-aid Highway Program and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in

interest, and other participants in the federal-aid Highway Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

_____ _____

Signature of Authorized Official Date

Attachments:
Appendices A, B, and C

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 shall comply with the regulations relative to nondiscrimination in federally-assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), 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, shall not discriminate on the grounds of race, color, sex, age, national origin, disability/handicap, or income status, in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate, either directly or indirectly, in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in appendix B of the Regulations.

3. **Solicitations for Subcontracts, Including Procurement 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 shall be notified by the Contractor of the Contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, sex, age, national origin, disability/handicap, or income status.

4. **Information and Reports:**

The contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by the State Department of Transportation or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor shall so certify to the State Department of Transportation, or the Federal Highway Administration, as appropriate, and shall set forth what efforts it has made to obtain the information.

5. **Sanctions for Noncompliance:**
In the event of the Contractor's noncompliance with the nondiscrimination provision of this contract, the State Department of Transportation shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including but not limited to:

   a. Withholding of payments to the Contractor under the contract until the Contractor complies and/or

   b. Cancellation, termination, or suspension of the contract in whole or in part.

6. **Incorporation of Provisions:**
The Contractor shall include the provisions of paragraphs 1 through 6 in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as the State Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions, including sanctions for noncompliance provided, however, that in the event a Contractor becomes involved in, or is threatened with, litigation by a subcontractor or supplier as a result of such direction, the Contractor may request the State Department of Transportation to enter into such litigation to protect the interests of the State; and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

APPENDIX B

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures, or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the Department of Transportation, as authorized by law and upon the condition that the State of Oklahoma will accept title to the lands and maintain the project constructed thereon in accordance with Title 23, United States Code, the Regulations for the Administration of Federal Aid for Highways, and the policies and procedures prescribed by the Federal Highway Administration of the Department of

Transportation, and also in accordance with and 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, Nondiscrimination in Federally-assisted Programs of the Department of Transportation (hereinafter referred to as the Regulations), 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 State of Oklahoma 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 the State of Oklahoma and its successors forever subject however, to the covenant, 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 shall be binding to the State of Oklahoma, its successors, and assigns.

The State of Oklahoma, 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 successor, and assigns that (1) no person shall, on the grounds of race, color, sex, age, national origin, disability/handicap, or income status, 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 State of Oklahoma shall use the 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, Nondiscrimination in Federally-assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights of 1964, and as said Regulations may be amended [,] and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land; and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assignees as such interest existed prior to the deed.*

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

APPENDIX C

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the State of Oklahoma, pursuant to the provisions of Assurance 7(a).

The (grantee, licensee, lessee, permittee, etc., as appropriate), for him or herself, his or her heirs, personal representative, 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 in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended, or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in federally-assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, the State of Oklahoma shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon and hold the same as if said [license, lease, permit, etc.] had never been made or issued.

[Include in deeds]*

That in the event of breach of any of the above nondiscrimination covenants, the State of Oklahoma shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the State of Oklahoma and its assigns.

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the State of Oklahoma, pursuant to the provisions of Assurance 6(b).

The (grantee, licensee, lessee, permittee, etc., as appropriate), for him or herself, his or her 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 grounds of race, color, sex, age, national origin, disability/handicap, or income status, shall be excluded from participation in, be 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 grounds of race, color, sex, age, national origin, disability/handicap, or income status, shall be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination, 93) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, the State of Oklahoma shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon and hold the same as if said [license, lease, permit, etc.] had never been made or issued.

[Include in deeds]*

That in the event of breach of any of the above nondiscrimination covenants, the State of Oklahoma shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the State of Oklahoma and its assigns.

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 of the Civil Rights Act of 1964.

ORGANIZATION/STAFF RESPONSIBILITIES

EXECUTIVE DIRECTOR

The Association of Central Oklahoma Governments' (ACOG's) Executive Director is ultimately responsible for assuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and has directed that nondiscrimination is required in all of ACOG's programs and services. The Executive Director provides leadership, guidance, direction, and support for ACOG's Title VI Program.

DIVISION DIRECTOR(S)

Division Director(s) work closely with the ACOG Title VI Coordinator to develop and implement policies and procedures to monitor and ensure Title VI compliance in all of ACOG's programs and activities.

TITLE VI COORDINATOR

The Title VI Coordinator is charged with the responsibility for implementing, monitoring, and ensuring ACOG's compliance with Title VI regulations. The Title VI Coordinator's responsibilities include:

▫ Develop and coordinate the implementation of ACOG's Title VI and Nondiscrimination Program.

▫ Accept and investigate all Title VI complaints, consulting with or referring to the appropriate parties if needed, in accordance with the Title VI complaint procedure.

▫ Assist appropriate staff in devising and implementing any monitoring activities deemed necessary for contractors, consultants, suppliers, vendors, cities, counties, and other sub-recipients of ACOG's programs and various offices.

▫ Prepare annual reports of Title VI accomplishments for the year and goals for the next year.

▫ Work with the Executive Director and other staff to resolve any deficiencies which may be discovered in ACOG's Title VI and Nondiscrimination Program.

▫ Develop Title VI information for dissemination to the public, where appropriate.

▫ Monitor ACOG's procedures and programs for compliance with Title VI requirements.

COMPLAINT DISPOSITION PROCEDURES

The Association of Central Oklahoma Governments (ACOG) uses the following, detailed internal procedures for prompt processing and resolution of all Title VI complaints received directly by any of its divisions having responsibilities under the Title VI and the related nondiscrimination statutes. These procedures include but are not limited to:

1. Any person who believes that he or she, individually, as a member of any specific class, has been subjected to discrimination by ACOG or any of their recipients prohibited by Title VI of the Civil Rights Act of 1964, as amended, may file a written complaint with the Title VI Coordinator. A complaint may also be filed by a representative on behalf of such a person.

2. In order to have the complaint considered under this procedure, the complaint must be filed no later than 180 calendar days after:

- The date of the alleged act of discrimination; or
- Where there has been a continuing course of conduct, the date on which that conduct was discontinued

3. Complaints shall be filed using ACOG's Title VI Complaint Form (available at http://www.acogok.org/wp-content/uploads/2017/05/Title-VI-Complaint-Form-Lincoln-Address-1.pdf or by contacting the Title VI Coordinator). Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination, the person shall be interviewed by the Title VI Coordinator. If necessary, the Title VI Coordinator will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled in the usual manner.

Complaints should be directed to:
Association of Central Oklahoma Governments
Title VI Complaints Attention: Executive Director
4205 N. Lincoln Blvd
Oklahoma City, OK 73104

4. Upon receipt of the signed complaint form, the Title VI Coordinator will log-in the complaint, determine the basis of the complaint, authority/jurisdiction, and who should conduct the investigation.

5. The Title VI Coordinator reviews and determines the appropriate action regarding every Title VI complaint. ACOG will not proceed with or continue a complaint investigation if:

a. The complaint is, on its face, without merit.

b. The same allegations and issues of the complaint have been addressed in a recently closed investigation or by previous federal court decisions.

c. The complainant's or injured party's refusal to cooperate (including refusal to give permission to disclose his or her identify) has made it impossible to investigate further.

6. Within ten (10) business days, the Title VI Coordinator will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to be taken to process the allegation(s), and the complainant is advised of other avenues of redress available, such as the FHWA/FTA, U.S. Department of Justice, U.S. Department of Transportation and the State Department of Transportation. The notification letter contains:

a. The basis of the complaint.

b. A brief statement of the allegation(s) over which ACOG has jurisdiction.

c. A brief statement of ACOG's jurisdiction over the recipient to investigate the complaint; and

d. An indication of when the parties will be contacted.

7. The Title VI Coordinator also notifies the Oklahoma Department of Transportation's Civil Rights Division within ten (10) calendar days of receipt of the allegations, who will notify the appropriate Federal Agency. Generally, the following information will be included in every notification to the ODOT Civil Rights Division:

a. Name, address, and phone number of the complainant.

b. Email address if available.

c. Basis of complaint (i.e., race, color, national origin, sex, age, disability/handicap).

d. Date of the alleged discriminatory act(s).

e. Date of complaint received by the recipient.

f. A statement of the complaint.

g. Other agencies (state, local or Federal) where the complaint has been filed.

h. An explanation of the actions the recipient has taken or proposed to resolve the issue(s) raised in the complaint.

8. Within sixty (60) calendar days from the date the original complaint was received, the Title VI Coordinator will conduct and complete an investigation of the allegation(s) and based on the information obtained, will render a recommendation for action in a report of findings to the Oklahoma Department of Transportation.

9. The Title VI Coordinator will conduct an in-depth, personal interview with the complainant(s). Information gathered in this interview includes: identification of each complainant by race, color, sex, age, national origin, disability/handicap, or income status; name of the complainant; a complete statement concerning the nature of the complaint, including names, places, and incidents involved in the complaint; the date the complaint was filed; and any other pertinent information the investigation team feels is relevant to the complaint. The interviews are recorded either in audio format or by taking notes. The Title VI Coordinator arranges for the complainant to read, make necessary changes to, and sign the interview transcripts or interview

notes. Every effort will be made to obtain early resolution of complaints at the lowest possible level.

11. The Title VI Coordinator forwards the investigative report to the Oklahoma Department of Transportation's Civil Rights Division. The Oklahoma Department of Transportation will review the report and forwards the investigative report to the appropriate Federal Agency. Included with the reports is a copy of the complaint, copies of all documentation pertaining to the complaint, the date the complaint was filed, the date the investigation was completed, the disposition and the date of the disposition, and any other pertinent information. If, for some reason, the investigation cannot be completed within this timeframe, a status report shall be submitted to ODOT at this stage and the report shall follow upon completion. The appropriate Federal Agency reviews and issues the official Letter of Findings to the complainant.

12. If the complaint cannot be resolved by ACOG to the satisfaction of all parties concerned, the party not satisfied is advised of his or her right to appeal pursuant to Title 49, Code of Federal Regulations, and Part 21. The appeal must be filed, in writing no later than 180 calendar days after the date of the alleged discrimination, unless the time for filing is extended by the Secretary to:

U.S. Department of Transportation
400 Seventh Street Southwest
Washington, D.C. 20590

TITLE VI COMPLAINT FORM

The Association of Central Oklahoma Governments is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color, or national origin, as provided by the Title VI of the Civil Rights Act of 1964, as amended. Title VI complaints must be filed within 180 calendar days from the date of the alleged discrimination.

Date of Filing:	
Name:	
Address:	
City, State, Zip Code:	
Work Phone:	
Home Phone:	
E-mail Address:	

Association of Central Oklahoma Governments

4205 N. Lincoln Blvd
Oklahoma City, OK 73105

Phone: (405) 234-2264
Fax: (405) 234-2200
http://www.acogok.org

Indicate on what ground(s) you believe you have been discriminated against (check all that apply):

☐ Race ☐ Color ☐ National Origin ☐ Religion

☐ Sex ☐ Age ☐ Disability

Indicate the person(s) who you believe discriminated against you:

Name(s):	
Work Location (if known):	
Work Phone:	
Date of alleged incident	

If you have an attorney representing you concerning the matters raised in this complaint, please provide the following:

Name:	
Address:	
Work Phone:	
E-mail Address:	

Explain why you believe discrimination has occurred. If there are witnesses, please provide names, addresses and telephone numbers. Be sure to include how other persons were treated differently than you. Attach additional pages as necessary and any written material pertaining to your case.

What remedy are you requesting? Please be specific:

Have you filed or do you intend to file a charge or complaint concerning the matters raised in this complaint with any other agencies (Federal, State, or local):

☐ Yes ☐ No

If so, please provide the following information:

Agency:	
Address:	
Name of Investigator (if known):	
Phone Number:	
E-mail Address:	
Date Filed:	
Status of case:	

I confirm that I have read the above charge(s) and it is true to the best of my knowledge.

Print or typed name of complainant: _____

_____ _____

Signature Date

Completed forms must be submitted to the Association of Central Oklahoma Governments.
If you require any assistance in filling out this form please contact the Title VI Coordinator at 405-234-2264.

Print Form

ACOG Title VI Form
Revised 8/2011

Page 2 of 2

PROCESS TO IDENTIFY/ELIMINATE DISCRIMINATION

It is the responsibility of all the Association of Central Oklahoma Governments (ACOG) management, including the Executive Director, Division Directors, and program area managers to promote compliance with Title VI of the Civil Rights Act of 1964. Compliance will be monitored through proactive oversight, reports to the ACOG Title VI Coordinator and/or compliance reviews.

Each of the following areas will be monitored for compliance with Title VI requirements (areas specified are not all inclusive):

a. All advertisements.
b. Bid proposals, requests, and evaluations.
c. Contracts and subcontracts.
d. Title VI reports, issues, and complaints.
e. Public meetings and internal meetings relating to Title VI will be documented.
f. Title VI contract provisions and other legal documents.

General Monitoring Responsibilities:

- Monitor overall strategies and goals of the transportation planning and research process to ensure Title VI compliance;

- Monitor the utilization of demographic information to identify minority and low-income populations and examine the distributions of the benefits/burdens of the transportation plans and activities on these groups;

- Monitor the service equities of the planning data collection and analyses for impacts on different socio-economic groups;

- Monitor the public involvement processes to improve effectiveness and reduce participation barriers for minority and low-income populations;

- Monitor Environmental Justice (E.O. 12898) issues to identify and locate minority and low-income populations that may be impacted by transportation planning programs;

- Monitor compliance with E.O. 13166, Limited English Proficiency, to improve access and understanding of transportation planning processes for those in the population confronted with language barriers;

- Ensure that female and minority-owned firms have an equal opportunity to participate in the consultant solicitation and selection phase of the transportation planning and research process;

- Monitor accomplishments and problem areas.

PROCESS TO RESOLVE DEFICIENCIES IDENTIFIED BY FHWA/FTA

If deficiencies are found during a compliance review, they will be pointed out to the Executive Director and Title VI Coordinator, and recommendations for corrective action within 90 days will be established. There are three alternatives for **Corrective Action (CFR 200.11)**:

1. Resolution of the noncompliance (or potential noncompliance) "by voluntary means" by entering into an agreement with the applicant, which becomes a condition of the assistance agreement; or

2. Where voluntary compliance efforts are unsuccessful, a refusal to grant or continue the assistance; or

3. Where voluntary compliance efforts are unsuccessful, referral of the violation to the Department of Justice for judicial action.

A follow-up review will be conducted within 180 days of the initial review to ensure that deficiencies are being corrected. All findings, recommendations, and progress made in implementing corrective action will be reported to the Executive Director and Title VI Coordinator.

DATA COLLECTION/DATA ANALYSIS/DATA REPORTING

ACOG analyzed data from the 2005-2009 US Bureau of the Census American Community Survey to determine which languages reached the Safe Harbor threshold for provision of written language assistance. The languages identified were Spanish, Vietnamese, and Chinese.

ACOG surveyed all employees to determine the extent of contact with Limited English Proficiency (LEP) individuals.

ACOG also surveyed all employees about their language skills to compile a database for interpretation and translation assistance.

Detailed results are available in the ACOG LEP Assessment available on ACOG's website at:
http://www.acogok.org/wp-content/uploads/2017/05/ACOG-LEP-Assessment.pdf
A paper copy may also be obtained by contacting ACOG.

MONITORING OF SUBRECIPIENTS

The ACOG Title VI Coordinator will assist ODOT, if asked, in periodically conducting Title VI compliance reviews of ACOG's sub-recipients. The review of select recipients of Federal-aid highway or other Federal funds will be conducted to ensure adherence to Title VI requirements. ACOG will work cooperatively with ODOT to periodically confirm operational guidelines provided to consultants, contractors, and subrecipients, including Title VI language, provisions, and related requirements, as applicable.

Subrecipients placed in a deficiency status will be given a reasonable time, not to exceed 90 days after receipt of the deficiency letter, to voluntarily correct deficiencies. When a subrecipient fails or refuses to voluntarily comply with requirements within the allotted time frame, ACOG will submit to ODOT and FHWA/FTA copies of the case file and a recommendation that the subrecipient be found in noncompliance.

A follow-up review will be conducted within 180 days of the initial review to ascertain if the subrecipient has complied with the Title VI Program requirements in correcting deficiencies previously identified. If the subrecipient refuses to comply, ACOG and ODOT may, with FHWA/FTA concurrence, initiate sanctions per 49 CFR 21.

PUBLIC PARTICIPATION PLAN

The Public Participation Plan is available on ACOG's website at: http://www.acogok.org/public-participation-plan/ . A paper copy may also be obtained by contacting ACOG.

TITLE VI AND NONDISCRIMINATION TRAINING

The ACOG Title VI Coordinator, as well as other interested staff, regularly participate in Title VI related training conducted by FHWA, FTA, and ODOT, as well as online webinars covering Title VI issues.

The ACOG Title VI Coordinator provides internal training on Title VI issues to other ACOG staff when necessary.

ENVIRONMENTAL JUSTICE PLAN/PROCESS

The Environmental Justice Analysis is available on ACOG's website at:
http://www.acogok.org/wp-content/uploads/2017/05/2035-Environmental-Impact-Analysis.pdf
A paper copy may also be obtained by contacting ACOG.

LIMITED ENGLISH PROFICIENCY PLAN/PROCESS

The Limited English Proficiency (LEP) Assessment is available on ACOG's website at:
http://www.acogok.org/wp-content/uploads/2017/05/ACOG-LEP-Assessment.pdf
A paper copy may also be obtained by contacting ACOG.

EXTERNAL COMMUNICATION—NOTIFICATION TO BENEFICIARIES

After each revision, ACOG notifies the public about its new Title VI plan. News releases are sent to media outlets including radio, television, and newspapers, including *The Oklahoman, Journal Record, Black Chronicle, El Nacional, Dan Quyen Newspaper, Norman Transcript, Edmond Sun,* and others. The Title VI plan will be available on ACOG's website and paper copies will be available upon request. In addition, announcements will be sent to affected public agencies, private transportation providers, minority organizations, and special interest groups such as bicyclists, transit riders, rail advocates, trucking industry representatives, chambers of commerce, neighborhood organizations, elderly and disabled advocacy groups, and others for their information and inclusion in their newsletters. Furthermore, announcements about the Title VI Plan will be posted on ACOG's Facebook and Twitter pages.

The following notice is ACOG's standard Title VI policy statement for publications, brochures, flyers, etc:

> *It is the policy of the Association of Central Oklahoma Governments (ACOG), under Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1968; Section 504 of the Rehabilitation Act of 1973; Age Discrimination Act of 1975; Section 324 of the Federal-aid Highway Act of 1973; Civil Rights Restoration Act of 1987; and other related authorities and regulations, that no person in the United States shall, on the basis of race, color, national origin, sex, age, handicap/disability, religion, or familial status be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any federally or non-federally funded program or activity administered by the Association of Central Oklahoma Governments (ACOG) or its subrecipients.*

ACOG has access to trifold brochures (Attachment 1), developed by ODOT in both English and Spanish, informing the public of their rights under Title VI. These brochures are available at the ACOG office, at public meetings held by ACOG, and on the ACOG website at http://www.acogok.org/transportation-planning/civil-rights-in-the/ .

REPORTING: ANNUAL WORK PLAN AND ACCOMPLISHMENT REPORT

ACCOMPLISHMENT REPORT

ACCOMPLISHMENTS MADE SINCE LAST REPORT/UPDATE

In CY 2011, ACOG made the following Title VI accomplishments:

- Half-day training (conducted by ODOT) for ACOG staff on Title VI and ADA/504/508 issues in July
- Updates and revision of ACOG's Title VI webpage: http://www.acogok.org/transportation-planning/civil-rights-in-the/
- Updates and revision of ACOG's Title VI complaint form and process
- Title VI complaint log created (no complaints received)
- Title VI public meeting sign-in sheets with demographic info fields created
- Limited English Proficiency (LEP) Assessment completed
- Created database of ACOG staff who can translate, interpret, or are bilingual
- Created Employee Guide for Assisting an LEP Individual
- Title VI Plan completed
- Title VI Assurances signed by Executive Director
- Public Participation Plan updated
- Assisted Central Oklahoma Transportation and Parking Authority (COTPA) with Census data analysis for their Title VI submissions to FTA

TITLE VI NONDISCRIMINATION ISSUES IDENTIFIED AND ADDRESSED

No Title VI Nondiscrimination issues were identified.

REVIEWS CONDUCTED

No reviews were conducted.

SUMMARY AND STATUS OF COMPLAINTS FILED

No complaints were filed in CY 2011. See Attachment 2.

WORK PLAN

TITLE VI NONDISCRIMINATION MONITORING AND REVIEW ACTIVITIES PLANNED FOR THE NEXT YEAR

- Update ACOG's translator/interpreter vendor list. Verify and update existing contacts and supplement with contacts from ODOT's approved vendor list. (Complete by June 30, 2012)
- Get quotes for translation of documents identified as vital in LEP Assessment. (Complete by September 30, 2012)
- Translate documents identified as vital in LEP Assessment (Complete by December 31, 2012)
- Maintain current information on the Title VI website. (Ongoing)
- Use Title VI sign-in sheets at public meetings and make Title VI brochures (see Attachment 1) available at public meetings. (Ongoing)

ATTACHMENT 1: TITLE VI BROCHURES

What if the recipient retaliated against me for asserting my rights or filing a complaint?

You should be aware that a recipient is prohibited from retaliating against you or any person because he or she opposed an unlawful policy or practice, or made charges, testified, or participated in any complaint action under the Title VI. If you believe that you have been retaliated against, you should immediately contact the ODOT.

What is a 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 such program.

"Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination."

-President John F. Kennedy, in his message calling for the enactment of Title VI, 1963

Oklahoma Department of Transportation

Civil Rights Division
200 N.E. 21st Street, Room 1-C5
Oklahoma City, OK 73105
http://www.okladot.state.ok.us/

Phone: 405-521-2072
Toll Free: 1-800-788-4539
Fax: 405-522-2136

Oklahoma Department of Transportation

YOUR RIGHTS UNDER

Title VI

Of the Civil Rights Act of 1964

"No 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."

What is Title VI?

Title VI of the Civil Rights Act of 1964 is the Federal law that protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive Federal financial assistance.

Title VI Covers...

- All Advertisements;
- Bid proposals, requests, and evaluations;
- Contracts/subcontracts;
- Title VI reports, issues, and complaint: Public meetings and internal meetings relating to Title VI will be documented and reports forwarded to the Title VI Coordinator;
- The Title VI contract provisions and other legal documents;
- Other office areas where discrimination may exist.

What discrimination is prohibited by Title VI?

There are many forms of illegal discrimination based on race, color, or national origin that can limit the opportunity of minorities to gain equal access to services and programs. Among other things, in operating a federally assisted program, a recipient cannot, on the basis of race, color or national origin, either directly or through contractual means:

- Deny a program services, aids, or benefits;
- Provide a different service, aid, or benefit, or provide them in a manner different than they are provided to others; or
- Segregate or separately treat individuals in any matter related to the receipt of any service, aid, or benefit.

How can I file a discrimination complaint?

Each Federal agency that provides Federal financial assistance as well as the ODOT as a recipient of Federal financial assistance is responsible for investigating complaints of discrimination on the basis of race, color, or national origin in the use of its funds. If you believe that you or others protected by Title VI have been discriminated against, you may file a complaint with the Federal agency that provides funds for the program where you believe the discrimination is occurring or the ODOT. Complaints filed with the ODOT should be directed to:

Oklahoma Department of Transportation
Civil Rights Division
200 N.E. 2st Street, Room 1-C5
Oklahoma City, OK 73105-3204

A signed, written complaint should be filed **within 180 days** of the date of the alleged discrimination. The Title VI Complaint form is available on the ODOT's website or by contacting the ODOT's Civil Rights Division. Information from the complaint should include:

1. Your name, address, and telephone number. Your complaint must be signed. If you are filing on behalf of another person, include your name, address, telephone number, and your relation to that person (e.g. friend, attorney, parent, etc.).
2. The name and address of the agency , institution, or department you believe discriminated against you.
3. How, why, and when you believe you were discriminated against. Include as much background information as possible about the alleged acts of discrimination. Include names of individuals whom you allege discriminated against you, if you know them.
4. The names of any persons, if known, that the investigating agency may contact for additional information to support or clarify your allegations.

What will ODOT do with my complaint?

Once a complaint is filed, it will be reviewed by the department to determine whether it has jurisdiction to investigate the issues you have raised. If it is determined that ODOT has jurisdiction to investigate the complaint, the allegations will be investigated. If violations of the Title VI are found, the department will attempt to resolve them. If the complaint is against the ODOT it will be forwarded to the Federal agency which provided funds for the program or project in question.

Who may file a Title VI Complaint?

Complaints may be filed by any individual or group who believes:

- That their rights, under the Title VI have been violated in a discriminatory manner.
- That the department's programs or activities do not comply with Federal civil rights laws.
- That they have been treated in a disparate manner.

Discrimination:
An act (or action) whether intentional or unintentional through which a person in the United States, solely because of race, color, religion, gender, or national origin has been otherwise subjected to unequal treatment under any program or activity receiving financial assistance from the Federal highway Administration, the Federal Transit Administration, or the Federal Aviation Administration.

Disparate Treatment:
Inconsistent application of rules and policies to one group of people over another. Discrimination may result when rules and policies are applied differently to members of protected classes. Disciplining Hispanic and African-American employees for tardiness, while ignoring tardiness among other employees is an example of disparate treatment.

¿Qué sucede si el destinatario tomó represalias contra mí para hacer valer mis derechos o presentar una queja?

Usted debe ser consciente de que un destinatario es prohibido represalias contra usted o cualquier persona porque él o ella se opuso a un ilegal política o práctica, o había hecho cargos, testificó, o participado en ninguna acción de denuncia bajo el título VI. Si usted cree que ha sido tomó represalias contra, debe comunicarse inmediatamente con la ODOT.

¿Qué es un destinatario?

Cualquier Estado, territorio, posesión, el distrito de Columbia, Puerto Rico, o cualquier subdivisión política, o Instrumentalidad, o cualquier organismo público o privado, institución, organización, o otra entidad o cualquier persona, en cualquier Estado, territorio, posesión, el distrito de Columbia o Puerto Rico, a quien se extiende asistencia federal, directamente o a través de otro destinatario, para cualquier programa. Destinatario incluye cualquier sucesor, cesionario o cesionario de los mismos. El destinatario del término no incluye a cualquier beneficiario final de cualquier programa de ese tipo.

"Simple justicia requiere que no se destine fondos públicos, a la que contribuyen todos los contribuyentes de todas las razas, de cualquier manera que alienta, entrenches, subvenciona o resultados en la discriminación racial."

-Presidente John f. Kennedy, en su mensaje pidiendo la promulgación del Título VI, 1963

Oklahoma Department of Transportation

Civil Rights Division
200 N.E. 21st Street, Rm. 1-C5
Oklahoma City, OK 73105
http://www.okladot.state.ok.us/

Telefono: 405-521-2072
Número de teléfono gratuito:
1-800-788-4539
Fax: 405-522-2136

Departamento de Oklahoma de Transporte

Title VI

La Civil Rights Act de 1964

"ninguna persona en los Estados Unidos quedará en motivos de raza, color u origen nacional, excluida de la participación en, puede negar los beneficios de o ser sometida a discriminación bajo ningún programa o actividad que reciba asistencia financiera Federal."

¿Qué es el Título VI?

Título VI de la ley de Derechos Civiles de 1964, es la ley Federal que protege a los individuos contra la discriminación sobre la base de su raza, color u origen nacional en programas que reciben asistencia financiera Federal.

Título VI de tapas

- Todos los anuncios;
- Las propuestas de la puja, solicitudes y evaluaciones;
- Contratos y subcontratos;
- Título VI informes, cuestiones y quejas: reuniones públicas y reuniones internas relacionadas con el Título VI se documentarán y informes remitidos al Título VI coordinador;
- Las disposiciones del contrato de Título VI y otros documentos legales;
- otras áreas de oficina donde puede existir discriminación.

¿Qué discriminación está prohibida por el Título VI?

Hay muchas formas de discriminación ilegal basada en la raza, el color o el origen nacional que puede limitar la oportunidad de las minorías para obtener igualdad de acceso a servicios y programas. Entre otras cosas, en el funcionamiento de un programa federalmente asistido, un destinatario no, sobre la base de la raza, el color o el origen nacional, ya sea directamente o a través de medios contractuales:

- Un programa de denegar servicios, ayudas o beneficios;
- Proporcionar un servicio diferente, ayuda o beneficios, o les proporcionan de manera diferente a la se ofrecen a los demás; o
- Segregan o por separado tratar individuos en cualquier asunto relacionado con la recepción de cualquier servicio, ayuda o beneficio.

¿Cómo puedo presentar una queja de discriminación?

Cada agencia Federal que proporciona asistencia financiera federal, así como la ODOT como un receptor de asistencia financiera Federal es responsable de investigar las denuncias de discriminación sobre la base de la raza, el color o el origen nacional en el uso de sus fondos. Si usted cree que usted u otros protegidos en el Título VI han discriminado, puede presentar una queja con la Agencia Federal que proporciona fondos para el programa donde crees que se está produciendo la discriminación o la ODOT. Las quejas presentadas con el ODOT deben dirigirse a:

Oklahoma Department of Transportation
Civil Rights Division
200 N.E. 21st Street, Rm. 1-C5
Oklahoma City, OK 73105-3204

Debe presentarse una queja firmada y por escrito **dentro de los 180 días** de la fecha de la supuesta discriminación. El formulario de queja de título VI está disponible en el sitio web de la ODOT o por ponerse en contacto con la División de Derechos Civiles de la ODOT. Información de la denuncia debe incluir:

1. Su nombre, dirección y número de teléfono. Su queja debe ser firmada. Si están presentando en nombre de otra persona, incluya su nombre, dirección, número de teléfono y su relación con esa persona (por ejemplo, amigo, abogado, padre, etc).
2. El nombre y la dirección de la Agencia, institución o departamento que usted cree discriminado contra usted.
3. Cómo, por qué y cuándo cree usted que fueron discriminados. Incluir tanta información como sea posible acerca de los alegados actos de discriminación. Incluir nombres de personas que se alegan que discrimina contra usted, si sabes les.
4. Los nombres de las personas, si se conoce, que la Agencia Investigadora puede contactar para que obtener información adicional apoyar o aclarar sus denuncias.

¿Qué hara ODOT con mi queja?

Una vez que se presenta una queja, será revisado por el departamento para determinar si tiene jurisdicción para investigar las cuestiones que se ha planteado. Si se determina que el ODOT tiene jurisdicción para investigar la denuncia, se investigarán las denuncias. Si se encuentran violaciones del Título VI, el departamento intentará resolverlos. Si la denuncia es contra el ODOT se remitirá a la Agencia Federal que proporciona fondos para el programa o proyecto en cuestión.

¿Quién puede presentar una Queja de Título VI?

Quejas pueden ser presentadas por cualquier persona o grupo que cree:

- Que se han violado sus derechos, bajo el Título VI de manera discriminatoria.
- Que del departamento programas o actividades no cumplen con las leyes Federales de los derechos civiles.
- Que han sido tratadas de manera dispar.

Discriminación:
Un acto (o acción) ya sea intencional o no intencional a través de que una persona en los Estados Unidos, únicamente debido a la raza, color, religión, sexo u origen nacional ha sido lo contrario sometidos a un trato desigual en virtud de cualquier programa o actividad que recibe asistencia financiera desde la autopista Federal Administration, la Administración Federal de Tránsito o la Administración Federal de Aviación.

Tratamiento Dispar:
Aplicación arbitraria de las normas y políticas a un grupo de personas sobre otro. Discriminación se puede producir cuando las normas y políticas se aplican de forma diferente a los miembros de las clases protegidas. Disciplining Hispanos y Afroamericanos empleados para la tardanza, ignorando la tardanza entre otros empleados es un ejemplo de tratamiento dispar.

ATTACHMENT 2: COMPLAINT LOG

No complaints were logged in CY 2011.