

## Title VI Federal-Aid Contract Provisions

All federal-aid contracts let by the Department must include Title VI contract assurance language which requires compliance with Title VI of the Civil Rights Act of 1964. Federal-aid contractors may not discriminate in selection and retention of first-tier subcontractors; and subcontractors may not discriminate in the selection and retention of second-tier subcontractors who participate in federal-aid highway construction.



## Role of the Civil Rights Unit

The Department has established a Civil Rights Unit which is responsible for enforcing compliance with Title

VI and all other civil rights statutes. The Civil Rights Unit is available to provide sub-recipients with guidance, technical assistance and training. The Civil Rights Unit is available to educate the public and investigate complaints of violations of Title VI.

## Disadvantaged Business Enterprise (DBE) Program

The DBE Program is a federal program operating under the guidance of the U.S. DOT. Authorization for the program comes from 49 Code of Federal Regulations Part 26 (49 CFR 26).

The overall goal of the DBE program is to certify that firms owned and controlled by minorities, women, and other socially and economically disadvantaged persons have the opportunity to grow and become self-sufficient in order to create a "level playing field" on which they can compete fairly for contracts and subcontracts in the transportation industry.

## Affirmative Action Program

The Department has implemented an affirmative action program. Its mission is to take result-oriented steps to promote equal employment opportunity for women, minorities, veterans, and people with disabilities. The equal employment opportunities include but are not limited to recruiting, hiring, and promoting.



## Monitoring

Title VI compliance requires the monitoring of all program areas to guarantee that all Department activities are conducted in a nondiscriminatory manner and appropriate procedures are in place for the collection of related data. Program areas throughout the Department will be monitored to guarantee compliance on an annual basis. Management and appropriate authorities are required to cooperate in these efforts. It is important that all of us play our part in Title VI compliance in order to ensure the continued receipt of federal funds.



## The Department's Title VI Plan

The Department submits its annual plan to FHWA for approval each year. The plan provides details regarding the Department's Title VI program and goals. A copy of the Department's annual plan may be obtained by contacting the Civil Rights Unit.

## How to File a Complaint

If you believe you have been the victim of unlawful discrimination in violation of Title VI, you may file a written complaint with the Civil Rights Unit within 180 days of the alleged act of discrimination. Your complaint should include the following:

- Your name, address, and telephone number
- The name and address of the entity you believe discriminated against you
- How, why, and when you believe you were discriminated against. Include as much specific, detailed information as possible about the alleged acts of discrimination and any other relevant information.
- The name of any persons, if known, who the ODOT Civil Rights Unit could contact for clarity of your allegations.

**Your complaint must be signed and dated.**

Submit your complaint to the address listed below:

**Ohio Department of Transportation  
Office of Chief Legal Counsel  
Civil Rights Unit  
1980 W. Broad Street, 1st Floor  
Columbus, OH 43223  
Telephone: 614-466-3664  
Fax: 614-644-7400  
Toll Free: 1-877-845-5058**

For a printable complaint form, visit our Web site: [www.dot.state.oh.us/titlevi](http://www.dot.state.oh.us/titlevi)



**ODOT's  
Commitment to  
Title VI  
of the  
Civil Rights Acts of 1964**



## Title VI Program Commitment

The primary goal of the Ohio Department of Transportation's Title VI program is to ensure that everyone who receives financial assistance from, or who benefits from federal financial assistance, complies with Title VI of the Civil Rights Acts of 1964.



## What is Title VI of the Civil Rights Act of 1964?

Title VI provides as follows: “[n]o 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 a program or activity receiving federal financial assistance.” [42 U.S.C. 2000d]. This brochure discusses Title VI as it pertains to the Department and entities which receive federal financial assistance through the Department (“sub-recipients”).



In addition to prohibiting discrimination on the basis of race, color, or national origin, Title VI requires the Department and its sub-recipients to consider the effects its programs and activities may have upon minority and low income communities.



## Discrimination Prohibited by Title VI

There are many forms of illegal discrimination based on race, color, or national origin that limit the opportunity of minorities to gain equal access to services and programs. Among other things, in operating a federally-assisted program, the Department and its sub-recipients cannot, on the basis of race, color, or national origin, either directly or indirectly:

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



## Title VI & Environmental Justice

On February 11, 1994, President Clinton signed Executive Order 12898: *Federal Action to Address Environmental Justice in Minority Populations and Low-Income Populations*. The Executive Order provides that “each 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 and low-income populations.” In support of Executive Order 12898, the U.S. DOT issued an Order on Environmental Justice (DOT Order 5610.2).

This order clarifies and reinforces Title VI responsibilities in federally financed transportation projects. Adverse Impacts may include:

- Disproportionate displacement of minority or low income persons, businesses, farms, or non-profit organizations.
- Disproportionate increase in traffic congestion, isolation, exclusion, or separation of minority or low-income individuals within a given community or from the broader community
- The denial of, reduction in, or significant delays in the receipt of, benefits from DOT programs, policies, or activities

## Public Involvement

Another integral component of Environmental Justice is public involvement in the planning and development of transportation projects. The DOT Order (5610.2) on Environmental Justice directs departments of transportation and sub-recipients to provide minority and low-income populations greater access to information, and opportunities for, public participation in matters that may impact their health and environment. Public participation is accomplished in a variety of ways such as public hearings, open houses, and community outreach. The Department strives for public involvement as early as possible in the planning and development stages of major transportation projects.



## Title VI and Limited English Proficiency (LEP)

On August 11, 2000, President Clinton signed Executive Order 13166: *Improving Access to Services for Persons with Limited English Proficiency*. Executive Order 13166 obligates departments of transportation and sub-recipients to make certain that people of Limited English Proficiency (LEP) have “meaningful access to the programs, services, and information” they provide.



## Who is a LEP Person?

Persons who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English.

## What does LEP Require?

Executive Order 13166 obligates departments of transportation to identify geographic areas within the state which contain a certain percentage of individuals who have a limited ability to speak or understand English. If a certain percent of the population is deficient in English, the Department must ensure that key documents and vital information about the department's projects, programs and services are available in the language which assists the LEP population. For example, the Department may be required to provide interpreters at public meetings or publish information about relocation assistance into other languages.

