



# Title VI/ADA Non-discrimination Requirements

For Recipients of Federal Transit Administrations (FTA) Funding

February 2024

# Overview

FTA recipients are required to comply with:

- Title VI provisions of [FTA C 4702.1B](#)
- ADA provisions of [FTA C 4710.1](#)

WisDOT subrecipients of FTA funds are required to prepare and submit a Title VI/ADA/Non-discrimination Plan to the Transit Section on a schedule determined by WisDOT.

Sample templates are available on the WisDOT Transit Title VI/ADA website.



# Title VI

Title VI of the Civil Rights Act of 1964 is a federal law that protects individuals and groups from discrimination on the basis of race, color and national origin in programs and activities that receive federal financial assistance.

Specifically, 42 USC 2000d states:

*"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."*

Title VI prohibits WisDOT and entities that receive federal funds via WisDOT from discriminating against the public based on race, color, or national origin.

Other federal non-discrimination legal authorities add protections based on age, disability, sex, and low-income status.



# Americans with Disabilities Act (ADA)

49 CFR Section 37.5 states:

'No entity shall discriminate against an individual with a disability in connection with the provision of transportation service.'

This is overarching requirement needs to be applied throughout the transportation service/program and the entire organization.



# Title VI and ADA Requirements

- Develop and adopt a Title VI/ADA Non-discrimination Plan
- Post Public *Notice of Non-discrimination*
- Establish a *Complaint Procedure* and *Complaint Form*
- Use a **Complaint Log** to track, address, and resolve Title VI/ADA Complaints, Investigations and Lawsuits
- Develop and implement **Public Involvement Plan**
- Establish **Language Assistance Services** for persons with Limited English Proficiency (LEP)
- Identify **Demographic Representation Data** for transit related boards/councils
- Train/inform staff, volunteers, and contractors of non-discrimination requirements and Title VI/ADA Plan



# Notice of Non-discrimination

## Public Statement

- Includes information on how to submit a complaint
- Posted in the following locations: website, public space in office, vehicles, brochures/schedules

The **Recipient** operates its programs and services without regard to race, color, national origin, disability, sex, age, religion, income status or limited English proficiency (LEP) in accordance with Title VI of the Civil Rights Act, Americans with Disabilities Act (ADA), and related non-discrimination authorities. For more information on the **Recipient's** civil rights program, ADA obligations, and the procedures to file a complaint, contact (insert name), email [email@emailaddress.com](mailto:email@emailaddress.com), (XXX)XXX-XXXX (for hearing impaired, please use Wisconsin Relay 711 service <https://wisconsinrelay.com>)



# Complaint Procedure, Complaint Form, Complaint Log

- Subrecipient shall have the following to address and resolve Title VI and ADA complaints.
  - **Complaint Procedure**
  - **Complaint Form**
  - **Complaint Log**
- At a minimum, the **Complaint Procedure** and **Complaint Form** must be available in hard copy in the central office.
  - **Subrecipients are encouraged to post a copies on their website.**
- The **Complaint Procedure** and **Complaint Form** must also be made available in appropriate languages for LEP populations.



# Public Involvement Plan

Develop a Public Involvement Plan that describes proactive strategies and participation techniques to engage the public - including minority, low-income, disabled, and limited English proficient (LEP) populations, as well as a summary of outreach efforts.

- Outreach should be based on subrecipient's demographics, service under consideration, programs affected or proposed, resources available, etc.
- Tips for encouraging public participation:
  - Select accessible and varied meeting locations, times, meeting size and formats
  - Use social media as a way to gain public involvement
  - Consider radio, TV or newspaper ads that serve LEP populations.
  - Expand traditional outreach methods by visiting ethnic stores/markets and restaurants, community centers, libraries, etc.





# Limited English Proficiency (LEP) Plan

- Persons with Limited English Proficiency (LEP)
  - Persons who do not speak English as their primary language
  - Persons who have a limited ability to read, write, speak, or understand English
- Develop a LEP Plan that describes Language Assistance Services
  - Train staff on what to do when encountering someone who has difficulty speaking English
    - I-Speak Card; Log of LEP Encounters
    - TTY Services or message relay service (WI Relay 7-1-1; <http://www.wisconsinrelay.com/> )
    - Translation services, if available



# Demographic Representation Data

Subrecipients which have transportation-related, non-elected boards, advisory council or committees, or similar bodies, must report membership of these committees broken down by race and include a description of efforts made to encourage the participation of minorities on these committees.



# Training: Staff and Volunteers

- Provide Title VI/ADA/Non-Discrimination Training to Staff and Volunteers
  - Information on Title VI/ADA/Non-Discrimination Plan and LEP responsibilities.
  - How to handle Title VI Non-Discrimination and LEP complaints.
  - Description of language assistance services offered to the public.
    - Use of the “I-Speak Card” as a tool to assist LEP individuals.
    - Documentation of language assistance requests using the *Log of LEP Encounters*.
    - TTY Services or message relay service (WI Relay 7-1-1; <http://www.wisconsinrelay.com/> )
    - *Translation services, if available.*
- Inform Contractors of Title VI/ADA/Non-Discrimination requirements and obligations



# Tools and Templates

Resource Information, tools, and templates are available on the WisDOT Transit website at:

<https://wisconsindot.gov/Pages/doing-bus/local-gov/astnce-pgms/transit/compliance/title6.aspx>

**Note:** This presentation identifies required Title VI/ADA/Non-discrimination Plan elements. WisDOT subrecipients may be required to provide additional information. Consult the WisDOT Transit Section for guidance on additional requirements.



# Comments and Questions

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