

Title VI Requirements for Subrecipients

Recipients of Federal financial assistance are required to comply with various nondiscrimination laws and regulations. The requirements extend to subrecipients such as cities, counties, consultants, contractors, suppliers, universities, colleges, planning agencies, and subcontractors of those subrecipients who receive federal financial assistance through the Texas Department of Transportation (TxDOT).

The following information, while not comprehensive, highlights steps subrecipients should take to achieve compliance with TxDOT's Title VI program. Additional information, including examples, can be found in the [Title VI Subrecipient Compliance Assessment Tool Technical Assistance Guide](#).

Nondiscrimination Policy Statement

A policy statement that assures nondiscrimination to the effect that no person shall on the grounds of race, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity must be signed by the head of the agency and circulated internally and to the general public.

Nondiscrimination Assurances

Subrecipients must sign the U.S. DOT Standard Title VI Assurances. General nondiscrimination language from the assurances must be included in all solicitations for bid or requests for proposals. The clauses of Appendix A and Appendix E must be included in every contract or agreement that you enter into. Form FHWA-1273 must also be physically attached to all federal-aid construction contracts of \$10,000 or more.

Nondiscrimination Coordinator

A Title VI Coordinator must be designated, who has a responsible position in the organization with access to the head of the agency.

Nondiscrimination Plan

Subrecipients must have a Title VI Nondiscrimination plan that communicates how the agency implements its nondiscrimination policies.

External Discrimination Complaints

A list of all external discrimination complaints and lawsuits filed against the agency must be maintained. The information in this list should include: the identification of each complainant by race, color, sex, or national origin; the name of the complainant; the nature of the complaint; the dates the complaint was filed and the investigation was completed; the disposition and date; and other pertinent information. Your external discrimination complaint processing procedures should also include a timeline for submitting a complaint.

Limited English Proficiency (LEP)

Responsible steps must be taken to ensure meaningful access to the benefits, services, information, and other important portions of your programs and activities for individuals who are LEP.

Environmental Justice (EJ)

Subrecipients must identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of your programs, policies, and activities on minority and low-income populations.

Public Participation

Subrecipients should provide an opportunity for public involvement and full access to the decision making process in each stage of the planning and development of transportation projects. Efforts must be documented in a Public Participation Plan.

Data Collection and Analysis

Procedures must be developed for the collection of statistical data (race, color, national origin, sex, disability, and age) of participants in and beneficiaries of your programs (e.g., impacted citizens, and affected communities).

Annual Reporting

Subrecipients must develop an annual work plan to document how the agency is effectively implementing its Title VI/Nondiscrimination responsibilities.

Rules and Regulations

- [Environmental Justice Executive Order 12898](#)
- [Limited English Proficiency Executive Order 13166](#)