



# Alaska Department of Transportation and Public Facilities

FAA Title VI Training 2024  
Robespierre Howard Title VI and ADA Coordinator  
Alaska DOT&PF Civil Rights Office



# Alaska DOT&PF Policy

It is the policy of the Alaska Department of Transportation and Public Facilities (DOT&PF) that no one shall be subject to discrimination on the basis of race, color, national origin, sex, age, or disability, regardless of the funding source, including Federal Transit Administration, Federal Aviation Administration, Federal Highway Administration, Federal Motor Carrier Safety Administration and State of Alaska funds.





# Civil Rights Act of 1964

The Civil Rights Act of 1964, which was enacted July 2, 1964, is a landmark civil rights and labor law in the United States that outlaws' discrimination based on:

- Race
- Color
- Religion
- Sex
- Creed
- Sexual orientation
- Gender identity
- National origin



It prohibits unequal application of voter registration requirements, racial segregation in schools, **public accommodations**, and employment discrimination.



# What is Title VI

## 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”

Title VI, 42 U.S.C. § 2000d



# TITLE VI – Protected Class

## Who is protected?

Title VI applies to all “persons.” Courts have interpreted the Equal Protection Clause of the Fourteenth Amendment and analogous language in civil rights laws to mean that Title VI protects all persons in the United States.

Applies to direct and indirect effects on those persons.

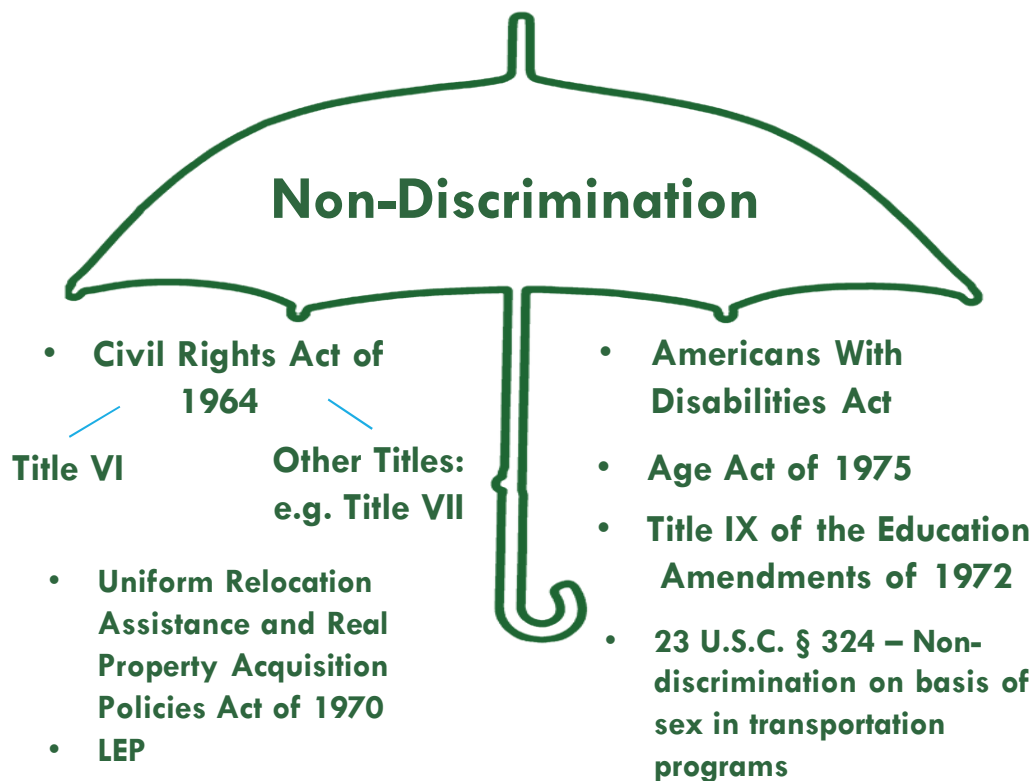






# TITLE VI – Protected Class

## Relationship between Title VI and Other Civil Rights Laws





# Requirements

- Compliance with Title VI and related requirements means:

Subject	Requirement
Contracts	Solicitations, leases, and contracts must contain a nondiscrimination clause. Reverter & cancellation clauses
Coordination	Conspicuously display nondiscrimination poster
Complaints	Forward all Title VI complaints to DOT&PF CRO/FAA
LEP	Analysis, policies, and procedures to meet language access needs.



## Contracts

- Solicitations, leases, and contracts must contain a nondiscrimination clause.
  - Reverter & cancellation clauses

[https://www.faa.gov/airports/aip/procurement/federal\\_contract\\_provisions](https://www.faa.gov/airports/aip/procurement/federal_contract_provisions)





# Coordination – Nondiscrimination Notice

- **Appendix C to Part 21.**
  - Requires posting for FAA-furnished notice.
  - Notice includes area for airport coordinator information. Other changes are not permitted.

## Unlawful Discrimination

It is unlawful for airport operators and their lessees, tenants, concessionaires and contractors to discriminate against any person because of race, color, national origin, sex, creed, or disability in public services and employment opportunities. Allegations of discrimination should be promptly reported to the Airport Manager or:

Federal Aviation Administration  
Office of Civil Rights, ACR-1  
800 Independence Avenue, S.W.  
Washington, D.C. 20591

Federal regulations on unlawful discrimination are available for review in the Airport Manager's Office.

Coordinator: Robespierre Howard  
Phone: 907-269-0852  
Address: 2200 E. 42nd Ave.  
Anchorage, AK 99508

## Discriminación Ilegal

Se prohíbe a los operadores de aeropuertos y a sus arrendatarios, inquilinos, concesionarios y contratistas discriminar contra cualquier persona por motivo de raza, color, nacionalidad de origen, sexo, creencias religiosas, impedimento físico o discapacidad en lo que respecta a servicios públicos y oportunidades de empleo. Las alegaciones de discriminación deberán ser dirigidas inmediatamente al Administrador del Aeropuerto o a:

Federal Aviation Administration  
Office of Civil Rights, ACR-1  
800 Independence Avenue, S.W.  
Washington, D.C. 20591

Los reglamentos sobre discriminación ilegal están a la disposición de los interesados para su examen en la oficina del Administrador del Aeropuerto.

Coordinador: Robespierre Howard  
Teléfono: 907-269-0852  
Dirección: 2200 E. 42nd Ave.  
Anchorage, AK 99508



U.S. Department of Transportation  
Federal Aviation Administration

FAA 101000



# Complaint

- **When to File:** Complaints of discrimination, intimidation or retaliation must be filed within **180** days of the last date of the prohibited act(s).
  - **Where to File:** You can file a complaint with the Alaska Department of Transportation Civil Rights Office
  - [FAA Title VI and ADA Complaint and Consent Form](#)
- Or
- [Filing a Complaint | Federal Aviation Administration](#)



## Limited English Proficiency (LEP)

- Four-Factor Analysis and LEP Plan.
- Recipients should apply these four factors to determine the extent of their obligation to provide LEP services:
  1. Number/proportion of LEP persons in a recipient's area.
  2. Frequency of contact with LEP individuals for recipient's services.
  3. Importance of the service provided by the recipient.
  4. Resources available to the recipient and costs.





## Four-Factor Analysis – 1st Factor

- Number/proportion of LEP persons in a recipient's area.
  - The greater number or proportion of LEP individuals in the service area, the more likely language services will be needed.





## Four-Factor Analysis – 2nd Factor

- Frequency of contact between LEP individuals and the recipient's services.
  - The more frequent the contact between the services and the LEP population, the more likely the need for enhanced language services.





## Four-Factor Analysis – 3rd Factor

- **Importance** of the service provided by the recipient.
  - The more important the activity or service or the greater consequences of the contact to the LEP individuals, the more likely language services are needed.
  - In essence, if a delay or denial of access to a particular service could have serious health or life-threatening implications it is probably “important.”





## Four-Factor Analysis – 4th Factor

- Resources available to the recipient and costs.
  - A recipient's level of resources and the costs imposed may have an impact on the nature of steps it should take in providing meaningful access for LEP individuals.





# Four-Factor Analysis – Application

- Construction Information.
  - Posted notices for detours.
  - Information about construction activities on website.
  - Additional mitigations identified in environmental documents.
- Emergency Planning
  - FAA Advisory Circular 150/5200-31C - Airport Emergency Plan.







# Four-Factor Analysis – Application

- Best Practices.
  - Bilingual
    - Volunteers
    - Staff
    - Tenants.
  - Announcements
    - Visual paging.
  - Name tags that identify additional languages spoken.



Photo by Dean Brack  
www.thehawaii.com





# Four-Factor Analysis – Application

- Best Practices (cont.).
  - Documents and signage - in multiple languages.
  - Language Assistance Plans.
  - Airport website - translated into Spanish and other languages.
  - I-Speak (translation) card - identifies a language.

OMB No. 0607-1006; Approval Expires 11/30/2021

United States <sup>®</sup> Census 2020	Language Identification Card
I work for the U.S. Census Bureau. Is someone here now who speaks English and can help us? If not, someone may contact you who speaks _____.	
<b>Español (Spanish 02)</b> Trabajo para la Oficina del Censo de los EE. UU. ¿Se encuentra alguien que hable inglés y pueda ayudarnos? Si no, alguien que habla español podría comunicarse con usted.	
<b>普通话、广东话 (Chinese simplified)</b> 我是美国人口普查局的工作人员。请问您这里有没有会说英语的人可以帮助我们？ (Mandarin 03): 如果没有，可能会有会讲普通话的人与您联系。 (Cantonese 04): 如果没有，可能会有会讲广东话的人与您联系。 如果您閱讀繁體中文，請參閱第2頁（普通話或廣東話） (Chinese traditional on pg 2)	
<b>Tiếng Việt (Vietnamese 05)</b> Tôi làm việc cho Cục Thống Kê Dân Số Hoa Kỳ. Hiện có ai ở đây biết nói tiếng Anh và có thể giúp quý vị và tôi không? Nếu không, một nhân viên nói tiếng Việt có thể sẽ liên lạc với quý vị.	
<b>한국어 (Korean 06)</b> 저는 미국 인구조사국에서 일하고 있습니다. 여기 계신 분 중에서, 영어를 하실 수 있어서 저희를 도와주실 수 있는 분이 혹시 계신지요? 없으시면, 한국어를 하시는 분이 연락을 드릴 수도 있습니다.	
<b>Русский (Russian 07)</b> Я представляю Бюро переписи населения США. Присутствует здесь кто-нибудь, кто говорит по-английски и мог бы помочь нам? Если нет, то тогда возможно, с Вами свяжется наш сотрудник, говорящий по-русски.	
<b>العربية (Arabic 08)</b> أنا أعمل لمكتب الإحصاء الأمريكي. هل يوجد شخص هنا يتكلم الإنجليزية و يمكنه ان يساعدنا الآن؟ إذا لا، فقد يتصل بكم شخص يتكلم اللغة العربية.	
<b>Tagalog (Tagalog 09)</b> Nagtatrabaho ako para sa Kawanihan ng Senso ng U.S. Mayroon ba rito ngayong nagsasalita ng Ingles at maaaring tumulong sa amin? Kung wala, maaaring may kumontak sa inyo na nagsasalita ng Tagalog.	
<b>Polski (Polish 10)</b> Jestem pracownikiem Urzędu Spisu Ludności USA. Czy w tej chwili jest tu ktoś, kto mówi po angielsku i może nam pomóc? Jeżeli nie, może skontaktować się z Państwem ktoś, kto mówi po polsku.	
<b>Français (French 11)</b> Je travaille pour le Bureau de recensement des États-Unis. Y a-t-il quelqu'un ici qui parle anglais et qui pourrait nous aider? Sinon, quelqu'un qui parle français pourrait vous contacter.	
<b>Kreyòl Ayisyen (Haitian Creole 12)</b> Mwen travay pou Biwo Resansman Etazini. Èske gen yon moun la ki pale anglè ki ka ede nou? Si pa genyen, yon moun isit la ki pale kreyòl ka rele ou.	
<b>Português (Portuguese 13)</b> Trabalho para o Censo dos Estados Unidos. Há alguém aqui que fale inglês e possa nos ajudar? Se não, alguém que fale português pode entrar em contato com você.	

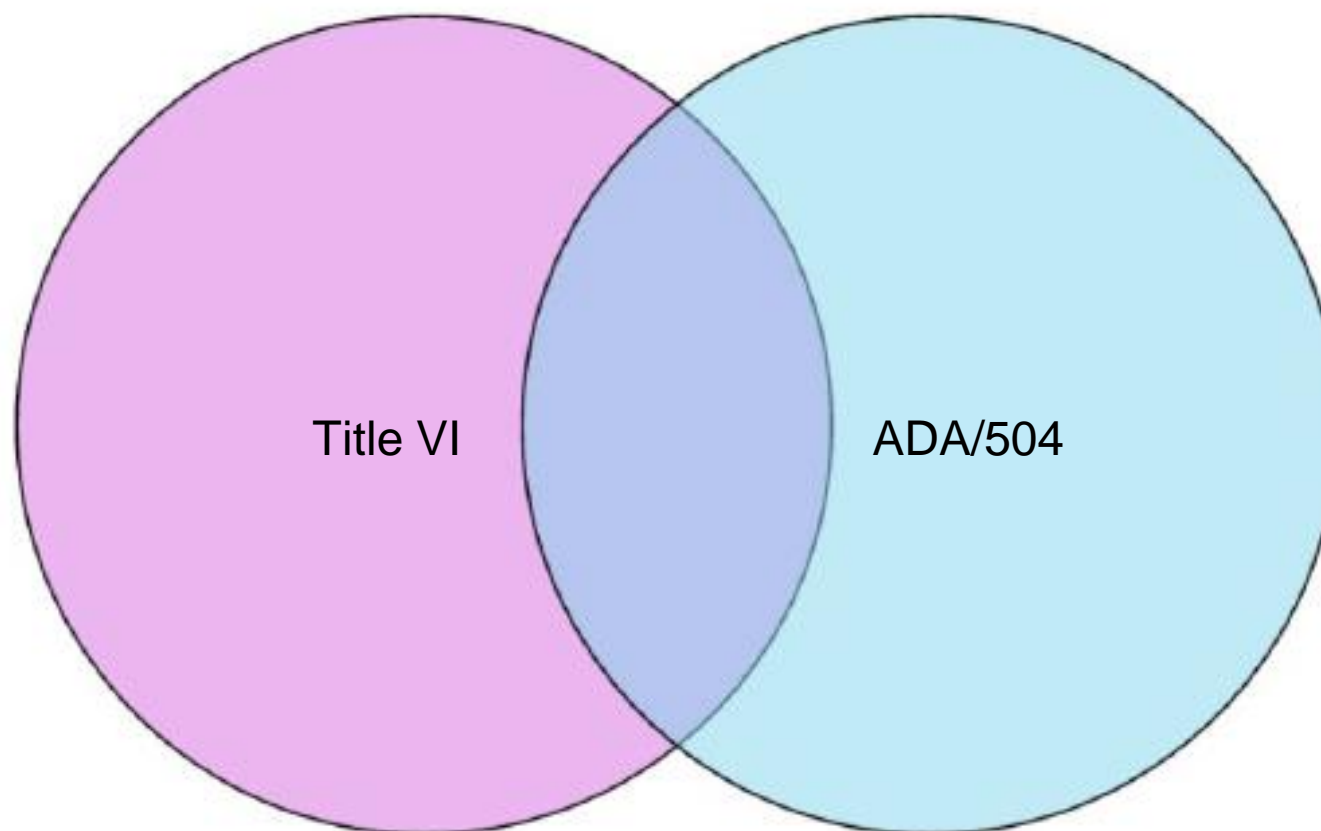


# ADA/504 and Title VI Administrative Obligations

Requirement	Title VI	ADA/504
Airport-appointed coordinator for compliance issues and complaints.	Suggested	<b><u>Required</u></b>
Airport retains records of complaints.	Suggested	<b><u>Required</u></b>
Airport process for investigating and responding to complaints.	Suggested	<b><u>Required</u></b>
Airport process for transmitting complaints received to FAA.	<b><u>Required</u></b>	Not Required
Conspicuously display nondiscrimination poster.	<b><u>Required</u></b>	<b><u>Required</u></b>
Onsite Materials –applicable regulations are publicly available (49 CFR Part 21).	<b><u>Required</u></b>	Not Required
Airport process to receive and address accommodations/modification requests.	Suggested	<b><u>Required</u></b>
Conduct periodic self-evaluations of programs and activities.	Suggested	<b><u>Required</u></b>



# Overlapping and Similar Requirements for ADA/504 and Title VI Programs







# FAA Sponsor Requirements

- Title VI and related requirements:

Authority	Citation
Title VI of the Civil Rights Act of 1964	42 U.S.C. §2000d et Seq.
DOT Regulations for Title VI	49 C.F.R. Part 21
Airport and Airway Improvement Act of 1982, Section 520	49 U.S.C. §47123
DOT LEP Guidance	Federal Register: 70 F.R. 74087
Age Discrimination Act of 1975	42 U.S.C. §6101



Any  
Questions



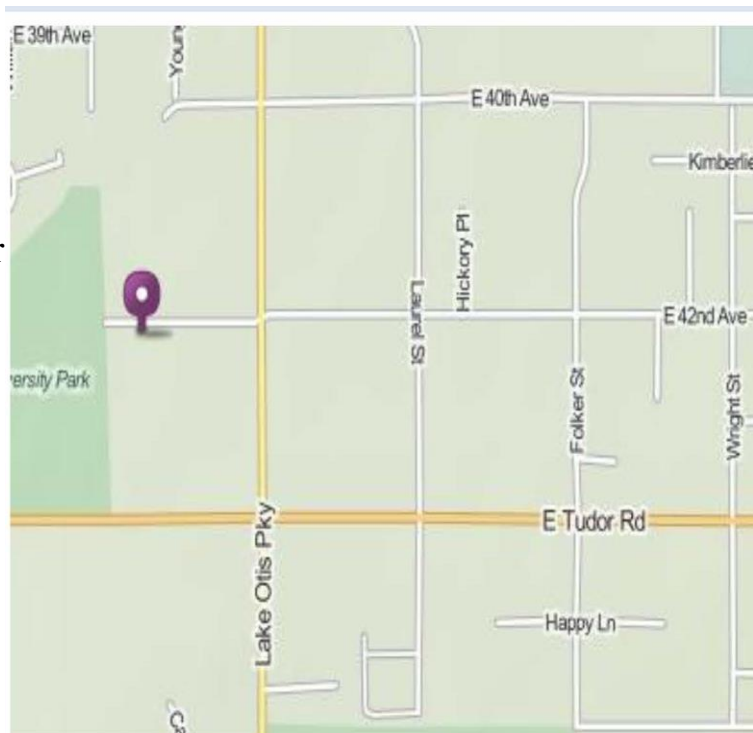


# Contact Information

## Robespierre Howard

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Title VI Specialist & ADA Program Manager  
(907) 269-0852

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