

MVD Authorized Third Party ADA/Title VI

**Nondiscrimination Training Module
Title II of the Americans with Disabilities Act of 1990
Title VI of the Civil Rights Act of 1964**

What is the ADA?

The Americans with Disabilities Act (ADA) of 1990 is a federal civil rights law that protects qualified individuals with disabilities from discrimination and provides for equal access and opportunity in public accommodations, employment, transportation, state and local government services, and telecommunications.

The ADA, like other civil rights statutes, prohibits the denial of services or benefits on specified discriminatory grounds.

As a private business, you are independently responsible for ADA compliance.

Title II of the ADA

Title II of the ADA covers all programs, services, and activities operated by state and local governments. It applies to all state and local governments, their departments and agencies.

Mandates that no qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the programs, services, or activities, or be subjected to discrimination.

Although MVD Authorized Third Parties are not state or local governments, they have entered into an agreement with ADOT and the requirement to comply with Title II of the ADA applies.

What is Title VI?

The Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and related statutes and regulations state:

“No person in the United States shall, on the grounds of race, color, 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 Does This Mean For You?

As a State Transportation Agency, ADOT has a responsibility to ensure that all ADOT's programs, services, and activities comply fully with the provisions of ADA and Title VI.

Although you are a private business, your entity is performing a service on behalf of ADOT.

As an MVD Authorized Third Party, you have signed an agreement with ADOT to comply with Title II of the ADA and Title VI.

Noncompliance can lead to the suspension or termination of your agreement with ADOT.

ADA/Title VI Interpreting and Translation Services

MVD Authorized Third Parties must create written procedures that detail how staff will provide ADA/Title VI interpreting and translation services when necessary to avoid discrimination.

A log of all [interpreting and translation services](#) requested must be maintained and kept on file for five (5) years and provided to the ADOT Civil Rights Office upon request.

ADA/Title VI Interpreting and Translation Services

Interpreting and translation services are necessary to enable individuals with disabilities and Limited English Proficient customers to benefit equally from the programs and services provided.

A surcharge may not be placed on individuals to cover the cost of providing services.

Customers Who Require Interpreting or Translation Services

Examples of Ways to Provide Service:

- Have a list of interpreters/translators available for employees to use
- Hire staff who speak different languages
- Train employees on accessing interpreter/translator services
- Provide useful forms and signs in different languages, as necessary

[ADOT Business Coach On Demand](#)[Engineering and Construction](#)[Contracts and Specifications](#)[Project Management Services](#)[Highway Maintenance](#)[Procurement](#)[Engineering Consultants](#)[Programs and Partnerships](#)[Permits](#)[Equipment Services](#)[Standards and Guidelines](#)[Business Engagement and Compliance](#)

Civil Rights

Americans with Disabilities Act: Nondiscrimination Program

Overview	FTA Subrecipient Programs	
FHWA Recipients	MVD Authorized Third-Party Program	Filing a Complaint

MVD Authorized Third-Party Program

Resources

- [ADA Policy](#)
- [Authorized Third-Party ADA/Title VI Checklist](#)
- [Nondiscrimination Customer Complaint Procedures](#)
- [Interpreting/Translation Services and ADA/Title VI Training Procedures](#)
- [Discrimination Complaint Log](#)
- [Log of Interpreting/Translation Services and Accommodations](#)
- [ADA/Title VI Nondiscrimination Notice to the Public poster](#)
- [Auxiliary Aids and Services Public Notice](#)
- [ADA Service Animal Webinar](#)
- [ADA Basic Building Blocks Course](#)
- [Authorities: 28 CFR Part 35](#)
- [Authorities: 23 CFR Part 36](#)

ADOT provides resources to help you keep in compliance.

These resources can be found at:

<http://www.azdot.gov/business/civil-rights>

Auxiliary Aids and Services

MVD Authorized Third Parties must provide appropriate auxiliary aids and services.

The Appropriate auxiliary aids and services will vary depending on the individual's method of communication.

Auxiliary aids and services include:

A variety of devices, techniques, and procedures that allow individuals with disabilities to participate fully in the exchange of information.

Accessibility

MVD Authorized Third Parties must provide signage at all inaccessible entrances to each of its facilities, directing users to an accessible entrance. The international symbol for accessibility shall be used at each accessible entrance of the Company's facilities.

MVD Authorized Third Parties must provide parking spaces for disabled customers at the Company's place of business in compliance with applicable city or county ordinances, or federal and state laws governing requirements for accessible parking.



DID YOU KNOW ?

Existing facilities must be made accessible to and usable by individuals with disabilities.

Discrimination Complaint Process

MVD Authorized Third Parties must report any customer complaints alleging discrimination based on race, color, national origin, disability or the failure to provide reasonable accommodations for individuals with disabilities to the Civil Rights Office for processing and investigation within 48 hours of receipt.

A log of all customer complaints alleging discrimination must be maintained and kept on file for five (5) years.



ADOT'S ADA AND TITLE VI NONDISCRIMINATION NOTICE TO THE PUBLIC

The Arizona Department of Transportation (ADOT) hereby gives public notice that it is the Agency's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, Title II of the Americans with Disabilities Act of 1990 (ADA), and other related authorities in all programs and activities.

ADOT's Title VI Program requires that no person shall, on the grounds of race, color, national origin, age, sex, disability, low income status or limited English proficiency (LEP) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity.

Any person, who believes his/her Title VI or ADA rights have been violated, may file a complaint. Any such complaint must be in writing and filed with the ADOT Civil Rights Office, within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. For additional information about ADOT's Civil Rights programs and the procedures to file a complaint contact ADOT Civil Rights Office at the address listed below:

AVISO PÚBLICO DE LA LEY DE NO-DISCRIMACIÓN DE ADOT (ADA/TÍTULO VI)

El Departamento de Transporte del Estado de Arizona (ADOT) informa al público que esta agencia tiene como regla asegurar el cumplimiento total del Título VI de la Ley de los Derechos Civiles de 1964, del Título II de la Ley de ciudadanos Americanos con Discapacidades de 1990 (ADA) y otras normas relacionadas con todos los programas y actividades.

El programa del Título VI de ADOT exige que a ninguna persona se le excluya de participar, se le niegue beneficios o de ninguna otra manera sea sujeta a discriminación en ningún programa o actividad de ADOT por motivo de raza, color, país de origen, edad, sexo, discapacidad, bajos recursos económicos o dominio limitado del inglés.

Cualquier persona que crea que se han violado sus derechos bajo el Título VI o el ADA, puede presentar una queja. Esta queja debe presentarse por escrito a la Oficina de Derechos Civiles de ADOT dentro de ciento ochenta (180) días a partir de la fecha en que se alega que ocurrió la discriminación. Para recibir más información sobre los programas de Derechos Civiles de ADOT y los procedimientos para presentar una queja, por favor póngase en contacto con la Oficina de Derechos Civiles de ADOT a la dirección que aparece abajo:

LUCY SCHRADER
ADA/TITLE VI NONDISCRIMINATION
PROGRAM COORDINATOR

ADOT Civil Rights Office
208 S. 17th Avenue, Mail Stop 215-A
Phoenix, AZ 85007
602.712.8848
602.239.6257 FAX

Nondiscrimination Notice to the Public

MVD Authorized Third Parties must provide public notification of its compliance with ADA/Title VI by displaying ADOT's "Notice to the Public" poster within public view.

Poster Requirements: 11" x 17" in size and printed in color

For additional information:

<http://www.azdot.gov/business/civil-rights>



What is Discrimination?

Discrimination means to distinguish, single out, or to make a distinction.

Discrimination refers to unfair or unequal treatment of an individual (or group) based on certain characteristics, including race, color, national origin, and disability.

Discrimination

Discrimination can occur in any number of settings, including public accommodations (Access to buildings and businesses).

Discrimination can be deliberate or unintentional.

Discrimination can occur when people are denied service, or treated differently, because they cannot communicate clearly in English.

Nondiscrimination Training

MVD Authorized Third Parties must inform and formally train all Company officers, principals, employees, and contractors of ADA/Title VI requirements and their role to ensure compliance.

MVD Authorized Third Parties must maintain a record of all staff who have received ADA/Title VI Training. The training record must be provided to ADOT Civil Rights Office upon request.

MVD Authorized Third Party Responsibilities

MVD Authorized Third Parties are independently responsible for ADA/Title VI compliance in their facilities and operations. Employees and/or contractors are held to the same compliance standards.

Compliance includes developing and implementing monitoring control mechanisms to ensure delivery of service and ongoing compliance.

MVD Authorized Third Parties must designate an ADA/Title VI Coordinator (e.g. manager, supervisor, owner, etc.) responsible for ADA/Title VI matters. This individual will report complaints to the ADOT Civil Rights Office and will work with ADOT's Civil Rights Office to ensure ADA/Title VI compliance.

Compliance Reviews

MVD Authorized Third Parties are required to submit information each year to the ADOT Civil Rights Office specifically regarding ADA/Title VI activities to determine compliance. Compliance reviews may also be initiated in connection with a complaint.

Elements of a Compliance Review Include:

- ADA Policy
- Nondiscrimination Complaint Procedures
- Interpreting/Translation Services and ADA/Title VI Training Procedures
- Discrimination Complaint Log
- Log of Interpreting/Translation Services and Accommodations
- Auxiliary Aids and Services Public Notice
(Photos with facility address and locations of notice)
- ADOT's ADA/Title Nondiscrimination Notice
(Photos with facility address and locations of notice)

Resources

The Civil Rights Office is here to help and guide you with any complaints, questions, or concerns regarding ADA/Title VI discrimination matters.

⇒ ADOT Civil Rights Office Website

<http://www.azdot.gov/business/civil-rights>

⇒ Americans with Disabilities Act (Federal contact)

<http://www.ada.gov>

⇒ The U.S. Department of Justice provides information about the Americans with Disabilities Act (ADA) through a toll-free ADA Information Line 800.514.0301