Title VI Non-Discrimination Plan
Annual Update
September 9, 2021

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www.tucsonaz.gov/transportation
www.tucsonaz.gov/tdot/title-vi-civil-rights
# Table of Contents

I. Non-Discrimination Policy Statement ......................................................... p. 3
II. Title VI Assurances ................................................................................... p. 4
III. Organization Chart ............................................................................... p. 12
IV. DTM Title VI Program Overview .............................................................. p. 13
V. Administration of Title VI Program & Staffing ........................................ p. 15
VI. Public Participation Plan ........................................................................ p. 23
VII. Limited English Proficiency (LEP)/Meaningful Access Plan .................... p. 27
VIII. Environmental Justice (EJ) .................................................................... p. 34
IX. Filing a Title VI Complaint ...................................................................... p. 36
    Appendix A – Title VI Complaint Form Online ........................................ p. 41
    Appendix B – Title VI Complaint Log ..................................................... p. 44
    Appendix C – Administrative Directive 2.01-1D: Second Language Pay .... p. 45
    Appendix D – Administrative Directive 2.05-9: Services for Language Policy for Limited English Proficiency (LEP) .................................................... p. 49
    Attachment A. Translation & Interpretation Services ............................... p. 52
    Attachment B. Language Identification Flashcards ..................................... p. 53
    Appendix E – Survey Cards for Public Meetings (English & Spanish) .... p. 57
    Appendix F – Required Setup for Public Meetings .................................... p. 58
    Appendix G – Checklist for Public Meeting ................................................ p. 60
    Appendix H – Annual Report Sample Data Collection .............................. p. 61
    Appendix I – LEP Flowchart .................................................................... p. 62
    Appendix J – DTM Employees Receiving Second Language Pay .............. p. 63
    Appendix K – Sample Brochures (LEP, Know Your Rights, Title VI) .... p. 64
    Appendix L – Sample Multilingual Website Page ...................................... p. 68
    Appendix M – “Know Your Rights” Title VI Poster .................................. p. 69
    Appendix N – City of Tucson OEOP & DTM Website Samples .............. p. 71
    Appendix O – City of Tucson Administrative Directives .......................... p. 77
    Appendix P – City of Tucson DBE Policy Statement .................................. p. 78
    Appendix Q – Title VI Presentation for DTM Employees ........................ p. 79
    Appendix R – LEP Presentation for DTM Employees ................................ p. 84
I. NON-DISCRIMINATION POLICY STATEMENT

REVISED
DEPARTMENT OF TRANSPORTATION
POLICY BULLETIN

SUBJECT: Title VI Non Discrimination Policy Statement

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EFFECTIVE DATE: 9/9/2021

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NON-DISCRIMINATION POLICY STATEMENT

The City of Tucson, Department of Transportation assures 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 under any sponsored program or activity. There is no distinction between the sources of funding.

The City of Tucson, Department of Transportation also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies and activities on minority and low-income populations. If problems are found, those problems will be corrected as quickly as possible but will not take longer than 90 days. Additionally, the department will take reasonable steps to provide meaningful access to services for persons with limited English proficiency.

When The City of Tucson, Department of Transportation distributes Federal-aid funds to another entity, all sub-recipients will be monitored to ensure compliance the non-discrimination plan.
II. 2021 TITLE VI STANDARD ASSURANCES

The City of Tucson (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through Federal Highway Administration and Arizona Department of Transportation, is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation--Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- 23 C.F.R. Part 200 Subchapter C-Civil Rights (Title VI program implementation and related statues)

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda and/or guidance, the Recipient hereby gives assurances that it will promptly take any measures necessary to ensure that:

"No 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 otherwise subjected to discrimination under any program or activity," for which the Recipient receives Federal financial assistance from DOT, including the Federal Highway Administration.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federal Aid Highway Program.

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "an "activity") facilitated or will be (with regard to a "facility") operated or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, requests for proposals for work, or material subject to the Acts and the Regulations made in connection with
all Federal Aid Highway Program and, in adapted form, in all proposals for negotiated agreements regardless of finding source:

"The City of Tucson, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252.42 U.S.C. §§ 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.

4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.

5. That where the Recipient receives Federal financial assistance to a construct a facility or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.

7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:

a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and

b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project or program.

8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transference for the longer of the following periods:

a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or

b. the period during which the Recipient retains ownership or possession of the property.

9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, City of Tucson also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing Federal Highway Administration or Arizona Department of Transportation access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the Federal Highway Administration or Arizona Department of Transportation. You must keep records, reports, and submit the material for review upon request to Federal Highway Administration, Arizona Department of Transportation, or its designee in timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

City of Tucson gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Federal Highway Administration and Arizona Department of Transportation. This ASSURANCE is binding on Arizona, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Federal Aid Highway Program the person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

City of Tucson  
(Name of Recipient)

E-SIGNED by Diana Alarcon on 2021-09-07 23:40:48 GMT

By______________________________ Dated______________________________

(Signature of Authorized Official)
APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. Compliance with Regulations: The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration or the Arizona Department of Transportation, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

2. Non-discrimination: The contractor, with regard to the work performance by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and Regulations relative to Non-discrimination on the grounds of race, color, or national origin.

4. Information and Reports: The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient, the Federal Highway Administration or Arizona Department of Transportation to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient, the Federal Highway Administration, or Arizona Department of Transportation, as appropriate, and will set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance: In the event of a contractor's noncompliance with the non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration or Arizona Department of Transportation, may determine to be appropriate, including, but not limited to:
   a. withholding payments to the contractor under the contract until the contractor complies; and/or
   b. cancelling, terminating, or suspending a contract, in whole or in part.

6. Incorporation of Provisions: The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with request to any subcontract or procurement as the Recipient, the Federal Highway Administration, or Arizona Department of Transportation may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.
APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that City of Tucson will accept title to the lands and maintain the project constructed thereon in accordance with Title 23, United States Code the Regulations for the Administration of Federal Aid for Highways, and the policies and procedures prescribed by the Arizona Department of Transportation, Federal Highway Administration, and the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the City of Tucson all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto City of Tucson and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the City of Tucson, its successors and assigns.

The City of Tucson, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [and]* (2) that the City of Tucson will use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.
APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the City of Tucson pursuant to the provisions of Assurance 7(a):

A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:

1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities,

B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, City of Tucson will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*

C. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, City of Tucson will have the right to enter or re-enter the lands and facilities thereon, and the above-described lands and facilities will there upon revert to and vest in and become the absolute property of the City of Tucson and its assigns*.

*Reverted clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.
APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY
ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by City of Tucson pursuant to the provisions of Assurance 7(b):

A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended set forth in this Assurance.

B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, City of Tucson will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*

C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, City of Tucson will there upon revert to and vest in and become the absolute property of City of Tucson and its assigns.*

Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.
APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

**Pertinent Non-Discrimination Authorities:**

- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC. § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations.
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100).
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1687 et seq).
Title VI Coordinator Jesse Soto reports to the Tucson Department of Transportation & Mobility (DTM) Deputy Director Robin Raine. The Deputy Director reports to the Director of Transportation & Mobility Diana W. Alarcon. The Title VI Coordinator oversees the Title VI training for all the department personnel as well as investigations of discrimination. The Title VI Coordinator also works closely with the Office of Equal Opportunity Programs (OEOP) of the City of Tucson and the City Attorney’s office, Civil Division to ensure equity and compliance. Additionally, constituent services and all complaints including Title VI complaints are recorded through the DTM Title VI Coordinator.
IV. DTM TITLE VI PROGRAM OVERVIEW

What is Title VI?

Title VI of the Civil Rights Act of 1964 is the federal law that protects individuals and groups from discrimination on the basis of their race, color and national origin in programs and activities that receive federal financial assistance. However, the Federal Highway Administration's (FHWA) reference to Title VI includes other civil rights provisions of federal statutes and related authorities to the extent that they prohibit discrimination in programs and activities receiving federal financial assistance.

Programs Covered

Federally assisted programs include any highway, project, program, or activity for the provision of services and for other benefits. Such programs include education or training, work opportunities, health, welfare, rehabilitation, housing, or other services, whether provided directly by DTM or indirectly through contracts or other arrangements with other agents.

What type of discrimination is prohibited under DTM's Title VI program?

Discrimination under our Title VI program is an action or inaction, intentional or not, through which any intended beneficiary, solely because of race, color, or national origin, has been otherwise subjected to unequal treatment or impact, under any DTM program or activity. Discrimination based on the grounds referenced above limit the opportunity for individuals and groups to gain equal access to services and programs. In administering federally assisted programs and activities, DTM cannot discriminate either directly or through contractual or other means by:

- Denying program services, financial aids or other benefits.
- Providing different program services, financial aids, or other benefits, or providing them in a manner different from that provided to others.
- Segregating or separately treating individuals or groups in any manner related to the receipt of any program service or benefit.
- Restricting in any way the enjoyment of any advantage or privilege enjoyed by others receiving any program service or other benefits.
- Denying persons, the opportunity to participate as a member of a planning, advisory or similar body.
- Denying persons, the opportunity to participate in the program through the provision of services or affording the opportunity to do so differently from those afforded others.
The primary goals and objectives of the City of Tucson’s Title VI Program are:

1. To assign roles, responsibilities, and procedures for ensuring compliance with Title VI of the Civil Rights Act of 1964, and related regulations and directives.

2. To ensure that people affected by the City’s programs and projects receive the services, benefits, and opportunities to which they are entitled without regard to race, color, or national origin.

3. To prevent discrimination in the City of Tucson’s programs and activities, whether those programs and activities are federally funded or not.

4. To establish procedures for identifying impacts in any program, service, or activity that may create illegal adverse discrimination on any person because of race, color, or national origin; or on minority populations, low-income populations, the elderly, and all interested persons and affected Title VI populations.

5. To establish procedures to annually review Title VI compliance within specific program areas within the City.

6. To set forth procedures for filing and processing complaints by persons who believe they have been subjected to illegal discrimination under Title VI in the City’s services, programs, or activities.
V. ADMINISTRATION OF TITLE VI PROGRAM & STAFFING

The City of Tucson, Department of Transportation & Mobility (DTM) assures that no person shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any sponsored program or activity. DTM also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies and activities on minority and low-income populations. If problems are found, those problems will be corrected as quickly as possible but will not take longer than 90 days. DTM will take reasonable steps to provide meaningful access to services for persons with limited English proficiency. In order to accomplish the goals stated in Section IV, DTM has instituted proactive measures as described in this document. The complaint procedures are described in detail in section IX and provided online and in the appendix.

DTM staff work in cooperation with the City of Tucson Office of Equal Opportunity Program (OEOP) which implements and enforces equity policy for the City of Tucson including overseeing the Administrative Directives for LEP, ADA, Title VI of the Civil Rights Act as well as the City Code (Chapter 17). More specifics can be found at https://www.tucsonaz.gov/oeop
See Appendix for sample webpages and documents through OEOP.

Staffing Roles:

OEOP Director – Rebecca Hill

The Office of Equal Opportunity Programs (OEOP) implements and enforces equity policy for the City of Tucson. OEOP ensures the implementation and enforcement of non-discrimination policies in City employment. OEOP reviews reasonable accommodation options related to demotions and terminations stemming from the expressed inability to accommodate an employee. OEOP ensures that current City of Tucson facilities, programs/activities and services are accessible to persons with disabilities in accordance with Tucson City Code and the Americans with Disabilities Act of 1990 (ADA). OEOP ensures that persons who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English are afforded meaningful access to programs, services and/or activities in accordance with Section 602 of Title VI of the Civil Rights Act of 1964. OEOP investigates complaints from members of the public based on allegations that the City’s programs and/or facilities are not accessible to those with disabilities. OEOP works closely with DTM staff and all City of Tucson Department to ensure equity and non-discrimination.

DTM Director – Diana W. Alarcon

The Director is responsible for supervising and administering the overall activities of the Department, its divisions, and employees. As such, the Director signs all necessary non-discrimination assurances to aid in ensuring all civil rights requirements are met. The Director sets DTM policy and establishes procedures to ensure Department-wide implementation of the non-discrimination plan. The Director provides opportunities for the Management Team to discuss, and problem solve any issues and to provide leadership through our monthly Leadership Education
and Development (LEAD) sessions. The Director provides guidance and strategic planning for all DTM initiatives and ensures our non-discrimination policies are implemented throughout the organization.

**Title VI Coordinator – Jesse Soto**

The Title VI Coordinator reviews the implementation annually including all DTM directives for any Title VI implications. Additionally, the Title VI Non-discrimination Program Coordinator’s oversight includes ongoing program review and training not limited to:

1. Attend ADOT trainings, meetings, and onsite review visits in order to implement of DTM’s Title VI program.
2. Work with the FHWA Certification Acceptance Liaison to submit all Title VI agency documents to the ADOT LPA section as requested through the Certification Acceptance process (see sample CA Assessment Status Report in Appendix).
3. Complete the onsite compliance review document as requested by ADOT’s Office of Civil Rights; attend onsite compliance review as requested by ADOT.
4. Respond to request for information from ADOT’s Office of Civil Rights.
5. Annually ensure the Title VI Assurances are signed by DTM Director.
6. Annually coordinate Title VI training for DTM.
7. Preparing and disseminating an annual report of accomplishments for the past year and goals for next year for ADOT by August 1st.
8. Updating the Title VI program plans annually and submitting to ADOT by August 1st.
9. Developing Title VI information for distribution to the general public as needed.
10. Monitoring public participation and awareness of Title VI policies and procedures for their effectiveness in reaching the public.
11. Providing guidance and technical assistance on Title VI matters with overall program responsibility for preparing required annual reports regarding Title VI compliance and initiating monitoring activities including developing and reviewing directives, procedures, monitoring, and resolution of deficiencies through process improvement and training.

**Special Emphasis Program Reviews:** Special emphasis program reviews will be conducted throughout the year and be used to determine the accomplishments and goals section of the annual report as well as the annual updated Title VI plan both due to ADOT August 1st. This will include periodic contract compliance review as well as collection of demographic data.

**Annual Program Review Data:** Program reviews will be conducted based on the annual summary of Title VI activities, achievements, and complaints. The reviews will be handled by the Title VI Coordinator to ensure compliance of Title VI provisions. The special emphasis groups will have quarterly reviews of their data collected as it relates to Title VI demographics. This data will be reviewed and utilized to determine if there is need to do further investigation into a specific program area.
**Sub Recipient Review Procedures:** Title VI program information will be dispersed to contractors and beneficiaries through inclusion of the Title VI language in contracts. DTM shall also ensure their sub-recipients adhere to state and federal laws and all written agreements or contracts shall include assurances that the sub-recipient must comply with Title VI and other related statues and regulations. Each Subcontractor’s contract must be approved by DTM to ensure all proper documentation related to the mandatory non-discrimination language is included. During the approval process, DTM staff or a party acting on behalf of DTM (construction management consultant), will review subcontracts to confirm the required Title VI information is included and complete a subcontract verification form that will be provided to the Title VI Coordinator.

All discrimination complaints against the subcontractors will be submitted to ADOT for investigation by FHWA, consistent with FHWA guidelines. In the event that non-compliance is discovered by FHWA, DTM will make a good faith effort to ensure the sub-recipient corrects any deficiencies arising out of the complaint.

**Annual Report & Annual Training Dates:** The Title VI Coordinator will be responsible for coordination of the annual training to the Tucson Department of Transportation & Mobility, and will submit the training records to ADOT.

**Annual Title VI Plan Updates:** A copy of Title VI Implementation Plan will be submitted to the ADOT Civil Rights Unit annually due August 1st which includes the annually signed policy statement, annually signed standard DOT assurances, annually updated organization chart, annually updated staffing overview and annually updated program review procedures.

**Title VI Public Information/Constituent Services Program Coordinator – Jesse Soto**

The Title VI Public Information Program Coordinator/Constituent Services works in all aspects of the Title VI program, particularly with outside agencies, Public Involvement firms and constituents.

1. Document Title VI complaints; forward all discrimination complaints to City of Tucson Office of Equal Opportunity Programs (OEOP). Forward all FHWA complaints and Title VI complaints to ADOT for investigation. Forward all other complaints to the appropriate division for investigation. See section IX for procedures.
2. Coordinate, update and oversee implementation of the Limited English Proficiency (LEP) plan and work in partnership with the OEOP Director to train Customer Service Representatives in the use of the "Language Line System."
3. Provide technical assistance, tools, and resources for implementing the Public Involvement plan in conjunction with the Public Relations Firm.
4. Coordinate with the Public Information Officer to ensure implementation of the Title VI, LEP, Public Involvement Plans in outreach, newsletters, press releases, printed posters, brochures, and updating website, using Social Media, and ensuring there is a process to communicate road impacts in alternate languages.
5. Collection of Public Meeting Checklists & data compilation from returned Title VI Survey Forms (see Appendix for samples).

**Complaints:** If any individual believes that he/she or any other program beneficiaries have been the object of unequal treatment or discrimination as to the receipt of benefits and/or service, or on the grounds of race, color, national origin (including Limited English Proficiency), he/she may exercise his/her right to file a complaint with the City. Complaints may be filed with the Constituent Services Program Coordinator.

**Remedial Action:** The City, through the Title VI Coordinator, will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements. When deficiencies are found, procedures will be promptly implemented to correct the deficiencies and to put in writing the corrective action(s). The period to determine corrective action(s) and put it/them in writing to effect compliance may not exceed 90 days from the date the deficiencies are found.

**Data Collection & Analysis:** The City collects Title VI data through all public outreach activities, both in-person and virtual. Bilingual survey cards include three questions: race/ethnicity, age, and sex. Survey cards also include a section on “Title VI – Know Your Rights” below the survey questions. During the pandemic, many public meetings switched to a virtual format. At virtual meetings, the City will use Office 365 online surveys to gather the same information as the paper surveys. The City utilizes many outreach methods where survey cards are collected. This includes in-person public open house meetings, tabling events, festivals, popup or demonstration projects, neighborhood meetings, community walk audits, bike rides, workshops, and speaker events. Most of these formats have also been held virtually over the past year, or have taken a hybrid approach. At all events, brochures are also provided with background on Title VI and information on how and why Tucson collects demographic data.

The City of Tucson will compare data collected during the outreach process (survey cards with demographic data on age, race, sex) to census data found within the project area. To do so, the City will use census data and the online mapping tool Remix, which allows the City to set specific boundaries (such as a ¼ mile buffer along a corridor) and determine the demographics of the area. Data that will be collected using Remix, which includes population demographics, % of people that are non-White or of Hispanic/Latino origin, % of people who are 65+, % of people who are 17-, % of people who speak English less than “very well”, and % of people in poverty.

By collecting this data, the city can determine who is attending public meetings. This information is used to improve outreach where disparate impact suggests that participants don’t reflect the demographics of the project area.
Public Meeting Preparation Checklist: This form is to be filled out prior to a public meeting, whether virtual or in-person, such as town hall meetings, open house meetings, or community events. Once the meeting has ended, return this filled out form to Jesse Soto, along with all Title VI surveys within 14 days of the event.

Project Name: __________________________
Project Manager: ________________________
Purpose of Meeting: ______________________
Date & Time: _____________________________
Location: _______________________________

Prior to the Meeting:
☐ Ensure paper mailings and online postings include the required statement “If you require a foreign language interpreter…”
☐ Document any requests for accommodations and notify Jesse Soto
☐ Review Demographics surrounding the project area on Remix and through census data, and provide all materials and vital documents in languages based on LEP population in the area
☐ Contact Jesse Soto and Michael Graham to arrange notifications with the media and online/social media
☐ Estimate the total number of attendees based on attendance at similar events, and print brochures and surveys

During the Meeting:
☐ Display Title VI Brochures and Posters at entrance or sign-in table
☐ Provide printed surveys and ask participants to fill out the surveys after signing in
☐ Count the total number of attendees
☐ After the Meeting
☐ Return this form to Jesse Soto along with all collected Title VI surveys

Analysis:
After each public outreach event, the information collected from the surveys will be tallied and compared to base demographic data available in the project area. DTM staff will input this information in the table below to determine where discrepancies may exist. If there are discrepancies, the city will develop a report with a list of action items to improve representation that reflects the local community.

Data Comparisons Table

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<th>Event % of Pop 65+</th>
<th>Area % of Pop 65+</th>
<th>Event % of Pop 17-</th>
<th>Area % of Pop 17-</th>
<th>Event Race &amp; Demographic Breakdown</th>
<th>Area Race &amp; Demographic Breakdown</th>
<th>Event % Female, Male</th>
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<td>Discrepancy</td>
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**Program Area:**
The program entails a Safe Routes to School project for Rio Vista Elementary School in North Tucson. The boundaries follow Limberlost Dr between 1st Ave and Campbell Ave. Information will be reviewed to ensure Title VI Compliance.

**Data Collection:**
Statistical data on age, race, and sex will be gathered and maintained by the DTM Title VI Coordinator, from the public outreach meetings and contract reviews and beneficiaries of FHWA federal aid projects. At public meetings, staff request participants to voluntarily complete survey forms (Survey Identification Cards can be found in Appendix E). From the data collected, staff will evaluate participants attending the public meetings and the estimates of prime and subcontractor participation, which will be analyzed for discriminatory trends and patterns to formulate special emphasis and LEP program areas utilized when reporting annually to the ADOT Civil Rights Office. The gathering procedures will be reviewed annually to ensure sufficiency of the data in meeting the requirements of the Title VI program and to help determine who attends public meetings and if any disparities are identified. If a deficiency is found, staff will review and observe data and compare the demographics found using census data on Remix for the target area, to determine if DTM needs to make any additional efforts to reach the appropriate individuals to participate in our projects. DTM will work with staff to provide resources and further training to achieve full compliance.

An example of this effort can be made in the Rio Vista Safe Routes to School Project, an ADA compliance project located in the northern area of Tucson. This project included new sidewalks, landscaping, and public art to both improve pedestrian connections to Rio Vista Elementary School and reflect the cultural heritage of the area. To ensure ADA accessibility, the project included ADA access ramps with detectable warning strips at all curbed road crossings, and detectable warning strips at Mountain Avenue (an uncurbed road crossing) and at all driveway crossings. Students and area residents now have a continuous, ADA accessible route to Rio Vista Elementary School along Limberlost Drive.

Title VI Data collection employed the following tactics: 1) Do an extensive process evaluation throughout the course of the program. 2) Do an outcome evaluation to understand the program impact /effectiveness. Outreach efforts for Title VI data was collected in a variety of ways, such as Neighborhood Association Meetings, and Open House Meetings. Title VI surveys provided information to evaluate language issues, age abilities, ADA requirements, and gender issues.

**Demographic Data from the Project Area:**
The project area follows Limberlost Dr. within only a couple blocks of the corridor between 1st Ave and Campbell Ave, for a total area of 0.1 square miles. This small area has a population of approximately 500 residents, of which 31% live in poverty and 55% are non-white or of Hispanic/Latino origin. (ACS, 2019) Additionally, approximately 12% of residents have Limited English Proficiency (LEP), and approximately 12% of residents are living with a disability. (ACS, 2019)
**Actions to Address Deficiencies**

Where deficiencies are found in representation at public meetings, a process will be initiated to 1) Identify problems or missteps in the outreach process, and 2) Develop recommended action items in a formal memo to improve representation and eliminate the deficiency. Both parts of the process will be organized, led, and documented by the ADA Coordinator, Jesse Soto.

1) **Identifying the Challenges**

The ADA Coordinator, Jesse Soto, will form a task group to evaluate the outreach deficiencies, with a form that documents issues and includes questions such as:

- What were the specific deficiencies in representation?
- Are there historical challenges for representation in this area?
- What strategies have worked best for improving representation previously?
- What type of outreach was conducted (i.e. did everything follow Title VI and City protocols for community engagement?
- Who led the outreach effort?
- Was a review of area demographics completed in advance of the event/meeting?

2) **Developing Solutions**

By identifying the issues impacting representation, the city will develop a list of recommended actions for immediate and long-term improvements. These actions will be documented in the memo, with specific groups or individuals listed as “responsible parties” for implementing the recommendations. The ADA coordinator will oversee the follow up and ensure recommended strategies are applied prior to any and all future FHWA-funded programs, projects, or activities.

**Public Dissemination:** DTM will disseminate Title VI Program information to City employees and to the general public. Title VI Program information will be submitted to sub-recipients, contractors, and beneficiaries. Public dissemination will include inclusions of Title VI language in contracts and publishing the DTM’s Title VI Plan on the intranet and internet as well as publishing brochures and hanging posters in public areas. See appendix for samples of brochures and posters on the 4th, 5th and 6th floors of the Public Works building at 201 N. Stone where DTM is headquartered.

**PAG/RTA Partnership:** DTM works within the Pima Association of Governments’ (PAG) and Regional Transportation Authority (RTA) to use data, developed to show the concentration distribution of “protected” classes (as defined by federal regulation) within the region for long-range transportation planning and capital projects. DTM’s and PAG’s public involvement efforts have generated large databases of stakeholders and members of the general public identified through a variety of public involvement efforts over the years. Those records are utilized and include civic and community organizations serving Title VI populations, neighborhood and homeowner associations, environmental and business groups and other public groups. PAG/RTA ensure compliance with Title VI and related statues.
See weblinks for detailed data analysis and long-range strategic transportation planning for the region.

RTA Title VI
https://rtamobility.com/title-vi/

PAG Title VI
https://www.pagregion.com/rmap-tip.html
FHWA Certification Acceptance Liaisons – Debra Rodriguez

Liaison will coordinate, compile, and submit to ADOT Local Public Agency (LPA) Section all FHWA / ADOT recertification documentation requested in order to ensure that the Arizona Certification Acceptance (CA) Program is renewed in a timely manner. This includes Civil Rights (Title VI, ADA, DBE) procedures as well as Procurement, Materials, Right-of-Way, Project Delivery, Internal Operations, Bid Analysis, Award, Subcontractor Approval, Performance Measures.

Liaison will work with DTM and City of Tucson staff as necessary to compile and submit the updated plans as part of the larger Certification Acceptance Program through FHWA and the ADOT LPA Section.

VI. PUBLIC PARTICIPATION PLAN

Tucson Department of Transportation and Mobility’s (DTM) public involvement plan provides for full and fair participation for all potentially affected communities. Identifying these communities requires close coordination between the development and implementation of the public involvement effort and the data collection and analysis phases of the planning process, all of which are subject to Title VI and Environmental Justice provisions.

The data collection phase provides information on the protected populations, which are often synonymous with the underserved/under-represented populations and, therefore, may need particular attention in the public involvement effort. The analysis phase provides information on the potential level of impact to the various populations that will need to be integrated into those public involvement efforts seeking input on alternative development, alternative preferences, and/or mitigation. DTM addresses Title VI requirements both quantitatively and qualitatively with thorough public involvement and data analysis techniques.

To foster public participation, staff in each project ensures that information is readily accessible and ensures that the people likely to be affected by and/or interested in a program or project are identified and made aware of opportunities to participate. The following sections address each of these practices in more detail.

Access to DTM Information

DTM’s documents, data, and information, with few exceptions, are a matter of public record. As such, any request from a member of the public for a DTM document is responded to in a timely manner. At a minimum, a written response is provided within one week of the receipt of a public information request.
**Stakeholder Analysis**

DTM staff analyzes who will be affected and/or interested in the planning issue or policy being developed. This involves identifying both internal and external stakeholders.

Internal stakeholders typically include DTM staff involved in related activities and other governmental agencies with jurisdiction or interest in the activity. External stakeholders typically include those non-governmental parties who may be affected by the activities and/or have an interest in them. This includes Title VI and Environmental Justice populations.

Many of DTM’s projects have lists compiled of project-specific external stakeholders. For each new activity, or over the course of longer activities, these lists are reviewed to ensure they are up to date and reflect the broadest range of stakeholders reasonably possible. One common method for identifying additional stakeholders is to interview existing stakeholders to determine who else needs to be involved.

DTM’s staff and project teams maintain large databases of stakeholders and members of the general public identified through a variety of public involvement initiatives over the years. These databases include civic and community organizations serving Title VI and Environmental Justice populations, neighborhood and homeowner associations, environmental and business groups, elected officials, and other public groups.

**Public Notification of DTM Activities and Services**

Promotion of inclusive and accessible public involvement includes regular efforts within each DTM program or project to notify a wide range of stakeholders and the general public regarding the information, data, funding, policy and issues being addressed.

Public information is presented in formats that are accessible to the intended audiences. DTM staff determines what information is appropriate to publicize and in what form.

For reaching the general public, the City of Tucson website, media outreach (e.g., news releases) and social media channels are encouraged. DTM promotes public meetings and notifications through Facebook, Twitter, Instagram and more recently Next Door, ensuring the highest reach of constituents possible.

For reaching stakeholder groups, distribution of public information documents such as reports and newsletters via direct mail also may be an effective communication method. The use of other methods is considered to promote equal access to information for targeted audiences. In particular, efforts to overcome barriers to accessing information among underserved populations, youth, and other individuals who may not have internet access or read newspapers are undertaken.

Public service radio announcements on Latino radio outlets are one method for reaching Hispanic populations, particularly non-English speaking residents. Additionally, underserved populations are no different than other populations in that they are more likely to read information distributed
through trusted and familiar communications channels. Email is used to distribute notices to school and community-based newsletters for publication. Placement of English/Spanish information in libraries, community centers, or other public places is also used.

DTM also contracts community ambassadors, individuals assigned to specific projects that are familiar with the geographic area and community within a project area. Community ambassadors utilize their already established local networks to disseminate information and connect the community to the work of the department.

**Spanish Translations**

As indicated in DTM’s Limited English Proficiency (LEP) Plan, Spanish is the predominant primary language spoken by those in the DTM Service area who speak English “less than very well.”

Public information documents written in English, including meeting notices, include a tagline affirming that DTM will make reasonable accommodation to translate any materials in Spanish. As a rule, Spanish-speaking project personnel are on hand at public meetings intended for gathering input.

Spanish translations are used for activities targeted to the general public where Spanish language materials have been identified as beneficial, even without a request. Examples of materials to be translated include meeting notifications (e.g., flier or web posting). Additional information that is translated upon request includes any public meeting handouts, such as fact sheets, newsletters, and executive summaries of planning documents under review.

**Task Force Composition**

Efforts are made to assess the composition of DTM’s task forces and advisory committees to ensure that invited members represent a cross-section of key stakeholder groups.

**Geographic Analysis of Underserved Populations**

The Title VI Coordinator will conduct periodic meetings internally with DTM staff to ensure sufficient data is being gathered (i.e., race, color, and national origin) to meet the requirements of the Title VI Program. Staff within each project periodically performs a basic assessment to identify the location of protected Title VI and Environmental Justice populations in relationship to the provision of information and planning products and services.

Pima Association of Governments' online regional data provide project staff with maps showing the location of protected Title VI and Environmental Justice populations for any specific geographic areas. ZIP Code maps are used to show locations of people in databases. The maps of protected populations and mailing list ZIP Codes are compiled as one way to demonstrate that protected populations are being notified and/or involved. This documentation is important for demonstrating compliance with Title VI and Environmental Justice provisions.
**Meeting Scheduling, Location and Access**

Public meetings are scheduled to increase the opportunity for attendance by stakeholders and the general public. This may require scheduling meetings during non-traditional business hours, holding more than one meeting at different times of the day or on different days, and checking other community activities to avoid conflicts.

When a public meeting or public hearing is focused on a planning study or project related to a specific geographic area within the DTM region, the meeting or hearing is held within that geographic area. Appropriate elected officials as identified in the stakeholder analysis are consulted and/or informed of relevant outreach activities within their jurisdictions.

Public meetings are held in locations accessible to people with disabilities and are located near a transit route when possible. They may also be held in non-traditional venues in areas that tend to have lower turnout to more tradition open house style meetings. DTM has held meetings in local restaurants, outside of public buildings during events and other locations.

More recently during the COVID-19 pandemic, DTM has shifted from in-person public meetings to virtual meetings held online. These meetings include a call-in option so that those without internet or computer access are still able to join.

**Title VI Information on the DTM Website**

DTM maintains a Title VI section on the DTM website where the public can learn about DTM’s Title VI commitments, Non-Discrimination Policy and Limited English Proficiency Plan, as well as download the Title VI complaint process and complaint form. These materials are posted in both English and Spanish. A “Google Translate” button is also included in the Title VI webpage to allow users to translate the entire DTM website into over 50 languages. The public can access the English and Spanish versions of the Title VI web pages from DTM’s homepage.

[https://www.tucsonaz.gov/tdot/title-vi-civil-rights](https://www.tucsonaz.gov/tdot/title-vi-civil-rights)
VII. LIMITED ENGLISH PROFICIENCY PLAN

Purpose/Legal Authority

The City of Tucson Department of Transportation and Mobility (DTM) is committed to providing meaningful access to consumers of DTM program, services and/or activities. Individuals who do not speak English as their primary language and have a limited ability to read, write, speak or understand English are considered Limited English Proficient (LEP). This language issue may prevent individuals from accessing services and benefits. It may also be a barrier that prevents meaningful access to public participation and input on public projects. It is important that DTM be innovative and proactive in engaging individuals including oral and written language services to LEP individuals as detailed under the “Language Assistance Measures” portion of this document.

This plan is consistent with Executive Order 13166 - Improving Access to Services for Persons with Limited English Proficiency which is directed at implementing the protections afforded by Title VI of the Civil Rights Act of 1964 and related regulations. In some circumstances, failure to ensure that LEP persons can effectively participate in federally assisted programs may constitute discrimination based on national origin under Title VI. In order to comply with Title VI, agencies are required to take reasonable actions for competent language assistance. This protection requires that LEP persons be provided an equal opportunity to benefit from or have access to services that are normally provided in English. Executive Order 13166 clarifies requirements for LEP persons under Title VI. This Executive Order requires the agency to examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services.

Four Factor Analysis

There are four factors DTM considered when assessing language needs and determining what steps they should take to ensure access for LEP persons:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service.

Spanish speakers are the primary LEP persons likely to be encountered by DTM. For Pima County, the United States Census Bureau information from 2019 shows that the total population is 1,047,279. Spanish is spoken by 395,871 people, or 37.8% of the population. Of those who speak Spanish, 115,990 people (29.3%) reported speaking English less than “very well.” These Spanish-speaking LEP persons comprise of 11% of the total population of Pima County. Other languages spoken such as Asian, comprise of 3.3% and are a smaller proportion of the total population of Pima County (5%), and those who identified themselves as LEP persons in these other languages comprise only 1.4% of the total population of Pima County.

For the City of Tucson, the United States Census Bureau information from 2019 shows that the total population is 548,073. Spanish is spoken by 238,959 or (43.6%) of the population.
Of those who speak Spanish, 75,033 people or (31.4%) reported speaking English less than “very well.” Other languages spoken such as Asian, comprise of 3.2% total population and are a smaller proportion of the total population of City of Tucson (5%), and those who identified themselves as LEP persons in these other languages comprise only 1.5% of the total population of the City of Tucson.

2. The frequency with which LEP individuals come in contact with the program.

DTM assesses the frequency at which staff has or could possibly have contact with LEP persons. This includes examining census data, phone inquiries, requests for translated documents, and staff feedback. As discussed above, census data indicate that there is a fairly large percentage of the general population of Tucson who are Spanish speaking LEP persons. As a transportation agency, it is necessary for DTM to recognize this segment of the general population. Phone inquiries and staff feedback also indicate that Spanish-speaking LEP persons have regular contact with the DTM services.

3. The nature and importance of the program, activity or service provided by the recipient to people’s lives.

DTM keeps Tucson moving smoothly and safely. DTM's nearly 300 employees oversee the maintenance, new construction, and reconstruction of nearly 4,400 lane miles of streets, and are responsible for stormwater and flood control services, public art pieces, streetlights and signs, and traffic signs and signals in Tucson. DTM also operates the city's transit services, Sun Tran and Sun Link, and Van Tran.

4. The resources available to the recipient and costs.

DTM continually assesses its available resources that may be used to provide language assistance. As internal guidance, Administrative Directive 2.05-9 ensures that there is a Language communication skill compensation for employees and Administrative Directive 2.01-1D establishes language services for LEP customers. See appendix.

Resources include identifying bilingual staff, training front-line personnel in the use of the Language Line resource, reviewing the existing City contracts for professional translation-services providers, determining which documents should be translated, and deciding on the level of staff training needed.

Components of the DTM LEP Plan
In accordance with the four factors above, DTM developed the following Plan for providing language assistance to LEP persons.

There are five areas that comprise the DTM LEP Plan:
1. Identifying LEP individuals who need language assistance
2. Language assistance measures, including Language Line for front-line staff
3. Training staff
4. Providing notice to LEP persons
5. Monitoring and updating the LEP Plan

1. **Identifying LEP individuals who need language assistance**

Primarily, DTM has used Remix 2020 data to determine the language needs of the community. This data indicates that Spanish-speaking LEP persons are the primary group requiring language assistance. This information can also be used to identify concentrations of LEP persons within the service area. There are ten zip code areas with a higher percentage of LEP persons than average for the overall Tucson population. They are as follows: 85701, 85705, 85706, 85711, 85713, 85714, 85719, 85730, 85745 and 85746.

In general, there are higher populations of LEP persons on the south and west sides of the City of Tucson and specifically in the area located between I-10 and I-19. Identifying concentrations of LEP persons helps to ensure that they receive the necessary language assistance measures. In addition to using Census data & Remix, and input from customer service representatives, DTM also uses these tools to measure and identify individual persons who may need language assistance:

- At open houses, public meetings, and other events, DTM staff will collect data from received Language Identification Flashcards (see appendix for sample flashcards).
- DTM will post notice of available language assistance in all customer service areas to encourage LEP persons to self-identify.
- DTM will use the Self-Identification Survey cards at public meetings and encourage LEP persons to self-identify.
- Ongoing strategies as needed to ensure meaningful access to all public events.

2. **Language assistance measures**

In order to provide meaningful access and exemplary customer service, there are several language assistance measures available at DTM. Whether in person, by telephone, or in writing, DTM includes both oral and written language services. There are also various ways in which DTM staff responds to LEP persons. See LEP Flowchart and Administrative Directive 2.05-9 “Services for Language Access Policy for Limited English Proficiency” in the Appendix.

Some of the measures used by DTM to provide Language Assistance:

- Use of the Language Line System implemented in 2018 (see item 6)
- Use of Language Identification Flashcards to determine needs and arrange for interpreter and/or translator (see appendix)
- Spanish-speaking personnel are on hand at public meetings or open houses intended for providing information and gathering public input.
• Automated phone system that transfers Spanish-speaking callers to a bilingual 
  Customer Service Representative.
• Bilingual Customer Service Representatives are also available to respond to any 
  email/written correspondence in Spanish.
• DTM provides Second Language Pay/Stipend for employees whose classification 
  has been determined to have a significant interaction with the public. See appendix 
  for Administrative Directive 2.05-9. See appendix for a list of DTM employees 
  receiving stipend.
• DTM website allows for user to select a language and automatically translates the 
  website and online forms. See appendix for example of Street Maintenance Request 
  form in Spanish.
• Written language services are available. Documents that are determined to be vital 
  - documents without which a person would be unable to access services - are 
  translated into Spanish. Some examples may include, but are not limited to: Open 
  House Invitations, Meeting Announcements, Prevent Stormwater Pollution, Right 
  of Way Permits, ADA Paratransit Eligibility Application, Reduced Fare Programs 
  for Sun Tran.
• City of Tucson contracts with translation and interpretation services not limited to 
  written and oral translation and interpretation of Spanish and exotic languages, 
  signing for the hearing impaired, and Braille, large print, and audio cassette 
  conversion for the visually impaired (see appendix for procurement memo).

To ensure that bilingual staff service providers are competent, they must demonstrate 
proficiency and the ability to communicate information accurately in both English and 
Spanish. Proficiency is determined by the City of Tucson Human Resources Department. 
Contracted professional services are used to translate more complex and lengthy 
information, and for immediate LEP customer interactions, including sign-language 
interpretation with falls under both LEP and ADA.

All Customer Service Representatives are also responsible for recording general service 
complaints and forwarding them to the appropriate divisions as necessary. DTM oral 
language services include bilingual staff in customer service centers, field services, and 
public information functionality – a bilingual staff member is available most of the time.

3. Training Staff

The DTM Title VI Coordinator will be responsible for the overall Title VI related training. 
The Title VI Coordinator will organize and or conduct at a minimum of one training session 
for DTM staff annually focused on Title VI and the LEP Line. In addition, any trainings 
regarding Title VI and the requirements for all subcontractors will be included at every 
project Pre-Construction meetings. The DTM Title VI Coordinator and any additional 
DTM staff will attend all trainings offered by Arizona Department of Transportation, Civil 
Rights Office.
It is important that staff members, especially those having contact with the public, know their obligation to provide meaningful access to information and services for LEP persons. All front-line personnel in Transportation and Mobility, Park Tucson and Streets and Traffic were trained in the Language Line system. This system enables front-line staff to call Language Line by phone for translation services in more than 240 languages from any phone 24/7. Even staff members who do not interact regularly with LEP persons should be aware of and understand the LEP Plan. Training staff is a key element in the effective plan implementation.

The primary DTM staff groups critical to the LEP Plan are front-line staff who have a reasonable opportunity to come in contact with an LEP individual. These positions include but are not limited to: Customer Service Representatives (CSRs), Secretaries, Public Info Specialists & Supervisors. These staff positions typically have the most frequent contact with LEP persons through daily interaction with DTM customers, either in-person or by telephone. These groups are most likely to encounter LEP persons and thus to provide language assistance. LEP training (including training in the Language Line System) for these groups occurs during their initial departmental training.

Due to the recent COVID-19 pandemic and restrictions on in-person meetings, trainings have been limited. February 2021, Jesse Soto Title VI Coordinator, attended a virtual MOD ADOT Training Certification and in June 2021 he also attended a virtual 1 Day Title VI Training. On August 23, 2021, DTM held the Annual ADA & Title VI training for front line staff and customer service representatives and project managers. The presentation was sent to those who were unable to attend, to view at their own discretion. DTM’s Title VI Presentation is attached – Appendix Q.

DTM Administrators and Supervisors of areas that have public contact are crucial in implementing LEP policy. Copies of the LEP Plan are distributed to all Department Administrators/Division Heads, and it is their responsibility to disseminate LEP Plan information and Language Line Access Guides to appropriate staff. A summary of the LEP Plan should be addressed during DTM new employee orientation program. Topics to be addressed during training for new employees and revisited for continuing DTM employees include, but are not limited to:

- Understanding the Title VI LEP responsibilities
- Overview of language assistance services offered by DTM
- Specific procedures to be followed when encountering an LEP person
- How to use the “I Speak” multi-language identification flashcards
- How to contact Language Line translation services if needed

Public Information staff members are also a key element in the implementation of the LEP Plan. They produce nearly all written forms of communication to the customer base and community and are diligent in ensuring that the LEP Plan is followed in serving LEP customers. The DTM Public Information Officer works closely with the Title VI Coordinator to ensure compliance in all public matters.
Additionally, Title VI Coordinator Jesse Soto attends the monthly Title VI sponsored AZ ADA Coordinators Coalition meetings, an organization whose mission is to develop an ongoing collaborative network for ADA coordination that offers support through continuous education, sharing of resources, expertise, and best practices. Through these meetings, DTM receives and discusses the latest news and information regarding best practices for accessibility, effective communication, emergency preparedness, and various other topics related to our ability to best serve the public.

4. Providing notice to LEP persons

There are several ways that DTM provides notice to LEP persons that language assistance measures are available, through both oral and written communications. This includes but is not limited to:

- Posters in English and Spanish in public waiting areas and meetings
- Brochures in English and Spanish in public waiting areas and meetings
- “I Speak” multi-language identification cards
- Multi-lingual phone lines
- Multi-lingual website using “Google Translate”

5. Language Line System

Language Line is a company that provides interpretation services over the phone. Subsequent trainings have been postponed due to the COVID-19 pandemic, DTM intends to continue attending Language Line trainings once they are available and it is safe to attend in person. DTM LEP Training Presentation Attached – Appendix R

The City of Tucson Department of Transportation and Mobility has an account with Language Line and front-line personnel are trained in this valuable resource. If a front-line person receives a call from a constituent speaking an unknown language, the person places the call on conference hold and places a call to Language Line. The front-line person tells the operator what language is needed, or if it is unknown what language the person is speaking, the representative at Language Line will help determine the language. The limited-English speaker is then added to the line.

6. Monitoring and updating the LEP Plan

The LEP Plan is designed to be flexible and should be viewed as a work in progress. As such, it is important to consider whether new documents and services need to be made accessible for LEP persons, and also to monitor changes in demographics and types of services, and to update the LEP Plan when appropriate.

**National Origin Discrimination Complaints**
National origin discrimination complaints from LEP persons should be forwarded to the
City of Tucson’s Equal Opportunity Program Division (OEOP) according to City policy. DTM follows the City’s OEOP process for filing a complaint. Complaint forms for both external and internal complaints can be found online at: https://www.tucsonaz.gov/oeop/chapter-17-complaints

The City of Tucson’s Administrative Directive #2.05-9 “Services for Language Access Policy for Limited English Proficiency (LEP) can be found on the City’s website. http://www.tucsonaz.gov/hr/administrative-directives

**Dissemination of the LEP Plan**
Along with all City of Tucson Departments, the DTM LEP Plan is posted on the OEOP’s Intranet website. Copies of the LEP Plan are provided to any person or agency requesting a copy. LEP persons may obtain copies/translations of the LEP Plan upon request. http://www.tucsonaz.gov/oeop/limited-english-proficiency-lep
VIII. ENVIRONMENTAL JUSTICE (EJ)

Compliance with Title VI includes ensuring that no minority or low-income population suffers “disproportionately high and adverse human health or environmental effect” due to any “programs, policies and activities” undertaken by any agency receiving federal highway funds. This obligation will be met by the City in the following ways:

- When planning specific programs or projects, identifying those populations that will be affected by a given program or project.
- If a disproportionate effect is anticipated, following mitigation procedures.
- If mitigation options do not sufficiently eliminate the disproportionate effect, discussing and, if necessary, implementing reasonable alternatives.

Disproportionate effects are those effects which are appreciably more severe for one group or predominantly borne by a single group. The City will use U.S. Census data to identify low income and minority populations.

Where a project impacts a small number or area of low income or minority populations, the City will document that:

- Other reasonable alternatives were evaluated and were eliminated for reasons such as the alternatives impacted a far greater number of people or did greater harm to the environment; etc.
- The project’s impact is unavoidable.
- The benefits of the project far out-weigh the overall impacts; and
- Mitigation measures are being taken to reduce the harm to low income or minority populations.

If it is concluded that no minority and/or low-income population groups are present in the project area, the City will document how the conclusion was reached. If it is determined that one or more of these population groups are present in the area, the City will administer potential disproportionate effects test.

The following steps will be taken to assess the impact of projects on minority and/or low-income population groups:

**STEP ONE:** Determine if a minority or low-income population is present within the project area. If the conclusion is that no minority and/or low-income population is present within the project area, document how the conclusion was reached. If the conclusion is that there are minority population groups and/or low-income population groups present, proceed to Step Two.
STEP TWO: Determine whether project impacts associated with the identified low income and minority populations are disproportionately high and adverse. If it is determined that there are disproportionately high and adverse impacts to minority and low-income populations, proceed to Step Three.

STEP THREE: Propose measures that will avoid, minimize and/or mitigate disproportionately high and disproportionate adverse impacts and provide offsetting benefits and opportunities to enhance communities, neighborhoods and individuals affected by proposed project.

STEP FOUR: If after mitigation, enhancements and offsetting benefits to the affected populations, there remains a high and disproportionate adverse impact to minority or low-income populations, then the following questions must be considered:

Question 1: Are there further mitigation measures that could be employed to avoid or reduce the adverse effect to the minority or low-income population?

Question 2: Are there other additional alternatives to the proposed action that would avoid or reduce the impacts to the low income or minority populations?

Question 3: Considering the overall public interest, is there a substantial need for the project?

Question 4: Will the alternatives that would satisfy the need for the project and have less impact on protected populations (a) have other social economic or environmental impacts that are more severe than those of the proposed action (b) have increased costs of extraordinary magnitude?

STEP FIVE: Include all findings, determinations or demonstrations in the environmental document prepared for the project.
IX. FILING A TITLE VI COMPLAINT

FHWA Title VI Complaint Process

These procedures apply to all complaints filed under the Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 as they related to any Federal Highways Administration program or activity administered by the Tucson Department of Transportation and Mobility, its sub-recipients, consultants and contractors. In addition to these procedures, complainants reserve the right to file formal complaints with other state or federal agencies or take legal action for complaints alleging discrimination.

Required procedures for FHWA Title VI Complaints filed against the Tucson Department of Transportation and Mobility, DTM’s sub-recipients, or contractors and consultants:

1) Any person, specific class of persons or entity that believes they have been subjected to discrimination on an FHWA-related activity or program as prohibited by the legal provisions of Title VI on the basis of race, color, national origin, can file a formal complaint with the Tucson Department of Transportation and Mobility. A copy of the Complaint Form may be accessed electronically at: https://www.tucsonaz.gov/tdot/title-vi-civil-rights

2) The complaint must be filed within 180 days of the alleged discrimination and include the date the alleged discrimination became known to the complainant or the last date of the incident.

3) Complaints should be in writing, signed, and may be filed by mail, fax, in-person or e-mail. However, the complainant may can the Tucson Department of Transportation & Mobility and provide the allegations by telephone for transcription. Once transcribed, the Tucson Department of Transportation and Mobility will send the written complaint to the complainant for correction and signature.

4) A complaint should contain at least the following information:
   a) A written explanation of what has happened;
   b) A way to contact the complainant;
   c) The basis of the complaint (e.g., race, color, national origin);
   d) The identification of a specific person/people and the respondent (e.g., agency/organization) alleged to have discriminated;
   e) Sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives Federal Highway Administration financial assistance; and is a consultant, contractor or sub-recipient of the Tucson Department of Transportation and Mobility and
   f) The date(s) of the alleged discriminatory act(s).

5) Upon receipt of a completed complaint, the Tucson Department of Transportation and Mobility will forward all FHWA Title VI complaints to Arizona Department of Transportation (ADOT) Civil Rights Office (CRO) within 72 hours.
6) ADOT CRO will forward all FHWA Title VI complaints to the FHWA Division Office.

7) All Title VI complaints received by the FHWA Division Office will be forwarded to the FHWA Office of Civil Rights for processing and potential investigation.

8) If the FHWA Office of Civil Rights determines a Title VI complaint against a sub-recipient can be investigated by ADOT CRO, the FHWA Office of Civil Rights may delegate the task of investigating the complaint to ADOT CRO. ADOT CRO will conduct the investigation and forward the Report of Investigation to the FHWA Office of Civil Rights for review and final disposition.

9) The disposition of all Title VI complaints will be undertaken by the FHWA Office of Civil Rights, through either (1) information resolution or (2) issuance of a Letter of Finding of compliance or noncompliance with Title VI. A copy of the Letter of Finding will be sent to the FHWA Division Office.

ADOT Civil Rights Office
206 S. 17th Avenue, Mail Drop 155A
Phoenix, AZ 85007
Email: civilrightsoffice@azdot.gov
602.712.8964
602.239.6257 FAX

Federal Highway Administration
U.S. Department of Transportation
Office of Civil Rights
1200 New Jersey Avenue, SE
8th Floor E-81-105
Washington, DC 20590
Email: CivilRights.FHWA@dot.gov
202.366.0693
202.366.1599 FAX
In order for DTM to investigate, a Complaint of Title VI Discrimination Form must be completed. A DTM staff member may assist the complainant with documenting the issues if necessary. In order to ensure an accurate and expeditious process, the following guidelines must be met:

1. Complaint shall be in writing and signed by the complainant(s) and must include complainant(s)’ name, address and phone number.
2. Provide date of the alleged act of discrimination; date when the complainant(s) became aware of the alleged discrimination; or the date on which that conduct was discontinued or the latest instance of the conduct.
3. Present a detailed description of the issues including names and job titles of those individuals perceived as parties in the complained-of-incident.
4. Allegations received by fax or email will be acknowledged and processed, once the identity(ies) of the complainant(s) and the intent to proceed with the complaint have been established. For this, the complainant is required to submit a signed, original copy of the fax or email transmittal in person or via U.S. mail.
5. Allegations received by telephone will be reduced to writing and provided to the complainant for confirmation or revision before processing. A Complaint of Title VI Discrimination Form will be forwarded to the complainant to complete, sign and return to DTM for processing.
6. Once the Complaint of Title VI Discrimination Form is received, the DTM Coordinator will log the complaint and review the complaint for completeness of information.
7. If the Title VI Discrimination complaint is found to be outside of DTM’s jurisdiction, the Coordinator will forward the complaint to the appropriate agency and work with the agency to ensure that the complaint is filed correctly.
8. If the Title VI discrimination complaint is within DTM jurisdiction, DTM will submit the complaint to Arizona Department of Transportation’s (ADOT) Civil Rights Office (CRO).

Items that should not be considered a formal complaint: (unless the items contain a signed cover letter specifically alleging a violation of Title VI) include but are not limited to:

1. An anonymous complaint that is too vague to obtain required information
2. Inquiries seeking advice or information
3. Courtesy copies of court pleadings
4. Newspaper articles
5. Courtesy copies of internal grievances
• Records

All records and investigative working files are maintained in a confidential area. Records are kept for three years. The complaint log will be maintained by the Title VI coordinator in a binder. All other documentation will be filed by complaint year and number.
APPENDIX DOCUMENTS
Submitting a Title VI Complaint

Any person who believes that he or she, either individually, as a member of any specific class of persons, or in connection with any minority contractor, has been subjected to discrimination prohibited by Title VI of Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 may file a complaint at no charge. A formal complaint must be filed in person or via U.S. Mail within 180 calendar days of the alleged act of discrimination or of the date when the alleged discrimination became known to the complainant(s), or where there has been a continuing course of conduct, the date on which the conduct was discontinued or the latest instance of the conduct. This timeframe is prescribed by 49 CFR 21.11 (b). For your convenience, visit DTM's main office at the Public Works Building, 201 N. Stone Ave., 6th Floor, Tucson, AZ 85701. DTM does not accept confidential information, such as this complaint, via e-mail.

- Submit a Title VI Complaint (PDF form)
TUCSON DEPARTMENT OF TRANSPORTATION & MOBILITY
COMPLAINT OF TITLE VI & ADA DISCRIMINATION

Tucson Department of Transportation and Mobility (DTM), as a recipient of federal financial assistance, is required to ensure that its services and related benefits are distributed in a manner consistent with Title VI of the Civil Rights Acts of 1964, as amended. Any person who believes that he or she, individually or as a member of any specific class of persons, has been subjected to discrimination under Title VI, on the basis of race, color, or national origin, may file a written complaint with DTM.

We are asking for the following information to assist us in processing your complaint. If you need help in completing this form, please let us know.

Submit your signed complaint and any attachments to:

JESSE SOTO
TDOT TITLE VI / ADA COORDINATOR
201 N. Stone Ave., 6th Floor, Tucson, AZ 85701
520-791-4259 (PHONE), 520-791-4808 (FAX)
Jesse.Soto@tucsonaz.gov

1. COMPLAINANT INFORMATION / RECLAMANTE INFORMACIÓN

Name/Nombre

Street Address/Dirección

City/Ciudad State/Estado Zip/Código Postal

Telephone/Número de Teléfono

Email Address/Dirección de Correo Electrónico

2. PERSON DISCRIMINATED AGAINST / PERSONA QUE FUE DISCRIMINADA
   (If someone other than the complainant / si no es la misma que el reclamante)

Name/Nombre

Street Address/Dirección

City/Ciudad State/Estado Zip/Código Postal

Telephone/Número de Teléfono

Email Address/Dirección de Correo Electrónico
3. WHICH OF THE FOLLOWING BEST DESCRIBES THE REASON YOU BELIEVE THE DISCRIMINATION TOOK PLACE?:
EN SU OPINIÓN, ¿EN QUE SE BASARON ESAS ACCIONES DISCRIMINATORIAS?: (Specify / Especifique)

☐ Race / Raza (Specify / Especifique)  ☐ National Origin / Nacionalidad

☐ Disability / Incapacidad - Impedimento  ☐ Sex / Sexo

☐ Color / Color  ☐ Age / Edad

4. DATE OF THE ALLEGED DISCRIMINATION / FECHA DE LA SUPUESTA DISCRIMINACIÓN:

5. IN THE SPACE BELOW, PLEASE DESCRIBE THE ALLEGED DISCRIMINATION
(Explain what happened and who you believe was responsible. Include names and contact information of persons who may have knowledge of the alleged discrimination. If additional space is needed, add a piece of paper.)

6. HAVE YOU FILED A COMPLAINT OF THE ALLEGED DISCRIMINATION WITH A FEDERAL, STATE, OR LOCAL AGENCY, OR WITH A STATE OR FEDERAL COURT? / ¿HA PRESENTADO USTED (O LA PERSONA QUE FUE DISCRIMINADA) LA QUEJA ANTE UNA AGENCIA DEL GOBIERNO FEDERAL, ESTATAL, O LOCAL? ¿O ANTE LA CORTE ESTATAL O FEDERAL?

☐ Yes / Sí  ☐ No / No

If yes, check all that apply / por favor marque las respuestas que la corresponden:

☐ Federal / Federal (Specify / Especifique)  ☐ Federal Court / La Corte Federal (Specify / Especifique)

☐ State / Estatal (Specify / Especifique)  ☐ State Court / La Corte Estatal (Specify / Especifique)

☐ Local / Local (Specify / Especifique)

PLEASE PROVIDE THE NAME OF THE AGENCY WHERE YOU FILED YOUR COMPLAINT / ¿ANTE QUÉ AGENCIA USTED PRESENTÓ LA QUEJA?

Agency / Agencia: __________________________ Agency Contact / Nombre del Investigador o representante:

7. WHAT WOULD YOU CONSIDER AN APPROPRIATE RESPONSE TO YOUR COMPLAINT? / ¿CUÁL CONSIDERARÍA USTED UNA RESPUESTA ADECUADA A SU QUEJA?

________________________________________________________________________

8. PLEASE SIGN BELOW. YOU MAY ATTACH ANY ADDITIONAL INFORMATION YOU THINK IS RELEVANT. / POR FAVOR, FIRME EL FORMULARIO. ADJUNTE CUALQUIER INFORMACIÓN ADICIONAL QUE USTED CREE ES PERTINENTE CON SU QUEJA.

Signature of Complainant / Firma del reclamante  Date / Fecha
### APPENDIX B - TITLE VI COMPLAINT LOG

**Tucson Department of Transportation & Mobility (DTM)**  
**Title VI Compliant Log**

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<tr>
<th>#</th>
<th>Incident Date</th>
<th>Ethnicity</th>
<th>Primary Personnel Category</th>
<th>Subcategory</th>
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**Tucson Department of Transportation & Mobility (DTM)**  
**Title VI Compliant Log**

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<th>#</th>
<th>Incident Date</th>
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I. PURPOSE

To implement the Language Communication Skill Compensation Program established by the Mayor and Council (Tucson City Code [TCC] Section 10-33).

II. POLICY

Employees shall receive additional compensation per pay period in accordance with the Language Communication Skill Compensation Program established by the Mayor and Council (TCC Section 10-33).

III. EMPLOYEES ELIGIBLE TO RECEIVE SECOND LANGUAGE PAY

A. Employees meeting the following language communication skills may be eligible to receive second language pay:

1. Full-time probationary or permanent employees who use a language other than English for a minimum of five percent (5%) of their work week (two [2] hours per forty [40] hour work week) while interacting with the public in the performance of their duties if approved by the department director; or

2. Full-time probationary or permanent employees who use a language other than English less than the five percent (5%) minimum and occupy a position specifically designated for language skills compensation by a department director and formally approved by the Human Resources Director; or

3. Part-time probationary or permanent employees who use a language other than English and occupy a position specifically designated for language skills compensation by a department director and approved by the Human Resources Director.

B. The following considerations must be addressed by department directors when justifying a position as a language skill compensation position:

1. The need for number of positions designated. (Two [2] or more positions within the same classification at the same location will not generally be considered essential to effective and efficient interactions with the public).

2. The reasons the operational needs of the department for communication with the public in languages other than English cannot be effectively met by employees who use and are compensated for using a language other than English more than five percent (5%) of their work week.

3. Whether any interactions with the public in performance of the duties of the positions are significant to assigned duties, or only ancillary thereto.
4. Whether the use of another language is essential to the effective and efficient provision of services to the public.

C. Designation for Second Language Pay, a position may be designated for language skills compensation only when:

1. The position is within a classification which has significant interaction with the public; and

2. The use of a second language other than English is not less than five percent (5%); and

3. The position has been justified, documented and designated by a department director as a position where the use of a second language is essential to interactions with the public permitting effective and efficient provision of services to the public; and,

4. The position has been approved by the Human Resources Director for designation as a language skills compensation position.

IV. ADMINISTRATION OF SECOND LANGUAGE PAY PROGRAM

Administration of this program is the responsibility of the Human Resources Department, and involves the following:

A. Confirmation of the conversational proficiency related to the services provided by the employee’s department/division upon entry into the program, with all program participants being re-tested between November 1, 2007 and November 1, 2009.

B. Processing of a written request form (hard copy or electronic) necessary to add or delete participants from the program, as required, based on changes in work assignments that cause employees to meet or not to meet the criteria of five percent (5%) usage of a second language.

C. Subject to annual confirmation of all second-language positions by departments to Human Resources, once an employee has been approved for the additional compensation, the employee will continue to receive the additional compensation until such time as it is determined that the second language use has diminished to less than five percent (5%) of the work week or the employee is transferred to another position.

D. Employees who transfer, promote or demote to different work assignments will not continue to receive the additional compensation unless the department director designates that the new position/assignment is eligible because the second language is used in the new position/assignment for a minimum of five percent (5%) of the work week.
week or the position has been designated by a department director and approved by the Human Resources Director as a language skill compensation position.

If the new position/assignment is eligible for second language pay and the employee has been certified as conversationally proficient for purposes of this directive, the employee will not have to be re-tested, unless the conversation competency test for the new position is different than the test for the employee’s previous position.

E. Employees on leave without pay for greater than 10 (ten) working days, including employees on Family Medical Leave (FML) or Military Leave, will not receive language skill compensation pay. Language skill compensation pay may be reinstated upon return to work, with compensation to resume during the first full pay period after the employee has returned to work, provided that all other program requirements are met.

F. To ensure equitable financial benefit to all full-time employees with the requisite language skills who use a second language for less than five percent (5%) of the work week, department directors shall, where possible, rotate employees through all language-designated positions.

V. SECOND LANGUAGE PAY RATES:

<table>
<thead>
<tr>
<th>Employee Group</th>
<th>Amount per Pay Period</th>
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<tbody>
<tr>
<td>Employees not eligible for representation</td>
<td>$30.00</td>
</tr>
<tr>
<td>American Federation of State, County and Municipal Employees (AFSCME) – eligible (employees labor and trades)</td>
<td>$25.00</td>
</tr>
<tr>
<td>Communication Workers of America/Tucson Association of City Employees (CWATACE) – eligible employees (white collar)</td>
<td>$30.00</td>
</tr>
<tr>
<td>Tucson Fire Fighters Association (TFFA) – eligible</td>
<td>$25.00</td>
</tr>
<tr>
<td>Tucson Police Officers Association (TPOA) – eligible</td>
<td>$30.00</td>
</tr>
</tbody>
</table>

Forms (Attached to) None

References Tucson City Code Chapter 10
ADMINISTRATIVE DIRECTIVE

TITLE VI NON-DISCRIMINATION PLAN

SECOND LANGUAGE PAY

Review Responsibility and Frequency
The Human Resources Director will review this directive annually, based on date of publication.

Authorized

[Signature]
City Manager

[Date]
12/5/07

July 1, 2007
I. PURPOSE

To set forth procedures for providing meaningful language access to limited English proficient customers to all City of Tucson programs, services and/or activities.

II. POLICY

It is the policy of the City of Tucson to ensure that all departments are in compliance with Title VI of the Civil Rights Act of 1964. Title VI prohibits exclusion from participation in, denial of benefits of, and discrimination under any federally assisted program or activity on the grounds of race, color, or national origin, 42 U.S.C. § 2000d. The term program or activity means “all of the operations of a department, agency, special purpose district, or other instrumentality of a state or of a local government.” 42 U.S.C. § 2000d-4a. When a city department receives federal financial assistance for a particular purpose, all operations of the department are covered by Title VI, not just the part of the department that uses federal assistance.

To ensure compliance with this Administrative Directive, in July of every year, each department shall appoint a Limited English Proficiency (LEP) Liaison and notify the Office of Equal Opportunity Programs (OCEOP) within the City Manager’s Office of the appointment and/or any subsequent change in assignment.

III. DEFINITIONS

A. Limited English Proficiency – Refers to persons who do not speak English as their native/primary language and who have a limited ability to read, speak, write and/or understand English.

B. Meaningful Access – Meaningful access to programs and services is the standard of access required of federally funded entities to comply with Title VI language access requirements. LEP customers must be able to reasonably access available resources, services, and activities at no additional cost.

IV. LIAISON ROLES AND RESPONSIBILITIES

A. Ensure that departmental staff and the general public know how to contact the department’s LEP Liaison. Contact information should be included on the departmental Web site, and in any departmental directory.

B. Complaints should be directed to OCEOP for response.

C. Attend and schedule other appropriate staff for attendance at LEP Liaison meetings and training sessions.

D. Serve as a departmental resource for LEP information.
E. Assess and identify the need for LEP compliance and awareness training within the department and coordinate the necessary training for departmental personnel with OEOP.

V. DEPARTMENT DIRECTOR ROLES AND RESPONSIBILITIES

Each department director is responsible to ensure that the following areas of LEP compliance are assigned to the department’s LEP Liaison or other appropriate departmental staff.

A. Coordinates language interpreter services to ensure meaningful access to the department’s programs, services, and activities (see Attachment A).

B. Determine departmental vital documents, and provide them in languages based on the LEP population to be served by the department.

C. Ensures that all meeting notices that provide information on city services, programs and activities that are open to the public conducted by the department contain the following statement:

“If you require a foreign language interpreter or materials in a language other than English, please call __________________________ (this should include the name and telephone number of the responsible departmental person) at least five business days in advance.”

D. Ensures that the department maintains copies of the “I Speak” cards at appropriate customer service areas (see Attachment B).

E. Develop and maintain a Standard Operating Procedure (SOP), based on the programs, services and activities offered by the department to ensure that meaningful access is afforded to its LEP customers in compliance with this policy. On an annual basis, each department shall forward departmental SOPs to OEOP.

F. Each departmental SOP shall include, but not be limited to, the Four Factor Analysis to assist with identifying LEP persons who may require assistance to each department’s programs, services and activities.

The Four Factor Analysis shall include:

a. The number of proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee/recipient;

b. The frequency with which LEP individuals come in contact with the program;
VI. **OEOP ROLE AND RESPONSIBILITIES**

A. OEOP shall provide guidance and assistance to all city departments, their administration, their LEP Liaisons and other appropriate staff regarding the requirements of Title VI, state law and city ordinance as well as other issues related to meaningful access for LEP customers.

B. OEOP shall report to the City Manager any action, or lack of action, on the part of city departments that affects the city’s compliance with Title VI.

Attachments

A – Translation and Interpretation Services  
B – "I Speak" Flash Card

References

None.

Review Responsibility and Frequency

The Director of the Office of Equal Opportunity Programs will review this directive as needed.

Authorized

[Signature]

City Manager  
Michael J. Ortega  

[Signature]

Date  
1/17/18

Page 51 of 97
MEMORANDUM

Date: August 15, 2005

To: All Departments and Divisions
From: Wayne A. Casper, C.P.M.
      Director of Procurement

Subject: Translation and Interpretation Services
         Contract No. 041090

The design and intent of the Translation/Interpretation contract is to provide for translation and interpretations services for City departments. Services include, but are not limited to: written and oral translation and interpretation of Spanish and exotic languages, signing for the hearing impaired, and Braille, large print and audio cassette conversion for the visually impaired.

There are two Contractors supplying services under this contract: Asturias Language Interpreters who provides language and vision-related services, and Catholic Community Service of Southern Arizona dba Community Outreach Program for the Deaf COPD) who provides hearing-related services.

It is the responsibility of each using department to determine who within the department has authorization to request and make arrangements for these services. To request translation/interpretation services, contact:

**LANGUAGES/VISUAL**
Asturias Language Interpreters
Fernando Herian
545 E. University Boulevard
(520) 624-9941
CityWide PO# 21219

**HEARING**
CCS
Interpreting Department
208 W. Adams Street
(520) 792-1906
CityWide PO# 21220

<table>
<thead>
<tr>
<th>SAMPLE RATES:</th>
<th>SAMPLE RATES:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Written to from Spanish/English</td>
<td>$ .10/word</td>
</tr>
<tr>
<td>Written to from English/Exotic</td>
<td>$ .12/word</td>
</tr>
<tr>
<td>Oral Spanish</td>
<td>$30.00/hour</td>
</tr>
<tr>
<td>Oral Exotic</td>
<td>$35.00/hour</td>
</tr>
<tr>
<td>Braille conversion</td>
<td>$35.00/page</td>
</tr>
<tr>
<td>Large print conversion</td>
<td>$35.00/page</td>
</tr>
<tr>
<td>Audio cassette conversion</td>
<td>$3.00/minute</td>
</tr>
</tbody>
</table>

Sign language interpreter
$40.00 per hour per interpreter
Two hour minimum

The referenced purchase order numbers are effective through the life of the contracts. The current contract term is September 1, 2005 through August 31, 2006. Should you have any questions regarding translation and interpretation services, please contact Christina Schipansky at 791-4400 x 131.

cc: Marcheta Gillespie, Contract Administrator
    Christina Schipansky, Senior Contract Officer
    Procurement Liaisons
<table>
<thead>
<tr>
<th>Language</th>
<th>Translation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arabic</td>
<td>أنا أتحدث اللغة العربية</td>
</tr>
<tr>
<td>Armenian</td>
<td>Կան հունչորվետներ</td>
</tr>
<tr>
<td>Bengali</td>
<td>আমি বাংলা কথা বলতে পারি।</td>
</tr>
<tr>
<td>Cambodian</td>
<td>ជាសំណាក់ភាសាខ្មែរ</td>
</tr>
<tr>
<td>Chamorro</td>
<td>Motka i kahhon ya yangin ūntūngnu' manaitai pat ūntūngnu' kumentos Chamorro</td>
</tr>
<tr>
<td>Dinka</td>
<td>Rinp ékênê yic té yïjam nê thunjây ye tôk, ku kor raan Bi yi geer thok.</td>
</tr>
<tr>
<td>Simplified Chinese</td>
<td>如果你能读中文或讲中文，请选择此框。</td>
</tr>
<tr>
<td>Traditional Chinese</td>
<td>如果你能读中文或讲中文，请选择此框。</td>
</tr>
<tr>
<td>Croatian</td>
<td>Govorim hrvatski</td>
</tr>
<tr>
<td>Czech</td>
<td>Mluvím česky</td>
</tr>
<tr>
<td>Dutch</td>
<td>Ik spreek het Nederlands</td>
</tr>
<tr>
<td>English</td>
<td>I speak English</td>
</tr>
<tr>
<td>Language</td>
<td>Translation</td>
</tr>
<tr>
<td>-----------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>Farsi</td>
<td>من فارسي صحبت می کنم</td>
</tr>
<tr>
<td>French</td>
<td>Je parle français</td>
</tr>
<tr>
<td>German</td>
<td>Ich spreche Deutsch</td>
</tr>
<tr>
<td>Greek</td>
<td>Μιλώ τα ελληνικά</td>
</tr>
<tr>
<td>Haitian Creole</td>
<td>M pale kreyòl ayisyen</td>
</tr>
<tr>
<td>Hindi</td>
<td>मैं हिंदी बोलता हूँ</td>
</tr>
<tr>
<td>Hmong</td>
<td>Kuv has lug Moob</td>
</tr>
<tr>
<td>Hungarian</td>
<td>Beszélek magyarul</td>
</tr>
<tr>
<td>Ilocano</td>
<td>Agsaonak ti Ilokano</td>
</tr>
<tr>
<td>Italian</td>
<td>Parlo italiano</td>
</tr>
<tr>
<td>Japanese</td>
<td>私は日本語を話す</td>
</tr>
<tr>
<td>Korean</td>
<td>한국어 합니다</td>
</tr>
<tr>
<td>Language</td>
<td>Translation</td>
</tr>
<tr>
<td>------------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>Laotian</td>
<td>ອາຍปາສາລາລົອນ</td>
</tr>
<tr>
<td>Polish</td>
<td>Mówię po polsku</td>
</tr>
<tr>
<td>Portuguese</td>
<td>Eu falo português do Brasil (for Brazil)</td>
</tr>
<tr>
<td>Portuguese</td>
<td>Eu falo português de Portugal (for Portugal)</td>
</tr>
<tr>
<td>Romanian</td>
<td>Vorbesc românește</td>
</tr>
<tr>
<td>Russian</td>
<td>Я говорю по-русски</td>
</tr>
<tr>
<td>Serbian</td>
<td>Ja говорим српски</td>
</tr>
<tr>
<td>Slovak</td>
<td>Hovorím po slovensky</td>
</tr>
<tr>
<td>Spanish</td>
<td>Yo hablo español</td>
</tr>
<tr>
<td>Somali</td>
<td>Waa aan ku hadlal af-Soomaali</td>
</tr>
<tr>
<td>Tagalog</td>
<td>Marunong akong mag-Tagalog</td>
</tr>
<tr>
<td>Thai</td>
<td>ภาษาไทย</td>
</tr>
<tr>
<td>Language</td>
<td>Translation</td>
</tr>
<tr>
<td>---------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>Tongan</td>
<td>Maaka i he puha ni kapau oku ke lau pe lea fakatonga</td>
</tr>
<tr>
<td>Ukrainian</td>
<td>Я розмовляю українською мовою</td>
</tr>
<tr>
<td>Urdu</td>
<td>میں اردو بولتا ہوں</td>
</tr>
<tr>
<td>Vietnamese</td>
<td>Tôi nói tiếng Việt</td>
</tr>
<tr>
<td>Yiddish</td>
<td>אַנד רעד יידיש</td>
</tr>
</tbody>
</table>

- **American Sign Language**
  - 🖐️ I, ME 🖐️ SIGN, SIGN LANGUAGE
APPENDIX E – SELF-IDENTIFICATION SURVEY CARDS

Front of Card
(Printed on Card Stock)

ENCUESTA PARA IDENTIFICARSE
Gracias por participar en nuestra reunión publica. Por favor toma unos minutos para ayudarnos darle los mas mejores servicios.

El completar esta encuesta es voluntario. Si usted decide responder, por favor marque todas las respuestas que le corresponden.

ETNICIDAD/RAZA:
- Afroamericano/Negro
- Nativo de Alaska
- Nativo de Hawaii/Otra Isla del Pacifico ative
- Asiatico
- Hispano/Latino
- Caucasian/Blanco

EDAD:
- Menos de 20
- 21-39
- 40-64
- 65+

El objetivo del Departamento de Transporte y Mobilidad de Tucson (DTM) es asegurar que cada esfuerzo se lleve a cabo para prevenir discriminación en el desarrollo de sus programas políticas y actividades.

DTM también tomará todas las medidas razonables para ofrecer al acceso servicios y actividades para personas con limitaciones y sea por el idioma o por discapacidad. Las solicitudes deben hacerse lo mas pronto posible para asegurar que el equipo encargado del Proyecto tenga la oportunidad de hacer los arreglos necesarios.

Con su participación en esta encuesta voluntaria, DTM podrá determinar quien participa en las reuniones públicas y como puede mejorar la participación de miembros de minorías. La encuesta también le ayudará a DTM a cumplir con requisitos federales.

TITULO VI. SEPA SUS DERECHOS
El Título VI del Acto de Derechos Civiles, la ley 42 USC 2000d y otros reglamentos del Departamento de Transporte de los Estados Unidos, aseguran que "ninguna persona en los Estados Unidos será negada los beneficios de o será discriminado de cualquier programa o actividad que recibe asistencia de fondos federales por su raza, color de su piel y origen nacional."

Título VI autoridades:
- Federal-Aid Highway Act of 1973
- Section 504 de la Ley de Rehabilitación de 1973 (Section 504 of the Rehabilitation Act of 1973)
- American with Disabilities Act of 1990
- Executive Orders 12898 & 13166

Thank you! Your Input Is appreciated.

tucsonaz.gov
May 2020

Back of Card
(Printed on Card Stock)
APPENDIX F – REQUIRED SET UP FOR PUBLIC MEETINGS

As per annual training. Distributed during annual training. Email reminders. On the intranet for employees. https://intranet.tucsonaz.gov/DTM/employee-relations-and-development

1. Brochures in English/Spanish
2. Self-Identification Survey Cards (English/Spanish two sided)
3. Poster to display “Notification to the Public”
4. Attached to the back of the poster are the “Language Identification Flashcards”
5. Box, basket or some other place to return cards that have been filled out.

The back of poster will have the “Language Identification Flashcards” attached.
How to use the “Language Identification Flashcards”

1. If someone approaches you and speaks a language you do not understand, show them the cards. They will be able to identify the language they need an interpreter for.
2. The memorandum lists the procedures for obtaining a language interpreter and/or translator.
3. Document the accommodation on your required “Public Meeting Summary Form.”
Public Meeting Summary Form

Instructions for Project Manager:

1. Fill out this form as you prepare for your public meeting (to include public hearing, open house or town hall; not required for ribbon cutting or ceremonial events).
2. Once the public meeting has been completed, return this form to Jesse Soto along with all collected Title VI Survey Forms within 14 days of your public meeting.

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Project Manager</th>
</tr>
</thead>
<tbody>
<tr>
<td>Purpose of Public Meeting</td>
<td></td>
</tr>
<tr>
<td>Date</td>
<td></td>
</tr>
<tr>
<td>Time</td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td></td>
</tr>
</tbody>
</table>

Public Relations Fun?  □ Gordley  □ Kaneen  □ Geo & Assoc. □ None

Before the Meeting:

□ Ensure mailings and website postings have the required statement “If you require a foreign language interpreter…” Document any requests for accommodations & notify Jesse.
□ Determine the department vital documents and provide them in languages based on the LEP population to be served.
□ Work with Jesse Soto /Michael Graham prior to sending out invitations to ensure that the public meeting is posted on our social media pages, internet and new releases.

During the Meeting:

□ Display Title VI Poster/Brochures
□ Make Title VI Survey Forms Available for Participants
□ Count the total number of attendees ______

After the Meeting:

Turn this form into Jesse Soto along with collected Title VI Survey Forms.

Where to find this form and additional resources:

https://intramet.tucsonaz.gov/tdot/employee-relations-and-development
https://www.tucsonaz.gov/tdot/title-vi

City of Tucson  Department of Transportation
## APPENDIX H – SAMPLE DATA COLLECTION FOR ANNUAL TITLE VI REPORT

### Sample Public Meetings

<table>
<thead>
<tr>
<th>Property Name</th>
<th>Property Manager</th>
<th>Date</th>
<th>Attended</th>
<th>Age</th>
<th>Female</th>
<th>Male</th>
<th>Native American</th>
<th>Female Abled</th>
<th>Male Abled</th>
<th>Native Abled</th>
<th>VIPs</th>
<th>Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013 Road Construction</td>
<td>Michael Sanders</td>
<td>9-25-2013</td>
<td>24</td>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2017 DMT, South Side Rd</td>
<td>Arturo Garcia</td>
<td>10-14-2016</td>
<td>18</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2018 DMT, South Side Rd</td>
<td>Arturo Garcia</td>
<td>1-26-2018</td>
<td>20</td>
<td>10</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Highland Road Center</td>
<td>Michael Sanders</td>
<td>10-29-2019</td>
<td>11</td>
<td>10</td>
<td>13</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2017 DMT, North Side Rd</td>
<td>Arturo Garcia</td>
<td>1-21-2010</td>
<td>11</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2018 DMT, North Side Rd</td>
<td>Arturo Garcia</td>
<td>1-2-2012</td>
<td>10</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mike Tisoni</td>
<td>Parish Porter</td>
<td>1-26-2021</td>
<td>105</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Route 581 Meeting</td>
<td>Mike Tisoni</td>
<td>6-26-2000</td>
<td>19</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Westview Towne</td>
<td>Parish Portner</td>
<td>5-15-2000</td>
<td>105</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bannevin Road Meeting</td>
<td>Parish Portner</td>
<td>5-15-2000</td>
<td>24</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX I – LEP FLOWCHART

LEP Flowchart – TDOT

Telephone
Automated telephone greeting in English and Spanish
Customer chooses either English or Spanish and listens to the message
Customer Service Representative answers the telephone. If Spanish speaker requests Spanish or there is a Spanish need, the customer is transferred to a bilingual representative
TTY Line 791-2639
Caller types in Spanish. TTY Operator Interprets as necessary via telephonic relay
If customer does not speak English or Spanish, use the “I Speak” Flashcards
In-Person
Customer Service Representative Bilingual Interaction (Spanish)
Once correct language is identified, see City’s Language Translation Services Contract and CART Contract for more details or contact your Department/Division’s LEP Liaison
Written Communication
Critical Communication (outgoing) pieces are translated into Spanish
Incoming pieces are read by bilingual staff and translated as needed

Meetings and/or long-term translation needs
All meeting notices that provide information on City services, programs and activities that are open to the public conducted by the department must include the following statement: “If you require a foreign language interpreter or materials in a language other than English, please call (this should include the name and telephone number of the responsible departmental person) at least five business days in advance.”

City of Tucson has open-ended contract for translation services see City’s Language Translation Services Contract and CART Contract for more details or contact your Department/Division’s LEP Liaison

Last Revised 08/08/2008
## APPENDIX J – DTM EMPLOYEES RECEIVING SECOND LANGUAGE PAY

<table>
<thead>
<tr>
<th>Name</th>
<th>Department</th>
</tr>
</thead>
<tbody>
<tr>
<td>Edna Aranda</td>
<td>Customer Service</td>
</tr>
<tr>
<td>John Cahill</td>
<td>Real Estate</td>
</tr>
<tr>
<td>Patricia Camacho</td>
<td>Human Resources</td>
</tr>
<tr>
<td>Denisa Campas</td>
<td>Administration</td>
</tr>
<tr>
<td>Maria Esther Cruz</td>
<td>Traffic Engineering</td>
</tr>
<tr>
<td>Angel Flores</td>
<td>Stormwater</td>
</tr>
<tr>
<td>Jose Gomez-Cabrera</td>
<td>Park Tucson</td>
</tr>
<tr>
<td>Lucy Inzunza</td>
<td>Permits and Codes</td>
</tr>
<tr>
<td>Jozett Keena</td>
<td>Traffic Engineering Administration</td>
</tr>
<tr>
<td>Pedro Leon</td>
<td>Surface Maintenance</td>
</tr>
<tr>
<td>Francisco Leyva</td>
<td>Traffic Engineering</td>
</tr>
<tr>
<td>Elizabeth Olivo</td>
<td>Customer Service</td>
</tr>
<tr>
<td>Manual Ortega</td>
<td>Surface Maintenance</td>
</tr>
<tr>
<td>Marylou Ramirez</td>
<td>Office of the Director</td>
</tr>
<tr>
<td>Teresa Romero</td>
<td>Engineering</td>
</tr>
<tr>
<td>Abelardo Rosales</td>
<td>Electrical Maintenance</td>
</tr>
<tr>
<td>Christina Runyan</td>
<td>Real Estate</td>
</tr>
<tr>
<td>Cesar Salmeron</td>
<td>Signal &amp; Streets</td>
</tr>
<tr>
<td>Blanca Valenzuela</td>
<td>ADA Compliance</td>
</tr>
</tbody>
</table>
APPENDIX K – SAMPLE BROCHURES
If you believe you have experienced National Origin Discrimination, or want more information, please contact:

You can also talk to the supervisor of the person you think discriminated against you. You can also talk to a community group that works on civil rights issues.

Together we can help people get the benefits and services they need in ways they can understand.

Sponsored by the United States Department of Agriculture, the United States Department of Health and Human Services, and the United States Department of Justice.

**“If you are mistreated because you are LEP, it may be National Origin Discrimination.”**

**EXAMPLES of Possible Discrimination:**

1. You and many people who live in your area speak Vietnamese and often go to the hospital for emergency care. The hospital does not understand these LEP patients. Most Vietnamese patients do not understand what the hospital tells them about their medical care.

2. You call 911 to report a crime. The operator does not understand you and cannot help you.

3. Your child’s school sends important information or a notice to you in English. The school knows you speak only Spanish. The school refuses to provide the information to you in Spanish and suggests instead that your child interpret the information for you.

4. You try to apply for food stamps. The application is in English. You do not understand the application. The Food Stamp office workers tell you to come back with your own interpreter.

**EXAMPLES of Good Practices:**

1. The hospital knows that many people who cannot understand English and speak Vietnamese live in the area. The hospital has interpreters who are ready and able to help you when you go to the hospital for emergency care.

2. You call 911 to report a crime. The operator connects you quickly to an interpreter who helps you.

3. Your child’s school has many Spanish-speaking parents. The school knows you speak only Spanish. You should receive the important information or notice in Spanish.

4. The Food Stamp office has an interpreter, or contacts a telephone interpreter, to help you. An application in your language is given to you.
Who are the authorities?

The two main authorities enacting Title VI non-discrimination policies and guidance are the United States Department of Housing and Urban Development (HUD), and the United States Department of Justice (DOJ). These agencies have the authority to investigate and enforce compliance with Title VI non-discrimination laws.

What is Title VI?

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in programs and activities that receive Federal financial assistance.

What is DTM’s Title VI Policy?

Pursuant to Title VI of the Civil Rights Act of 1964 as amended, the Division of Transportation and Mobility (DTM) has non-discrimination policies that ensure Federal financial assistance is available to all eligible recipients regardless of their race, color, and national origin.

Who may file a Title VI complaint?

A Title VI complaint may be filed by any individual or organization who believes that they have been subjected to discriminatory acts or practices under a DTM program or activity. There is no special form to file a complaint; any complaint may be filed at any time. DTM encourages prompt reporting as soon as any indication is received of possible violations.

What type of discrimination is prohibited under DTM’s Title VI program?

Discrimination under DTM’s Title VI program is any act or practice, direct or indirect, that has the purpose or effect of excluding or denying access to any benefit or service under a program or activity, or subjecting an individual or group to conditions that frustrate the purposes of a program or activity based on race, color, or national origin.

What programs are covered?

DTM’s Title VI non-discrimination policy applies to all Federal programs, projects, and activities that receive Federal financial assistance. This includes programs, projects, and activities that are directly funded by the Federal Government, as well as programs, projects, and activities that are funded through grants, contracts, or other forms of assistance.

For more information:

For more information, contact the DTM Title VI Coordinator at 316-727-4125 or via email at TitleVI@ks.gov.

What information is included in a Title VI complaint?

A Title VI complaint must include:

- A description of the incident or practice that violates Title VI
- Identification of the complainant and the entity providing the service or program
- A statement of the specific violation alleged
- The name and location of the program or activity involved
- Any other relevant information

What will DTM do with my complaint?

DTM is committed to responding promptly to any Title VI complaint. DTM will investigate the complaint and take appropriate action to remedy any violation of Title VI.

Where can I obtain a hearing aid or personal assistance for filing a complaint?

DTM encourages the use of telephone or computer-aided communication systems to facilitate accessibility for individuals with disabilities. Individuals may also request a telephone interpretation service.

Page 66 of 97
TITLE VI NON-DISCRIMINATION PLAN

Autoridades

Los dos principales órganos que hacen posible la implementación, conformidad y cumplimiento del Título VI son la Oficina de Derechos Civiles del DTM de 1964 y la Ley de Reforma de 1986. Sin embargo, otros estamentos, leyes, implementaciones, sistemas operativos y la Constitución de los EEUU proporcionan orientación para la efectiva orientación de los objetivos del Título VI. Estos incluyen:

- Ley Federal de Accesibilidad de 1973
- Ley Federal de Accesibilidad de 1990
- Ley de Accesibilidad de 1975
- Ley de Título VI conforme de 1993
- Principios Uniformes de 1994
- 210x745

Cumplimiento del Título VI

El Título VI ha implementado efectivamente todos los requerimientos del Título VI y puede demostrarse que ha hecho lo necesario derecho e impactinge para la implementación del Título VI. Como resultado del esfuerzo de todos los estratos, DTM es responsable de implementar el Título VI y que se cumplan las normas del Título VI, que incluyen la previsión de que se cumplan las normas de aplicación, que se implementen programas de actividades, que se presenten los planos para el cumplimiento y el detalle de las normas, que se presenten los programas de actividades, y que se presenten los planos para el cumplimiento y el detalle de las normas.

Para más información

Para más información, por favor comuníquese con:

JESSE SOTO
DTM TITULO VI COORDINADOR
Público 305 Building
2101 8th Ave. 6th Floor
Tucson, AZ 85701
(520) 403-4018
Fax 520-791-4008
www.fhwa.dot.gov

Qué es el Título VI?

El Título VI de la Ley de Derechos Civiles de 1964 es la ley federal que prohíbe a los individuos y grupos de discriminación basada en raza, color, nación de origen, religión, discapacidad o en ninguna de sus propuestas o actividades. La administración de DTM garantiza la discriminación en todas las actividades, que se cumplan las normas del Título VI, que se presenten los planos para el cumplimiento y el detalle de las normas, que se presenten los programas de actividades, y que se presenten los planos para el cumplimiento y el detalle de las normas.

Programas incluidos

Los programas que reciben financiamiento federal incluyen programas de proyectos, programas de actividades, programas de servicio, programas de incluyentes, programas de educación, programas de capacitación, programas de oportunidades de trabajo, salud, asistencia a la salud, rehabilitación, vivienda y otros servicios, que han sido financiados directamente por DTM o adquiridos a través de contactos o otras amigas con otros representantes.

¿Quién puede presentar una demanda Título VI?

Los programas que ofrecen programas financiados por DTM tienen derecho a presentar una demanda de discriminación. La demanda se puede presentar a través de una oficina de la autoridad que se haya elegido para presentar la demanda. La demanda debe incluir la siguiente información:

- Nombre, número de teléfono y dirección de la persona que presentará la demanda.

Que normas se incluyen en una demanda Título VI?

Una demanda Título VI puede ser presentada por cualquier persona que se haya elegido para presentar la demanda. La demanda debe incluir la siguiente información:

- Nombre, dirección y teléfono. La demanda debe incluir la siguiente información:

Qué es el طنت VI?

El طنت VI de la Ley de Derechos Civiles de 1964 es la ley federal que prohíbe a los individuos y grupos de discriminación basada en raza, color, nación de origen, religión, discapacidad o en ninguna de sus propuestas o actividades. La administración de DTM garantiza la discriminación en todas las actividades, que se cumplan las normas del Título VI, que se presenten los planos para el cumplimiento y el detalle de las normas, que se presenten los programas de actividades, y que se presenten los planos para el cumplimiento y el detalle de las normas.

Que normas se incluyen en una demanda Título VI?

Una demanda Título VI puede ser presentada por cualquier persona que se haya elegido para presentar la demanda. La demanda debe incluir la siguiente información:

- Nombre, número de teléfono y dirección de la persona que presentará la demanda.

Programas incluidos

Los programas que reciben financiamiento federal incluyen programas de proyectos, programas de actividades, programas de servicio, programas de incluyentes, programas de educación, programas de capacitación, programas de oportunidades de trabajo, salud, asistencia a la salud, rehabilitación, vivienda y otros servicios, que han sido financiados directamente por DTM o adquiridos a través de contactos o otras amigas con otros representantes.

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Qué normas se incluyen en una demanda Título VI?

Una demanda Título VI puede ser presentada por cualquier persona que se haya elegido para presentar la demanda. La demanda debe incluir la siguiente información:

- Nombre, número de teléfono y dirección de la persona que presentará la demanda.
APPENDIX L – SCREENSHOT OF MULTILINGUAL DTM WEBSITE
APPENDIX M – TITLE VI “KNOW YOUR RIGHTS” POSTER

Poster is hanging in various locations throughout DTM including:

- Public waiting areas on the 4th, 5th & 6th floors of the Public Works building
- Park Tucson lobby
- Transit lobby
- Streets & Traffic Maintenance lobby
Title VI Non-Discrimination Plan

Appendix N – City of Tucson OEOP & DTM Website Samples

DTM Intranet (for employees only)
Title VI / Civil Rights

Title VI of the Civil Rights Act of 1964 is the main legal authority for the Tucson Department of Transportation and Mobility’s (DTM) external nondiscrimination programs. Title VI prohibits discrimination on the basis of race, color, sex or national origin in programs or activities receiving federal financial assistance. Once an agency accepts federal funds, all of its programs and activities are covered, regardless of their funding source. Related statutes and presidential executive orders under the umbrella of Title VI address environmental justice (EJ) in minority and low-income populations and services to those individuals with limited English proficiency (LEP), women and the disabled.

- Policy Statement of Non-discrimination
- Title VI Self Identification Survey (English and Spanish)
- 2020 Title VI Signed Assurances
- 2020 Title VI Annual Report
- 2020 Signed Title VI Non-Discrimination Plan (July 28, 2020)

Submitting a Title VI Complaint

Any person who believes that he or she, either individually, as a member of any specific class of persons, or in connection with any minority contractor, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 may file a complaint at no charge. A formal complaint must be filed in person or via U.S. Mail within 180 calendar days of the alleged act of discrimination or of the date when the alleged discrimination became known to the complainant(s), or where there has been a continuing course of conduct, the date on which the conduct was discontinued or the latest instance of the conduct. This timeframe is prescribed by 49 CFR 21.11(b). For your convenience, visit DTM’s main office at the Public Works Building, 201 N. Stone Ave., 6th Floor, Tucson, AZ 85701. DTM does not accept confidential information via e-mail.

- Submit a Title VI Complaint (PDF form)

Please submit complaints or questions to:

Jesse Soto
DTM Title VI Coordinator
Public Works Building
201 N. Stone Ave., 6th Floor
Tucson, AZ 85701
520-791-4371
FAX 520-791-4608
Jesse.Soto@tucsonaz.gov
第六章 / 公民權利

1964年《民權法案》第六章是規範交通運輸部(DTM)外部非歧視計劃的主要法律依據。第六章禁止在受聯邦財政援助的計劃或活動中，對種族、膚色、性別或國籍的歧視，且一個機構接受了聯邦資金，其所有計劃和活動都應符合，無論資金來源如何。第六章下的相關法規和總統行政命令涉及多數族裔和低收入人群的環境正義(EJ)，並為英語能力有限（LEP）的個人、婦女和殘疾人提供保護。

- 非歧視政策聲明
- 第六章自覺識別調查（英語和西班牙語）
- 2020 年第六章監督報告
- 2020 年第六章年度報告
- 2020 年登載的 Title VI 非歧視計劃（2020 年 7 月 28 日）

提交第六章投訴

任何認為他或她，無論是作為任何特定類別的人的成員，或是與任何少數族裔或語言有關的個人，都受到了1964年民權法案第六章所規定的歧視，可以提出投訴。根據北京11211(b)規定，為了方便起見，請訪問DTM位於公共工程大樓的主辦公室，地址為201 N. Stone Ave., 6th Floor, Tucson, AZ 85701。DTM不接受通過電子郵件發送的投訴信。

- 提交第六章投訴（PDF 表格）

請將投訴或問題提交至：

Jesse Soto
DTM Title VI Coordinator
Public Works Building
201 N. Stone Ave., 6th Floor
Tucson, AZ 85701
520-791-4371
電子郵件: Jesse.Soto@tucsonaz.gov
Título VI / Derechos civiles

El Título VI de la Ley de Derechos Civiles de 1964 es la principal autoridad legal para los programas externos de no discriminación del Departamento de Transporte de Tucson. El Título VI prohíbe la discriminación por motivos de raza, color, sexo u origen nacional en programas o actividades que reciben asistencia financiera federal. Una vez que una agencia acepta fondos federales, todos sus programas y actividades están cubiertos, independientemente de su fuente de financiamiento. Los estatutos relacionados y las órdenes ejecutivas presidenciales bajo el paraguas del Título VI abordan la justicia ambiental (JE) en poblaciones y servicios minoritarios y de bajos ingresos para aquellas personas con dominio limitado del inglés (LEP), mujeres y discapacitados.

- Declaración de política de no discriminación
- Encuesta de autoidentificación del Título VI (inglés y español)
- Plan de no discriminación 2019 (actualizado el 1 de agosto de 2019)
- Garantías firmadas 2019
- Informe anual 2019

Presentar una queja de Título VI

Cualquier persona que crea que él o ella, ya sea individualmente, como miembro de una clase específica de personas, o en relación con cualquier contratista minoritario, ha sido objeto de discriminación prohibida por el Título VI de la Ley de Derechos Civiles de 1964 y la Restauración de los Derechos Civiles La Ley de 1987 puede presentar una queja sin cargo. Una queja formal debe presentarse en persona o por correo postal dentro de los 180 días calendario del presunto acto de discriminación o de la fecha en que la supuesta discriminación llegó a ser conocida por el (los) demandante (s), o cuando ha habido un curso de conducta continuo, la fecha en que se suspendió la conducta o la última instancia de la conducta. Este plazo está prescrito por 49 CFR 21.11 (b). Para su comodidad, visite la oficina principal de TDOT en el Edificio de Obras Públicas, 201 N. Stone Ave., 5th Floor, Tucson, AZ 85701. TDOT no acepta información confidencial por correo electrónico.

- Envíe una queja de Título VI (formulario PDF)

Por favor envíe sus quejas o preguntas a:

   Jesse Soto
   TDOT Coordinador del Título VI
   Edificio de Obras Públicas
   201 N. Stone Ave., 5th piso
   Tucson, AZ 85701
   520-791-4371
   FAX 520-791-4608
   Jesse.Soto@tucsonaz.gov
الباب السادس / الحقوق المدنية

الباب السادس من قانون الحقوق المدنية لعام 1964 هو السلطة القانونية الرئيسية لبرامج التمييز الخارجية التابعة لوزارة النقل في توكسن. يتطور النشاط في الفصول الصيفية على أساس العرق أو الجنس أو الجنس أو الأصول الأخرى في البرامج أو الأطوار الأخرى التي تحقق مستخدمة مالية مالية. يمكن قبول الوكالة الأخرى لتبادل البيانات، بمعنى أنها تصبح شريكاً للاختبارات. يعرض الفصول الصيفية ذات الصلة والأمور التنفيذية الرئيسية تحت مختلفة باب السادس المدنية للإنسانية (EJ) في الألفيات والسكان ذوي القدرات الخاصة والأمر التنفيذية الرئيسية تحت مختلفة باب السادس المدنية للإنسانية (EJ) في الألفيات والسكان ذوي القدرات الخاصة.

ب بيان سلسلة عدم التمييز
• العدوان السري سحب العري (الишوعية والإسلامية)
• خطط عدم التمييز لعام 2019 (محفظة في 1 أغسطس 2019)
• التأكيدات الأخرى لعام 2019
• التدريبي السنوي لعام 2019

تقديم شكوى毕业于 السادس

أي شخص يعتقد أن، عما يشكل فرديًا، كعضو في أي فئة محددة من الأشخاص، أو فيهما يتعلق بأي نشاط، أن تم تمرض المحتملي بحجة تسمية باب السادس من قانون الحقوق المدنية لعام 1964 ومساعدات الحق في المدنية قانون 1987، فقرر شكوى بحجة تسمية باب السادس عن حقوق المعجم الإشراف، يمكن تقديم شكوى ضد الأفراد أو من الأفراد الذين أصبح فيه التمييز غير معلنة للإشراف الشكوكي (إشراف الشكوكي)، أو اعتبار مختلف الإشراف، أو اعتبار مختلف الإشراف، أو اعتبار مختلف الإشراف، أو اعتبار مختلف الإشراف.

لمزيد من المعلومة، يرجى زيارة موقع TDOT في N. Stone Ave., 5th Floor, Tucson, AZ 85701.

TDOT

uated لل التواصل

الاتصالات
201 N. Stone Ave., Tucson, AZ 85701
(520) 791-4371
Fax: (520) 500-791
4608-520-520
Jesse.Soto@tucsonaz.gov

أي نشاط، أو اعتبار مختلف الإشراف، أو اعتبار مختلف الإشراف، أو اعتبار مختلف الإشراف، أو اعتبار مختلف الإشراف.

لمزيد من المعلومة، يرجى زيارة موقع TDOT في N. Stone Ave., 5th Floor, Tucson, AZ 85701.

TDOTconcerns@tucsonaz.gov

TDOT

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أي نشاط، أو اعتبار مختلف الإشراف، أو اعتبار مختلف الإشراف.

لمزيد من المعلومة، يرجى زيارة موقع TDOT في N. Stone Ave., 5th Floor, Tucson, AZ 85701.
Limited English Proficiency (LEP)

Section 602 of Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d states that "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." This law was established to ensure that persons who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English be afforded meaningful access to programs, services and/or activities and information provided by any entity receiving federal financial assistance.

On August 11, 2000, Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency" was issued to extend the requirements under Title VI to all federal agencies, programs, and activities. Executive Order 13166 also requires all federal agencies that provide financial assistance to non-federal entities to publish guidance on Title VI compliance.

The City of Tucson is committed to ensuring that it complies with the provisions set forth by Title VI and Executive Order 13166 within the City's level of authority. Each City facility has a designated LEP Liaison to assist members of the community with ensuring meaningful access to its department's programs, services/activities. The Office of Equal Opportunity Programs is responsible for monitoring the City's LEP compliance efforts.

If you feel that you have not been provided meaningful access to any City program, service/activity, contact (520) 791-4593.

LEP Complaint Form (pdf)
LEP Complaint Form SPANISH (pdf)
LEP Liaisons (pdf)
# Administrative Directives

All ADs have been collated into one document to make it easier to search the entire set. Click on the AD Book below.

## Equal Opportunity Programs

<table>
<thead>
<tr>
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<th>Title</th>
<th>Date</th>
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<td>Reasonable Accommodation of Applicants and Employees with Disabilities</td>
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<tr>
<td>2.05-8</td>
<td>Discrimination/Harassment Policy</td>
<td>02/08/2012</td>
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<tr>
<td>2.05-9</td>
<td>Services for Language Access Policy for Limited English Proficiency (LEP)</td>
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<td>10/24/2014</td>
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<td>2.05-11</td>
<td>Employee Mediation Program</td>
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APPENDIX P – CITY OF TUCSON DBE STATEMENT

CITY OF TUCSON
OFFICE OF EQUAL OPPORTUNITY PROGRAMS
AND INDEPENDENT POLICE REVIEW

CITY OF TUCSON
POLICY STATEMENT

U.S. Department of Transportation
DBE Diversity Program for Contracts

The City of Tucson has received federal financial assistance from the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) of the U.S. Department of Transportation (DOT) and has established a Disadvantaged Business Enterprise (DBE) Diversity Program for contracts in accordance with regulations of the U.S. DOT, 49 CFR 26. The Program applies to all City and subrecipient contracts that are funded, in whole or in part, by U.S. DOT federal financial assistance.

It is the policy of the City of Tucson to ensure that DBEs, as defined in 49 CFR 26, have an equal opportunity to receive and participate in DOT-assisted contracts. To achieve this, the City will strive:

1. To ensure nondiscrimination in the award and administration of DOT-assisted contracts on the basis of race, color, sex, or national origin;

2. To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;

3. To ensure that the DBE Program is narrowly tailored in accordance with applicable law;

4. To ensure that only firms that fully meet 49 CFR 26 eligibility standards are permitted to participate as DBEs;

5. To help remove barriers to the participation of DBEs in DOT-assisted contracts; and

6. To assist the development of firms that can compete successfully in the marketplace outside the DBE Program.
APPENDIX Q – TITLE VI PRESENTATION PROVIDED TO DTM EMPLOYEES

Title VI of 1964 Civil Rights Act

Title VI of the Civil Rights Act of 1964 is the federal law that protects individuals and groups from discrimination on the basis of their race, color and national origin in programs and activities that receive federal financial assistance. However, the Federal Highway Administration's (FHWA) reference to Title VI includes other civil rights provisions of federal statutes and related authorities to the extent that they prohibit discrimination in programs and activities receiving federal financial assistance.
What is covered under Title VI?

A program or agency must:

- Provide a service, aid, or benefit;
- May include education or training, work opportunities, health, welfare, rehabilitation, housing or other services.

Project Data and Analysis

Project scope

- A federally assisted program include any highway, project, program or activity for the provision of services and for other benefits

Data collection

- Statistical data on race and sex will be gathered and maintained by the DTM Title VI Coordinator, from the public outreach meetings and contract reviews and beneficiaries of FHWA federal aid projects

Analyzing project data

- Program reviews will be conducted based on the annual summary of Title VI activities, achievements and complaints. The reviews will be handled by the Title VI Coordinator to ensure compliance of Title VI provisions. The special emphasis groups will have quarterly reviews of their data collected as it relates to Title VI demographics

Remix Link: https://platform.remix.com/?explore=true&latlng=32.22394,-110.93269,14.856
Ensuring Compliance

We must make sure that all recipients receive:

1. Equal treatment
2. Equal access
3. Equal Rights
4. Equal Opportunities

This should be the case regardless of the recipient’s race, color, or national origin which includes any applicable limited English proficiency!

In public outreach meetings and contract reviews and beneficiaries of FHWA federal aid projects, DTM staff will provide the following:

1. Survey Identification Cards
2. Public Meeting Summary Forms
3. Provide verification of accommodation requests

For accommodation, materials in accessible formats, foreign language interpreters and/or materials in a language other than English, please contact Jesse Soto at 520-791-4239 or Jesse.Soto@tucsonaz.gov at least one week prior to the public meeting.

Masks are required. We will have extra masks at the event if you forget yours.

Para acomodaciones especiales, materiales en formato accesibles, intérpretes de idiomas extranjeros y/o materiales en un idioma que no sea inglés, favor de comunicarse con Jesse Soto al 520-791-4239 o Jesse.Soto@tucsonaz.gov por lo menos una semana antes del evento público.

¿Se requieren mascarillas? Repartiremos mascarillas adicionales en el evento por si olvidas la tuya.
Title VI Compliant Process

- If you are contacted or informed that someone would like to file a Title VI complaint, please explain the process and provide the relevant forms without hesitation. All complaints must be in writing and signed by complainant!
- The Title VI Compliant form can be found on our website
  - [https://www.tucsonaz.gov/dot/title-vi-civil-rights](https://www.tucsonaz.gov/dot/title-vi-civil-rights)
- The complaint form must be completed in its entirety. The information requested is necessary in order to process the complaint. If assistance with completing the form, please contact the compliance officer:
  - Jesse Soto  Jesse.Soto@tucsonaz.gov  (520) 400-9718
- Failure to comply with Title VI may lead to:
  - Federal funds being withheld from the department until compliance is achieved;
  - and/or Federal funds being cancelled, terminated, or suspended in whole or in part.
- Compliance is necessary! Failure to comply will result in a detrimental impact on services provided to City of Tucson citizens.

Limited English Proficiency (LEP)

- There is an understanding of the importance of language access to Federal programs and Federally-assisted programs. As a result, recipients and sub recipients must take reasonable steps to ensure that individuals that do not speak, read, write or understand English as a primary language have access to information on federally assisted programs and services. Failure to allow participation may be a Title VI violation.

- In case of any Spanish language requests, please contact:
  - LEP Coordinator:
    - Kristina Orton  Kristina.Orton@tucsonaz.gov  (520) 837-6553
  - Public Information Coordinator:
    - Amanda Valenzuela  Amanda.Valenzuela@tucsonaz.gov  (520) 600-8229
Questions?
Limited English Proficiency Program (LEP)

Kristina Othon, DTM LEP Liaison
2021

What is LEP?

The federal government and those entities receiving assistance from the federal government must take reasonable steps to ensure that LEP persons have meaningful access to the programs, services, and information those entities provide. The City of Tucson is one of those entities.

This requires entities to develop creative solutions to address the needs of an ever-growing population of individuals whose primary language is not English.
Who is a Limited English Proficient Person?

Persons who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be limited English proficient, or (LEP).

These individuals are entitled to free language assistance with respect to a particular type of service, benefit, activity or program they encounter when interacting with the City of Tucson.

Qualified Beneficiaries

- United States citizenship does not determine whether a person is LEP.
- It is possible for a person who is a United States citizen to be limited in their proficiency of English communication skills.
- It is also possible for a person who is not a United States citizen to be fluent in the English language.
- Title VI of the Civil Rights Act of 1964 is interpreted to apply to citizens, documented non-citizens, and undocumented non-citizens.
- Unless citizenship or immigrant status is stipulated, Title VI LEP obligations apply to every beneficiary who meets the program requirements, regardless of the beneficiary's citizenship status.
**LEP Compliance**

- COT Administrative Directive 2.05-9
- Title VI of the Civil Rights Act of 1964
- Executive Order 13166

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**Who Must Comply?**

All programs and operations of entities that receive assistance from the federal government (i.e., recipients), including:

- State agencies
- Local agencies
- Private and nonprofit entities
- Sub recipients (entities that receive federal funding from one of the recipients listed above) also must comply.
DTM Employee SOP

1. Identify the department LEP Liaison(s)
2. Review department LEP Plan
3. When you encounter a LEP customer:
   • Identify the language
   • Assess the type of language and information LEP customer might request
4. Understand confidentiality and impartiality
5. Track and Report all LEP activity

DTM LEP Liaisons

Kristina Othon – Staff Assistant
ext. 7-6553          kristina.othon@tucsonaz.gov

Amanda Valenzuela – Public Information Coordinator
Cell (520) 600-8229
          amanda.valenzuela@tucsonaz.gov
Understand LEP Plan

The DTM LEP Plan is posted on the department website.

Please take time to review the plan and contact your LEP Liaison(s) with any questions.

DTM Certified Spanish Speaking Employees

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Cahill</td>
<td>837-6768 / 561-0605 (cell)</td>
<td><a href="mailto:John.Cahill@tucsonaz.gov">John.Cahill@tucsonaz.gov</a></td>
</tr>
<tr>
<td>Denisa Campas</td>
<td>837-6516</td>
<td><a href="mailto:Denisa.Campas@tucsonaz.gov">Denisa.Campas@tucsonaz.gov</a></td>
</tr>
<tr>
<td>Jose Gomez</td>
<td>791-5071 / 400-0483 (cell)</td>
<td><a href="mailto:Jose.Gomez@tucsonaz.gov">Jose.Gomez@tucsonaz.gov</a></td>
</tr>
<tr>
<td>Lucy Inzunza</td>
<td>837-6615 / 334-5175 (cell)</td>
<td><a href="mailto:Lucy.Inzunza@tucsonaz.gov">Lucy.Inzunza@tucsonaz.gov</a></td>
</tr>
<tr>
<td>Jozett Keena</td>
<td>837-6707 / 334-8484 (cell)</td>
<td><a href="mailto:Jozett.Keena@tucsonaz.gov">Jozett.Keena@tucsonaz.gov</a></td>
</tr>
<tr>
<td>Pete Leon</td>
<td>791-3154 / 419-5489 (cell)</td>
<td><a href="mailto:Pete.Leon@tucsonaz.gov">Pete.Leon@tucsonaz.gov</a></td>
</tr>
<tr>
<td>Francisco Leyva</td>
<td>837-6672 / 237-6793 (cell)</td>
<td><a href="mailto:Francisco.Leyva@tucsonaz.gov">Francisco.Leyva@tucsonaz.gov</a></td>
</tr>
<tr>
<td>Liz Olivo</td>
<td>837-6717</td>
<td><a href="mailto:Liz.Olivo@tucsonaz.gov">Liz.Olivo@tucsonaz.gov</a></td>
</tr>
<tr>
<td>Manuel Ortega</td>
<td>791-3191 / 419-7202 (cell)</td>
<td><a href="mailto:Manuel.Ortega@tucsonaz.gov">Manuel.Ortega@tucsonaz.gov</a></td>
</tr>
<tr>
<td>MaryLou Ramirez</td>
<td>837-6798 / 349-4485 (cell)</td>
<td><a href="mailto:MaryLou.Ramirez@tucsonaz.gov">MaryLou.Ramirez@tucsonaz.gov</a></td>
</tr>
<tr>
<td>Terri Romero</td>
<td>837-6577 / 867-1661 (cell)</td>
<td><a href="mailto:Terri.Romero@tucsonaz.gov">Terri.Romero@tucsonaz.gov</a></td>
</tr>
<tr>
<td>Abelardo Rosales</td>
<td>850-1810 (cell)</td>
<td><a href="mailto:Abelardo.Rosales@tucsonaz.gov">Abelardo.Rosales@tucsonaz.gov</a></td>
</tr>
<tr>
<td>Christina Runyan</td>
<td>837-6693</td>
<td><a href="mailto:Christina.Runyan@tucsonaz.gov">Christina.Runyan@tucsonaz.gov</a></td>
</tr>
<tr>
<td>Cesar Salmeron</td>
<td>837-6806</td>
<td><a href="mailto:Cesar.Salmeron@tucsonaz.gov">Cesar.Salmeron@tucsonaz.gov</a></td>
</tr>
<tr>
<td>Blanca Valenzuela</td>
<td>791-5409</td>
<td><a href="mailto:Blanca.Valenzuela@tucsonaz.gov">Blanca.Valenzuela@tucsonaz.gov</a></td>
</tr>
</tbody>
</table>
**LEP Procedure 1/3**

**SPANISH SPEAKING LEP – ALL REQUESTS**

1. Spanish-speaking LEP persons requiring language assistance may contact one of the identified DTM certified Spanish speaking staff-members.

2. Forms and documents vital to DTM services, activities and programs will be made available in Spanish.

3. **American Sign Language (ASL)** - For customers communicating with sign language, communication in writing will be attempted; otherwise, the Language Solutions Quick Reference Guide will be followed.

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**LEP Procedure 2/3**

**NON - SPANISH SPEAKING LEP – ALL REQUESTS**

1. **NON- Spanish LEP persons** - Staff will use **Language Identification Cards** to assist the customer to identify their native language.

2. Once language is identified staff will use the **Language Solutions Quick Reference Guide** to provide service.

3. **American Sign Language (ASL)** - For customers communicating with sign language, communication in writing will be attempted; otherwise, the Language Solutions Quick Reference Guide will be followed.
LEP Procedure 3/3

DTM Sponsored Public Meetings - Activities - Programs

Assisting LEP customers at any DTM public meetings or department sponsored activities or programs:

1. LEP persons must request language assistance at least five (5) business days in advance of the event via the department LEP Liaisons.

2. DTM will ensure all meetings conducted by the department and open to the public, include the following statements in meeting notices:

   For wheelchair accommodations, materials in accessible formats, and/or materials in a language other than English or an ASL translator, please contact ________ (name, phone number and e-mail address of staff member leading the meeting), or (520) 791-2639 for telecommunications device for the deaf (TDD), no later than __________ (date, which is five business days prior to meeting date).

   Para solicitar acomodamiento de sillas de ruedas, materiales en formatos accesibles, y/o materiales en español o, por favor comuníquese con ________ (name, phone number and e-mail address of staff member leading the meeting), o si tiene un aparato de telecomunicaciones para los sordos, llame al (520) 791-2639, a más tardar el __________ (date, which is five business days prior to meeting date).

3. The Office of Equal Opportunity Programs (OEEP) is available to assist with procuring LEP language services if requested.

Confidentiality and Impartiality

- Utilize qualified and competent translator and or interpreters when dealing with critical matters and or confidential information.

- Informal or professional interpreters shall treat LEP customers equally, impartially and fairly.
Track and Report

- Track the number of LEP encounters; type of service and language requested; and total amount of money spent on language services.

- It is the departments responsibility to track and report in case of an audit.

- Report any issues or LEP complaints to the department LEP Liaison or Office of Equal Opportunity Programs (OEOP).

  ✓ LEP Complaint form can be found on the OEOP website.

City Manager’s Office Support

Office of Equal Opportunity Programs
Limited English Proficiency (LEP) Program

For assistance contact:

Will Rivera, OEOP LEP Liaison (520) 837-4010
Rebecca Hill, Director OEOP (520) 837-4170
Confidential Phone Line (520) 791-4593
### LEP Resources

- Language Identification Cards
- Oral Interpretation Services
- Written/Audio Translation and Transcription Services
- ASL – American Sign Language

---

**Language Identification Cards 1/4**

<table>
<thead>
<tr>
<th>Language</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arabic</td>
<td>أنا أتحدث اللغة العربية</td>
</tr>
<tr>
<td>Armenian</td>
<td>Ծննդյան ես հայտնիմ</td>
</tr>
<tr>
<td>Bengali</td>
<td>আমি বাংলা কথা বলতে পারি।</td>
</tr>
<tr>
<td>Cambodian</td>
<td>ប្រុសប្រយុទ្ធដែលល្អ</td>
</tr>
<tr>
<td>Chamorro</td>
<td>Motka i kahon ya yangin üntängnu’ manaitai pat üntängnu’ kumentos Chamorro</td>
</tr>
<tr>
<td>Dinka</td>
<td>Rinp ékéni yio tê yijam né thunjjy yë tôk, ku kor raan ëj yà guer thok.</td>
</tr>
<tr>
<td>Simplified Chinese</td>
<td>如果你能读中文或讲中文，请选择此框。</td>
</tr>
<tr>
<td>Traditional Chinese</td>
<td>如果你能读中文或讲中文，请选择此框。</td>
</tr>
<tr>
<td>Croatian</td>
<td>Govorim hrvatski</td>
</tr>
<tr>
<td>Czech</td>
<td>Mluvím česky</td>
</tr>
<tr>
<td>Dutch</td>
<td>Ik spreek het Nederlands</td>
</tr>
<tr>
<td>English</td>
<td>I speak English</td>
</tr>
</tbody>
</table>
### Language Identification Cards 2/4

<table>
<thead>
<tr>
<th>Language</th>
<th>Identification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Farsi</td>
<td>من فارسي صحیح می کنم</td>
</tr>
<tr>
<td>French</td>
<td>Je parle français</td>
</tr>
<tr>
<td>German</td>
<td>Ich spreche Deutsch</td>
</tr>
<tr>
<td>Greek</td>
<td>Μιλώ τα ελληνικά</td>
</tr>
<tr>
<td>Haitian Creole</td>
<td>M pale kreyòl ayisyen</td>
</tr>
<tr>
<td>Hindi</td>
<td>मैं हिंदी बोलता हूँ</td>
</tr>
<tr>
<td>Hmong</td>
<td>Kuv has lug Moob</td>
</tr>
<tr>
<td>Hungarian</td>
<td>Beszélek magyarul</td>
</tr>
<tr>
<td>Ilocano</td>
<td>Agsaonak ti ilokano</td>
</tr>
<tr>
<td>Italian</td>
<td>Parlo italiano</td>
</tr>
<tr>
<td>Japanese</td>
<td>私は日本語を話す</td>
</tr>
<tr>
<td>Korean</td>
<td>한국어 합니다</td>
</tr>
</tbody>
</table>

### Language Identification Cards 3/4

<table>
<thead>
<tr>
<th>Language</th>
<th>Identification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Laotian</td>
<td>ໄຊໝາຂ່າວໜ້າທິດ</td>
</tr>
<tr>
<td>Polish</td>
<td>Mówię po polsku</td>
</tr>
<tr>
<td>Portuguese</td>
<td>Eu falo português do Brasil (for Brazil)</td>
</tr>
<tr>
<td>Romanian</td>
<td>Vorbesc românește</td>
</tr>
<tr>
<td>Russian</td>
<td>Я говорю по-русски</td>
</tr>
<tr>
<td>Serbian</td>
<td>Ja говорим српски</td>
</tr>
<tr>
<td>Slovak</td>
<td>Hovorím po slovensky</td>
</tr>
<tr>
<td>Spanish</td>
<td>Yo hablo español</td>
</tr>
<tr>
<td>Somali</td>
<td>Waxaan ku hadlayn af-Soomaali</td>
</tr>
<tr>
<td>Tagalog</td>
<td>Marunong akong mag-Tagalog</td>
</tr>
<tr>
<td>Thai</td>
<td>ประเทศไทย</td>
</tr>
</tbody>
</table>
Oral Interpretation Services

CONTRACT SUMMARY DOCUMENT

Contract # 192093
Contract Title: Phone Oral Interpretation Services

Shared Services - Procurement has piggybacked onto the Arizona State Procurement cooperative contract # ADSP016-00098156 for the purchase of Statewide Foreign Language Interpretation and Translation Services. Contractors are as follows:

<table>
<thead>
<tr>
<th>Good/Service</th>
<th>Contractor</th>
<th>Purchase Order #</th>
<th>Contact person</th>
<th>Contractor Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phone Oral Interpretation Services</td>
<td>Language Line Services</td>
<td>412060</td>
<td>Joe Matthew</td>
<td>[email protected]</td>
</tr>
</tbody>
</table>

How to use this contract:

Summary Description: To provide Statewide Foreign Language Interpretation and Translation Services, which in general terms includes various types of in-person and over-the-phone interpretation services as well as document translation services.

Services: Services for various types of in-person and over-the-phone interpretation services as well as document translation services.

Contract Term: 18-month agreement from January 1, 2019 through August 31, 2020 until new Oral Interpretation Services and Written/ Audio Translation and Transcription Services (Q&A) awarded for City of Tucson.

Pricing: Service rate pricing can be found at the following link: [https://www.servicecontract.com/ContractPaperwork/15078_6266_Language%20Line%20Q&A.pdf](https://www.servicecontract.com/ContractPaperwork/15078_6266_Language%20Line%20Q&A.pdf)

Ordering: Ordering service is on demand so when an interpreter is needed call a toll-free number that has been assigned, enter the Client ID (account number) identify what language is needed and an interpreter is conferenced on the call.
Oral Interpretation Services and Written/Audio Translation and Transcription Services

Contract No. 202372 – Qualified Vendor List

Please refer to contract for pricing. www.TucsonProcurement.com

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Type of Provider</th>
<th>Languages Provided</th>
<th>Category</th>
<th>Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aztec Language Solutions (01)</td>
<td>Sole Provider</td>
<td>Spanish</td>
<td>City Court/Jail</td>
<td>Interpretation</td>
</tr>
<tr>
<td>Concepcion Zepeda (02)</td>
<td>Sole Provider</td>
<td>Spanish</td>
<td>City Court/Jail</td>
<td>Interpretation</td>
</tr>
<tr>
<td>Catholic Community Services of So. AZ dba Community Outreach Program for the Deaf (03)</td>
<td>Multiple Providers</td>
<td>ASL, Legal Interpreter A, B, C, D</td>
<td>All Departments</td>
<td>Interpretation</td>
</tr>
<tr>
<td>Ellis Translations (04)</td>
<td>Multiple Providers</td>
<td>Spanish, Other</td>
<td>City Court</td>
<td>Written Translation/Spanish, Audio Transcription/English to Spanish/Other</td>
</tr>
<tr>
<td>Flix Translations (05)</td>
<td>Multiple Providers</td>
<td>Spanish, Other</td>
<td>All Departments</td>
<td>Written Translation/Spanish/Other, Audio Transcription/English to Spanish/Other</td>
</tr>
</tbody>
</table>
### Oral Interpretation Services and Written/Audio Translation and Transcription Services - 2

<table>
<thead>
<tr>
<th>Provider</th>
<th>Type of Service</th>
<th>Services Offered</th>
<th>Phone Numbers</th>
<th>Email Addresses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gallego &amp; Associates (06)</td>
<td>Sole Provider</td>
<td>Spanish, City Court, Other Departments, Interpretation</td>
<td>(320) 318-3272</td>
<td><a href="mailto:mga344597@aol.com">mga344597@aol.com</a></td>
</tr>
<tr>
<td>PO#: 41846</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Latitude Prime (07)</td>
<td>Multiple Providers</td>
<td>Spanish, Other, All City Departments, Written Translation, Audio Transcription, Spanish/Other</td>
<td>888-341-9080 ext 501</td>
<td><a href="mailto:gefe@latitudeprime.com">gefe@latitudeprime.com</a></td>
</tr>
<tr>
<td>PO#: 41847</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Laurie Ann Louis (08)</td>
<td>Sole Provider</td>
<td>Spanish, All City Departments, Interpretation</td>
<td>(203) 239-6759</td>
<td><a href="mailto:lauru7307@hotmail.com">lauru7307@hotmail.com</a></td>
</tr>
<tr>
<td>PO#: 41848</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Linqua Translations Interpretation Services (09)</td>
<td>Multiple Provider</td>
<td>Spanish, ASL, Legal Interpreter A, B, C/D/Class D, All City Departments, Jail, Written Translation, Audio Transcription, English to Spanish/Other</td>
<td>(602) 885-5886</td>
<td><a href="mailto:mail@linquatranslations.com">mail@linquatranslations.com</a></td>
</tr>
<tr>
<td>PO#: 41856</td>
<td></td>
<td></td>
<td>(866) 273-3079</td>
<td></td>
</tr>
<tr>
<td>MJ Interpretation (10)</td>
<td>Sole Provider</td>
<td>Spanish, All City Departments, Jail, Interpretation, Written Translation, Spanish</td>
<td>(520) 272-2825</td>
<td><a href="mailto:mail@mjinterpretation.com">mail@mjinterpretation.com</a></td>
</tr>
<tr>
<td>PO#: 41859</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sandra Padilla (11)</td>
<td>Sole Provider</td>
<td>Spanish, All City Departments, Jail, Interpretation</td>
<td>(520) 400-2951</td>
<td><a href="mailto:sandradilla2008@gmail.com">sandradilla2008@gmail.com</a></td>
</tr>
<tr>
<td>PO#: 41850</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Saphyr Interpreters (12)</td>
<td>Sole Provider</td>
<td>Spanish, All City Departments, Interpretation</td>
<td>(520) 275-9623</td>
<td><a href="mailto:sbx.desouza2@msn.com">sbx.desouza2@msn.com</a></td>
</tr>
<tr>
<td>PO#: 41859</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Oral Interpretation Services and Written/Audio Translation and Transcription Services - 3

<table>
<thead>
<tr>
<th>Provider</th>
<th>Type of Service</th>
<th>Services Offered</th>
<th>Phone Numbers</th>
<th>Email Addresses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lourdes Machado (13)</td>
<td>Sole Provider</td>
<td>Spanish, City Court, Jail</td>
<td>(520) 484-6495</td>
<td><a href="mailto:lourdesMachado50@jman.com">lourdesMachado50@jman.com</a></td>
</tr>
<tr>
<td>PO#: 41863</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lionor Gomez (14)</td>
<td>Sole Provider</td>
<td>Spanish, City Court, Jail</td>
<td>(520) 294-3884</td>
<td><a href="mailto:lionorgomez1@yahoo.com">lionorgomez1@yahoo.com</a></td>
</tr>
<tr>
<td>PO#: 41851</td>
<td></td>
<td></td>
<td>(520) 883-4044</td>
<td></td>
</tr>
<tr>
<td>Green Translations (15)</td>
<td>Multiple Provider</td>
<td>ASL, All City Departments</td>
<td>(323) 940-4200</td>
<td>greentranslations.com</td>
</tr>
<tr>
<td>PO#: 41854</td>
<td></td>
<td></td>
<td>F: (323) 940-4210</td>
<td></td>
</tr>
<tr>
<td>Danita Elias (16)</td>
<td>Sole Provider</td>
<td>Spanish, All City Departments, Jail</td>
<td>(520) 271-2548</td>
<td><a href="mailto:danitazelias@hotmail.com">danitazelias@hotmail.com</a></td>
</tr>
<tr>
<td>PO#: 41855</td>
<td></td>
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QUESTIONS?

DTM LEP Presentation