

*MaineDOT*

*Integrity • Competence • Service*

# **Maine Department of Transportation**

## **FHWA TITLE VI PROGRAM FFY 2016 IMPLEMENTATION PLAN**

**Submitted by Theresa Savoy, Director, Civil Rights Office**

**October 2015**

**Resubmitted with changes December 2015**



Paul R. LePage  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF TRANSPORTATION  
16 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0016

David Bernhardt  
COMMISSIONER

December 18, 2015

Colleen M. Sinotte, Civil Rights Specialist  
Federal Highway Administration  
53 Pleasant Street, Suite 2200  
Concord, NH 03301

RE: Updated Maine Department of Transportation Title VI Program FFY 2016  
Implementation Plan

Dear Ms. Sinotte:

The Maine Department of Transportation (MaineDOT) submits its updated 2016 Title VI Program FFY 2016 Implementation Plan to the Federal Highway Administration in compliance with the Civil Rights Act of 1964.

As Commissioner of MaineDOT, I approve this document for your review. Please forward any revisions or concerns to Theresa Savoy, Director of the MaineDOT Civil Rights Office. Thank you.

Sincerely,

David Bernhardt  
Commissioner

DB/tms

Cc: Theresa Savoy, Civil Rights Office  
Todd Jorgensen, FHWA Division Office



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## **INTRODUCTION**

In accordance with Title VI of the Civil Rights Act of 1964 and other authorities the Maine Department of Transportation (MaineDOT) is committed to ensuring that the fundamental principles of equal opportunity are upheld in all decisions involving our employees and contractors/consultants, and to ensuring that the public-at-large is afforded access to our programs and services.

To that end, no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any MaineDOT program or activity on the grounds of race, color, national origin, income, sex, age, disability, or limited English proficiency.

### **Approval of Title VI Plan**

A draft The MaineDOT FHWA Title VI plan is reviewed, revised if necessary and approved by the Commissioner and Sr. Management. The Civil Rights Office provides this team with a draft plan and consults with the Commissioner and senior management on aspects and requirements of the Title VI Plan. Once the Plan is approved by the Commissioner and senior management, it is sent to FHWA Division Office for approval.

Any changes that are required by FHWA in that review process will be made and the Commissioner will review and approve those changes.



Paul R. LePage  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF TRANSPORTATION  
16 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0016

David Bernhardt  
COMMISSIONER

**TITLE VI/NONDISCRIMINATION POLICY STATEMENT**

The Commissioner of the Maine Department of Transportation (MaineDOT) is ultimately responsible for and committed to the effective implementation of the Title VI Program to achieve compliance with Title VI of the Civil Rights Act of 1964, as amended, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all Federal programs and activities. Understanding that the Commissioner will not be performing any day-to-day implementation duties, the MaineDOT conducts its Title VI/Environmental Justice Program in a team approach by involving personnel from all program areas, with guidance from the Title VI Coordinator. Responsibility for the day to day administration of the Program will be delegated to the Title VI Program Coordinator which is currently the Director of the Civil Rights Office. The Title VI Program Coordinator has been delegated sufficient authority and responsibility to effectively carry out his/her duties.

The Title VI Program Coordinator ensures MaineDOT's compliance with Title VI/Environmental Justice implementing regulations. Bureau Directors are responsible for Program implementation in their Bureaus and shall identify and delegate Title VI/Nondiscrimination Federal Program Area Liaisons to perform the routine data collection/data analysis and process reviews.

Inquiries concerning the MaineDOT's policies, investigations, complaints, compliance with applicable laws, regulations, and concerns regarding compliance with Title VI/Environmental Justice may be directed to:

Theresa Savoy, Director, Civil Rights Office  
Maine Department of Transportation  
# 16 State House Station  
Augusta, Maine 04333-1116  
Telephone (207) 624-3042 | TTY users Dial Relay: 711  
[theresa.savoy@maine.gov](mailto:theresa.savoy@maine.gov)

The MaineDOT is committed to ensuring that the fundamental principles of equal opportunity are upheld in all decisions involving our employees and contractors/consultants, and to ensuring that the public-at-large is afforded access to all of our programs and services whether those programs and activities are federally funded or not.

This Policy Statement will be circulated throughout the MaineDOT, made available to the public, and be included by reference in all contracts, agreements, programs and services administered by the Department of Transportation.

David Bernhardt, Commissioner

Date: 12/18/15

## FEDERAL HIGHWAY ADMINISTRATION CIVIL RIGHTS ASSURANCE

The Maine Department of Transportation HEREBY CERTIFIES THAT, as a condition of receiving Federal financial assistance under the Civil Rights Act of 1964, as amended, it will ensure that:

1. No person on the basis of race, color, national origin, sex, age or disability will be subjected to discrimination in the level and quality of transportation services and transportation-related benefits.
2. The Maine Department of Transportation will compile, maintain, and submit in a timely manner Title VI information required in compliance with the Department of Transportation's Title VI regulation, 49 CFR Part 21.9.
3. The Maine Department of Transportation will make it known to the public that those people or persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transportation-related benefits may file a complaint with the Federal Highway Administration and/or the U.S. Department of Transportation.

The person or persons whose signature appears below are authorized to sign this assurance on behalf of the grant applicant or recipient.

  
\_\_\_\_\_  
David Bernhardt, Commissioner

9/17/15  
\_\_\_\_\_  
Date

Standard USDOT Title VI/Nondiscrimination Assurances

**The United States Department of Transportation (USDOT)**

**DOT Order No. 1050.2A**

The Maine Department of Transportation (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 The Federal Highway Administration (FHWA), 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 *Nondiscrimination 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);

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 assurance 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 FHWA..*

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Nondiscrimination 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 nondiscrimination 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 federally assisted programs:

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 "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 Highway Administration Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

*The Maine Department of Transportation, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively insure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full 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 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 transferee 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 to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, subrecipients, 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, Maine Department of Transportation also agrees to comply (and require any subrecipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the FHWA 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 FHWA. You must keep records, reports, and submit the material for review upon request to FHWA, or their designees in a 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.

Maine Department of Transportation 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. This ASSURANCE is binding on Maine Department of Transportation, other recipients, subrecipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in it programs. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

***Name of Recipient: Maine Department of Transportation***



***David Bernhardt, Commissioner***

DATED: 9/9/15

Attachments:  
Appendices A, C, D, and E

**(APPENDIX A TO MAINEDOT TITLE VI ASSURANCE)  
FEDERAL HIGHWAY ADMINISTRATION ASSISTED PROGRAMS**

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 shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Maine Department of Transportation Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

(2) Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall 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 shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

(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 shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

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

(5) Sanctions for Noncompliance: In the event of the contractor's noncompliance with nondiscrimination provisions of this contract, the Maine Department of Transportation shall impose contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

(a) withholding of payments to the contractor under the contract until the contractor complies; and/or

(b) cancellation, termination, or suspension of the contract, in whole or in part.

(6) Incorporation of Provisions: The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Maine Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Maine Department of Transportation to enter into such litigation to protect the interests of the Maine Department of Transportation, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

**(APPENDIX C TO MAINEDOT TITLE VI ASSURANCE)  
FEDERAL HIGHWAY ADMINISTRATION ASSISTED PROGRAMS**

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the Maine Department of Transportation pursuant to the provisions of Assurance 7(a).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for herself/himself, 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 in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination of Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]\*

That in the event of breach of any of the above nondiscrimination covenants, Maine Department of Transportation shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [licenses, lease, permit, etc.] had never been made or issued.

[Include in deeds]\*

That in the event of breach of any of the above nondiscrimination covenants, Maine Department of Transportation shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of Maine Department of Transportation and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by Maine Department of Transportation pursuant to the provisions of Assurance 7(b).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for herself/himself, his/her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in case of deeds, and leases add "as a covenant running with the land") that (1) no person on the grounds of race, color, or national origin shall be excluded from participation in, be 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 services thereon, no person on the grounds of race, color, or national origin shall be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination, and (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]\*

That in the event of breach of any of the above nondiscrimination covenants, Maine Department of Transportation shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [license, lease, permit, etc.] had never been made or issued.

[Include in deeds]\*

That in the event of breach of any of the above nondiscrimination covenants, Maine Department of Transportation shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of Maine Department of Transportation and its assigns.

\* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.

**(APPENDIX D TO MAINEDOT TITLE VI ASSURANCE)**  
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 The Maine Department of Transportation 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 discriminations, (3) that the (grantee, licensees, 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, **(The Maine Department of Transportation)** will have the right to terminate the (license, permit, etc., as appropriate) and to 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, **(The Maine Department of Transportation)** will there upon revert to and vest in and become the absolute property of **(The Maine Department of Transportation)** 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.)

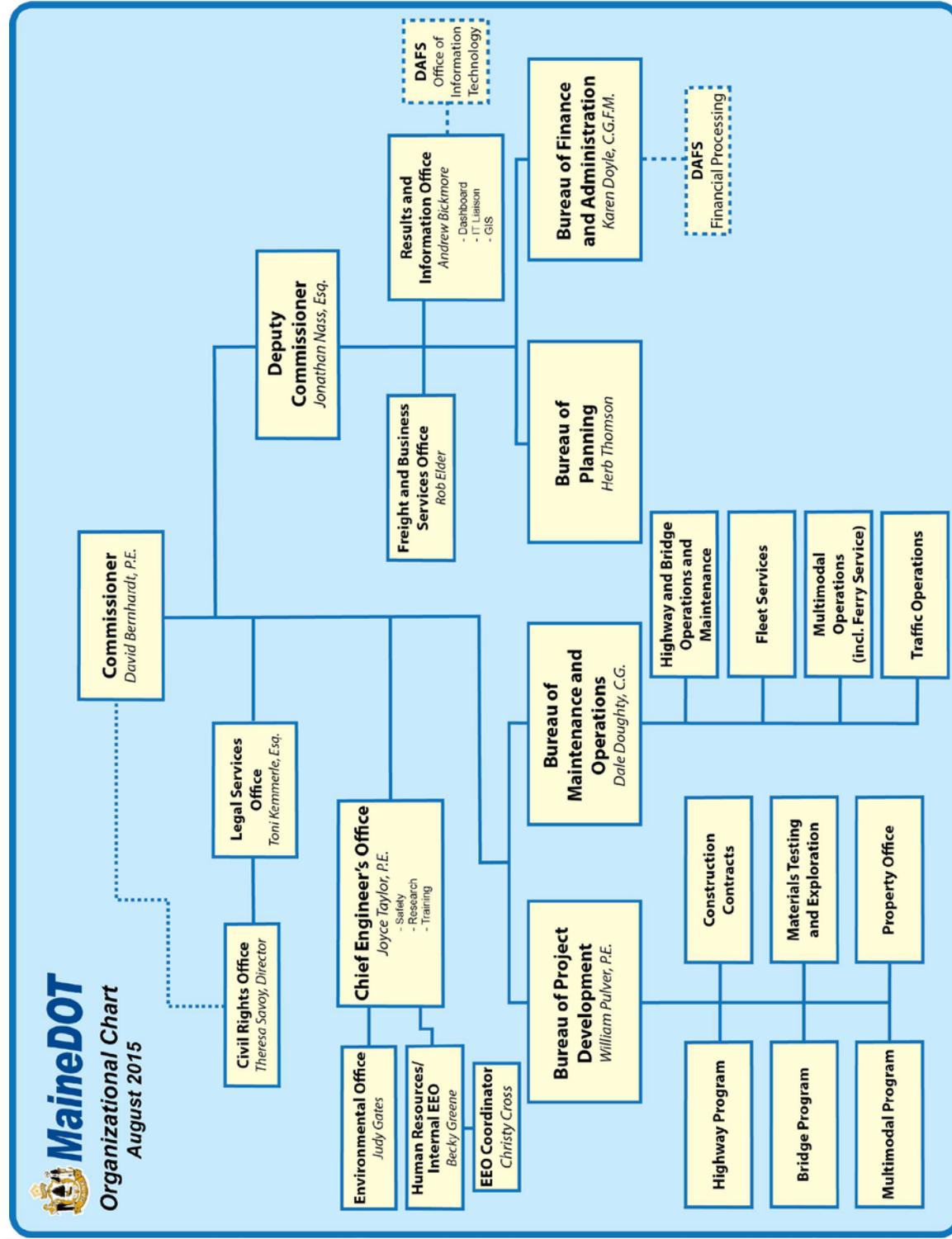
**(APPENDIX E TO MAINEDOT TITLE VI ASSURANCE)**

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:**

- 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); and 49 CFR Part 21.
- 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);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. §794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- 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 U.S.C. §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, subrecipients 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 of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).

**ORGANIZATION AND STAFFING FOR TITLE VI/NONDISCRIMINATION PROGRAM**  
**MaineDOT Organizational Chart**



## **Description of Title VI Program Responsibilities within the MaineDOT**

The Commissioner of MaineDOT is responsible for ensuring the implementation of the MaineDOT's Title VI/EJ Programs. The Civil Rights Director, on behalf of the Commissioner, is responsible for the overall management of the Title VI/EJ Programs. The day-to-day administration of the program lies with the Civil Rights Director who will serve as the Title VI/EJ Coordinator, under the supervision of the Chief Legal Counsel. The Title VI/EJ Coordinator has, at all times, direct access to the Commissioner. The Civil Rights Director shall have lead responsibility for coordinating the administration and implementation of the Title VI/Environmental Justice Programs and related statutes program, plan, and assurances. The Civil Rights Director delegates some Title VI duties to the Title VI Specialist as well as Title VI Liaisons in program areas. The Liaisons will work with the Title VI/EJ Coordinator and Title VI Specialist to administer the program in their areas.

### **CIVIL RIGHTS TITLE VI OFFICE STAFF**

Director, Civil Rights Office	Theresa Savoy Title VI Coordinator	207-624-3042	<a href="mailto:Theresa.savoy@maine.gov">Theresa.savoy@maine.gov</a>
EEO Officer	Sherry Tompkins DBE Program Administration Title VI Specialist	207-624-3066	<a href="mailto:Sherry.tompkins@maine.gov">Sherry.tompkins@maine.gov</a>
EEO Officer	Gigi Ottmann-Deeves Title VI Specialist EEO, OJT Administration	207-624-3036	<a href="mailto:Gigi.ottmann-deeves@maine.gov">Gigi.ottmann-deeves@maine.gov</a>

#### **Duties of Civil Rights Office:**

Authorities for nondiscrimination include but are not limited to:

Title VI of the Civil Rights Act of 1964, the Age Discrimination Acts of 1967 and 1975, Section 504 of the Rehabilitation Acts of 1973, the American with Disabilities Act of 1990, Title IX of the Education Amendments of 1972, and Title 23, United States Code, Section 324.

#### **PROGRAM AREA MONITORING AND REVIEW PROCESS**

The Title VI/EJ Coordinator is charged with the responsibility for implementing, monitoring and ensuring MaineDOT's compliance with the Title VI/EJ regulations and related statutes. Title VI/EJ Coordinator's responsibilities are as follows:

1. Monitor Title VI/EJ activities.
2. Provide training to MaineDOT staff and subrecipients on Title VI/EJ.
3. Prepare and submit the MaineDOT's Title VI/EJ Implementation Plan to the FHWA by October 1 each year.

4. Develop Title VI/EJ information for dissemination (where necessary, in other language(s), format(s).
5. Prepare and submit the MaineDOT's FFY Work Plan and Accomplishments Report to the FHWA by October 1 each year.
6. Establish procedures to promptly investigate complaints, to identify and eliminate discrimination, to review programs and grant applications, to resolve deficiencies within 90 days, and to collect and analyze statistical data.
7. Develop a program to conduct Title VI/EJ reviews of program areas and conduct reviews of programs – with program personnel.

The MaineDOT will provide Title VI Program brochures (Appendix B) at public meetings and presentations where the public is present. The approved Title VI Implementation Plan, Title VI Assurances, Complaint Form and Complaint Process will be posted on the MaineDOT Civil Rights website.

### **Reviews of Program Areas**

In federal fiscal year 2016, MaineDOT will work with the FHWA Division Office to develop processes and procedure for reviewing program areas.

Further information on MaineDOT subrecipients may be accessed by contacting the Civil Rights Office at 207-624-3042.

### **Title VI/EJ Liaisons in Programs**

In addition to the Title VI/EJ Specialist, each of the program areas shall have a designated Title VI/EJ liaison. The program areas are:

- Bureau of Transportation Systems Planning: Statewide Planning and Statewide Multimodal Planning Division
- Bureau of Project Development: Urban and Arterial Highway Program, Urban and Federal Bridge Program,
- Multimodal Program
- Property Office
- Bureau of Maintenance and Operations
- The Civil Rights Office.

The Liaisons shall be responsible for ensuring Title VI program development in their areas, sharing Title VI information and resources, ensuring compliance of their subrecipients, Title VI program monitoring, and reporting to the Civil Rights Office the results and goals of their respective programs. Each program area is responsible for performing a self-assessment to determine which personnel interact with members of the public.

### **Data Collection and Reporting**

Program area reports will be required for each of the program areas. The Title VI/EJ Liaisons will be responsible for coordination and compilation of these reports into an annual report submitted by

September 15 each year to the Director of the Civil Rights Office. These reports will include statistical data regarding race, color, national origin, English language ability and sex of participants in, and beneficiaries of MaineDOT programs; e.g., relocatees, impacted citizens, transport users, and affected communities. The report shall specifically review Title VI/EJ accomplishments achieved during the year by the program area including training given by or taken by the MaineDOT employees, dissemination of public information, complaints, and reviews as well as any other related activity.

### **Title VI Liaisons**

The current assignments for Title VI Liaisons are:

<b>Program Area</b>	<b>Details</b>	<b>Title VI Liaison</b>	<b>Phone# / e-mail</b>
Civil Rights Office	DBE ADA OJT Contract Compliance Title VI/EJ Labor Compliance	Theresa Savoy Director	207-624-3042 <a href="mailto:Theresa.savoy@maine.gov">Theresa.savoy@maine.gov</a>
Bureau of Planning	Statewide Planning, MPO, EIS/EA	Scott Rollins Deputy Director, BTSP	207-624-3557 <a href="mailto:Scott.rollins@maine.gov">Scott.rollins@maine.gov</a>
Bureau of Project Development	Highway, Bridge	Richard Crawford Assistant Director	207- 624-3437 <a href="mailto:Richard.Crawford@maine.gov">Richard.Crawford@maine.gov</a>
Multimodal Program	Locally Administered Projects	Jeff Tweedie Program Manager	207-624-3427 <a href="mailto:Jeff.Tweedie@maine.gov">Jeff.Tweedie@maine.gov</a>
Property Office	Acquisition, condemnation	Todd Pelletier Director	207-624-3551 <a href="mailto:Todd.pelletier@maine.gov">Todd.pelletier@maine.gov</a>
Maintenance and Operations	Maintenance, Traffic	Dale Doughty Director	207-624-3600 <a href="mailto:Dale.doughty@maine.gov">Dale.doughty@maine.gov</a>

### **Bureau of Planning**

This Bureau develops the State's Annual Work Plan and the Statewide Transportation Improvement Program (STIP) and the Public Involvement Plan to meet present and future needs for safe, adequate, and efficient transportation and include all stakeholders and users in that process. The Regional Planning Committees and the Metropolitan Planning Organizations (MPO's) provide information in developing these planning documents. This Bureau also encompasses clean air issues, safety, bridge and pavement management, transportation analysis, transportation reporting, inventory, research, mapping, major project studies and training and technical assistance for communities.

The Bureau of Planning is responsible for National Environmental Policy Act (NEPA) assessments and assuring that Environmental Justice processes are complete and documented.

## **Title VI/EJ Responsibilities**

### **Bureau of Planning:**

Designate a Title VI/EJ liaison that will:

- Ensure that all aspects of the planning process operation, including environmental impact reviews, comply with Title VI/EJ.
- Assuring that Environmental Justice processes are complete and documented when NEPA impact studies are done.
- Serve as a resource person for the Bureau of Planning, helping to develop and document procedures that ensure participation of a cross section of people representative of the affected population, including identifying and proactively reaching out to various and diverse social, economic, and ethnic interest groups, and ensuring the groups are represented in the planning process.
- Provide training and information to planning staff, MPO's, and Regional Planning Organizations regarding Title VI/Environmental Justice.
- Provide statistical data on race, color, national origin, income and sex of populations/population groups in all areas impacted by programs or services.
- Ensure equal opportunity for participation on Regional Planning Committees.
- Ensure Title VI/EJ language is included in every Bureau of Planning subrecipient contract.
- Perform reviews annually of MPO's and of other Bureau subrecipients to ensure Title VI/EJ adherence.
- Provide the Title VI/EJ Coordinator with an annual report of Title VI/EJ accomplishments for the previous year and goals for the next year, and results of Title VI/EJ reviews. Report is due to the Civil Rights Office by September 1<sup>st</sup> of each year.

### **Bureau of Project Development**

The Bureau of Project Development assumes complete multiple phases of construction projects, including: advertising for bids, conducting public hearings, obtaining legal title to property, and supervising construction. Program areas within the Bureau of Project Development for purposes of Liaison responsibilities are Project Development (Highway, Bridge and Contracts), Multimodal Office and Property Office Designate Title VI/EJ liaisons that will:

- Monitor all Project Development activities to ensure nondiscrimination within program areas.
- Provide the Title VI/EJ Coordinator with an annual report on Title VI/EJ accomplishments for the previous year and goals for the next year. Report is due to the Civil Rights Office by September 15 each year.
- Perform reviews as needed of Bureau of Project Development subrecipients to ensure Title VI/EJ adherence.
- Provide statistical data on race, color, national origin, income and sex of populations/population groups in all areas impacted by programs or services.

- Ensure Title VI/EJ language is included in every Bureau of Project Development program area subrecipient contract and subcontract.
- Serve as a resource person for Program area, helping to ensure participation of a cross section of people representative of the affected population, including various and diverse social, economic, and ethnic interest groups, are represented in the project development process.
- Provide training and information to program area staff regarding Title VI/EJ.

### **Multimodal**

Designate Title VI/EJ liaisons that will:

- Ensure that all subrecipients have included in their agreements
  1. Title VI Assurances
  2. A designated Title VI Coordinator responsible for Title VI compliance
  3. Appendix A and E in any contracts
- Develop and implement a plan for subrecipient compliance reviews by
  1. Annually develop a list of subrecipients
  2. Identifying high-risk, medium and low risk LPAs
  3. From that list choose a representative sampling for review
  4. Determine type of review (Desk or On-site)
  5. With Title VI Specialist, review LPA and issue findings and corrective action plan for LPA.
- Ensure that all MaineDOT public meetings and notices for LPA projects comply with Title VI;
- Address any complaints received with Title VI Specialist; and
- Report annually by September 15 to Title VI Coordinator findings, complaints and accomplishments.

### **Bureau of Maintenance and Operations**

Designate Title VI/EJ liaisons that will:

- Monitor all M&O activities to ensure nondiscrimination within program areas.
- Provide the Title VI/EJ Coordinator with an annual report on Title VI/EJ accomplishments for the previous year and goals for the next year. Report is due to the Civil Rights Office by September 15 each year.
- Review statistical data on race, color, national origin, income and sex of populations/population groups in all areas impacted by programs or services. Ensure Title VI/EJ language is included in every M&O program area subrecipient contract and subcontract.
- Serve as a resource person for Program area, helping to ensure participation of a cross section of people representative of the affected population, including various and diverse social, economic, and ethnic interest groups, are represented in the project development process.
- Provide training and information to program area staff regarding Title VI/EJ.

## **Civil Rights Office**

Coordinates external civil rights for FTA, FAA and FHWA subrecipients; wage issues; programs and policies in the areas of Nondiscrimination, Affirmative Action, and Equal Opportunity, Title VI/EJ Responsibilities:

- Ensure Title VI/EJ language is included in every Civil Rights Office subrecipient contract and subcontract.
- Perform reviews annually of Civil Rights Office subrecipients to ensure Title VI/EJ adherence. (see Subrecipient Review Proces)
- Perform Title VI reviews with liaisons in program areas.
- Provide training and technical assistance to Title VI liaisons, subrecipients.
- Compile and forward all Title VI/EJ reports to FHWA by October 1<sup>st</sup> each year.
- Maintains the Title VI Plan and ensures Title VI and EEO are implemented fully in Department external programs.

The Civil Rights Office reviews the nondiscrimination policies of each contractor and applicant as part of the prequalification process for selection. This process happens each year, with some firms being qualified for up to three years. The policies are reviewed again at recertification periods and during any compliant investigation or a scheduled EEO Contractor Compliance Review. The efforts to prevent discrimination must address, but not be limited to:

- a program's impacts;
- access;
- benefits;
- participation;
- treatment;
- services;
- contracting opportunities;
- training opportunities;
- investigations of complaints;
- allocations of funds;
- Prioritization of projects, and the functions of right-of-way, research, planning, and design.

## **SPECIAL EMPHASIS PROGRAM AREAS**

Special Emphasis Program areas are internal programs in which MaineDOT has identified a trend or pattern of discrimination. The Title VI/EJ Coordinator will use various factors to make the special emphasis determination, those factors will include:

1. Deficiencies or observations made during the most recent process review;
2. Questions or concerns in regard to complaints and history of deficiencies in a particular program area;
3. Observations during the review of the program areas' annual report;
4. An increase of risk within the program, given new processes and areas of focus that may impact populations defined in Title VI;

5. New staff assigned to Title VI in a specific program area.

If a program area is found to have deficiencies, the Title VI/EJ Coordinator will provide the technical assistance and guidance needed to aid the Title VI Liaison with the development of a Corrective Action Plan which will be implemented within 90 days of the determination.

MaineDOT has not found discrimination risk in any of its Program Areas at this time and therefore does not have any special Emphasis Program Areas at the time of this submittal.

### **SUBRECIPIENT REVIEW PROCEDURES**

MaineDOT will update its list of subrecipients annually. These will include Municipal Planning Organizations (MPOs), municipalities, Regional Planning Organizations and State Colleges and Universities that received federal funding. MaineDOT has developed a review process for these subrecipients.

MaineDOT will review one of the four MPOs each year to determine if their program is in compliance. At the time of review MaineDOT will first ask the MPO to provide documentation and answer questions to be submitted to the MaineDOT by a date certain. Once information is received the Department will perform a desk audit on that agency.

Further, MPOs must:

- Submit an updated Title VI Implementation Plan for the upcoming FFY no later than each October 1.
- Submit a Title VI Work plan and Accomplishments Report covering the previous FFY activities and the activities planned for the upcoming FFY no later than October 1 each year.
- Appoint a Title VI/Nondiscrimination Coordinator;
- Provide signed the standard *FHWA Assurances for Title VI and Other Nondiscrimination Statutes and Regulations* document.
- New Subrecipients' CEOs should re-sign and re-submit the standard *FHWA Assurances for Title VI and Other Nondiscrimination Statutes and Regulations* document to the STA within 30 days of accession and incumbent CEOs should re-sign and re-submit the standard *FHWA Assurances for Title VI and Other Nondiscrimination Statutes and Regulations* document every three years.
- The Subrecipient is responsible for including the Title VI/Nondiscrimination Assurance Paragraph in all solicitations for Bid/Requests For Proposals, the Title VI/Nondiscrimination Assurance Insert in all prime contracts and the prime contractor insert into all subcontracts regardless of tier (Appendix A of the document), and the FHWA-funded Project Agreement paragraph.

Locally administered project review will be determined by the Multimodal Liaison in coordination with the Title VI coordinator and will Develop and implement a plan for subrecipient compliance reviews by:

- Annually developing a list of subrecipients

- Identifying high-risk, medium and low risk LPAs
- From that list choose a representative sampling for review
- Determine type of review (Desk or On-site)
- With Title VI Specialist, review LPA and issue findings and corrective action plan for LPA.

Further information on MaineDOT subrecipients may be accessed by contacting the Civil Rights Office at 207-624-3042.

## **TITLE VI COMPLIANCE REVIEW PROCESS**

MaineDOT's CRO conducts compliance reviews of subrecipients to:

1. Ensure compliance with Title VI
2. Provide technical assistance in the implementation of the Title VI program
3. Correct deficiencies, when found to exist

### **Notification**

The CRO will notify subrecipients of upcoming Title VI reviews by correspondence. An itemized listing will accompany the notification letter and will inform the subrecipient of the information and documents needed by the CRO.

### **Itemized Listing and Response to the Office of Civil Rights**

Subrecipients have 30 days from receipt of the initial notification to return documents and information to CRO in response to the itemized listing.

### **Desk Audit**

The CRO Title VI Specialist will review the documents and information submitted by the subrecipient during a desk audit. The CRO Title VI Specialist will prepare a report of findings, which may include recommendations to strengthen the subrecipient's Title VI program.

### **On-site Review**

The findings made during the desk audit generally determine whether an on-site review will be necessary. If an on-site review is necessary, the subrecipient will be notified.

### **Deficiencies**

Deficiencies will be documented in the report and must be corrected by the subrecipient. If there are no deficiencies, the report may still provide recommendations for strengthening the subrecipient's Title VI Program.

### **Follow-up Monitoring**

CRO will determine if additional monitoring is needed to obtain a compliant status and ensure ongoing compliance with Title VI/Nondiscrimination requirements.

MaineDOT has a standard check list that it uses to ensure that all documents are provided and explanations and documentation of processes are given proper consideration. MaineDOT will first conduct a desk audit of all information requested. If serious deficiencies are found that cannot be remedied through documentation, a site visit will be undertaken.

Aside from the information required above, MaineDOT will review public participation and what processes the agency has for providing information to impacted communities. It will also look at if and how any diverse populations were identified and how these populations were notified. This will mean a review of the agency's data collection process and knowledge of Title VI populations that may be impacted.

The Civil Rights Office will inform the Commissioner and FHWA of all findings in the Annual Goals and Accomplishment Report.

## **DATA COLLECTION/REPORTING AND ANALYSIS**

MaineDOT has gathered a demographic profile of the State of Maine that includes identification of the locations of minority populations in the aggregate and develops demographic maps that overlay the percent minority and non-minority, non-native and low-income populations as identified by the U.S. Census or the most relevant American Community Survey Data. We have compiled that information by county below. MaineDOT's most recent data assessment was done in 2014. MaineDOT will update this information every 3 years.

In federal fiscal year 2016, Maine DOT will be expanding its process for gathering, analyzing and implementing Title VI related data in its Program.

### **Demographic Profile of Minorities, Non-American National Origin and Low-Income by County.**

Based on the 2010 U.S. Census data, Maine has a small minority population that is geographically spread across the state with concentrations in the urbanized areas served by direct recipient transit systems. The summary table below shows white and non-white populations for each of the counties. Non-white populations include Black or African American, American Indian and Alaska Native, Asian, Native Hawaiian and Other Pacific Islander, and Some Other Race. Maine as a whole has a minority population of 3.3%.

Approximately 70% of Maine's minority population lives in four counties:

- Androscoggin County: 5,732 people, of whom 5,017 people, or 88%, live in Auburn and Lewiston
- Cumberland County: 15,502 people, of whom 11,790, or 76%, live in Portland, Westbrook, South Portland and Scarborough, all of which are served by direct-recipient transit systems (Metro and South Portland Bus Service).
- Penobscot County: 4,882, of whom 3,035, or 62%, live in Bangor, Brewer, Old Town, Orono, Veazie and Hampden, all of which are served by a direct-recipient transit system, Community Connector.
- York County: 4,443 people, of whom 1,536, or 35%, live in Biddeford, Saco and Old Orchard Beach, all of which are served by a direct-recipient transit system, ShuttleBus.

Outside of these populated areas, there is only one county that exceeds the 5% threshold in its county. That is Washington County where larger concentrations of Native American

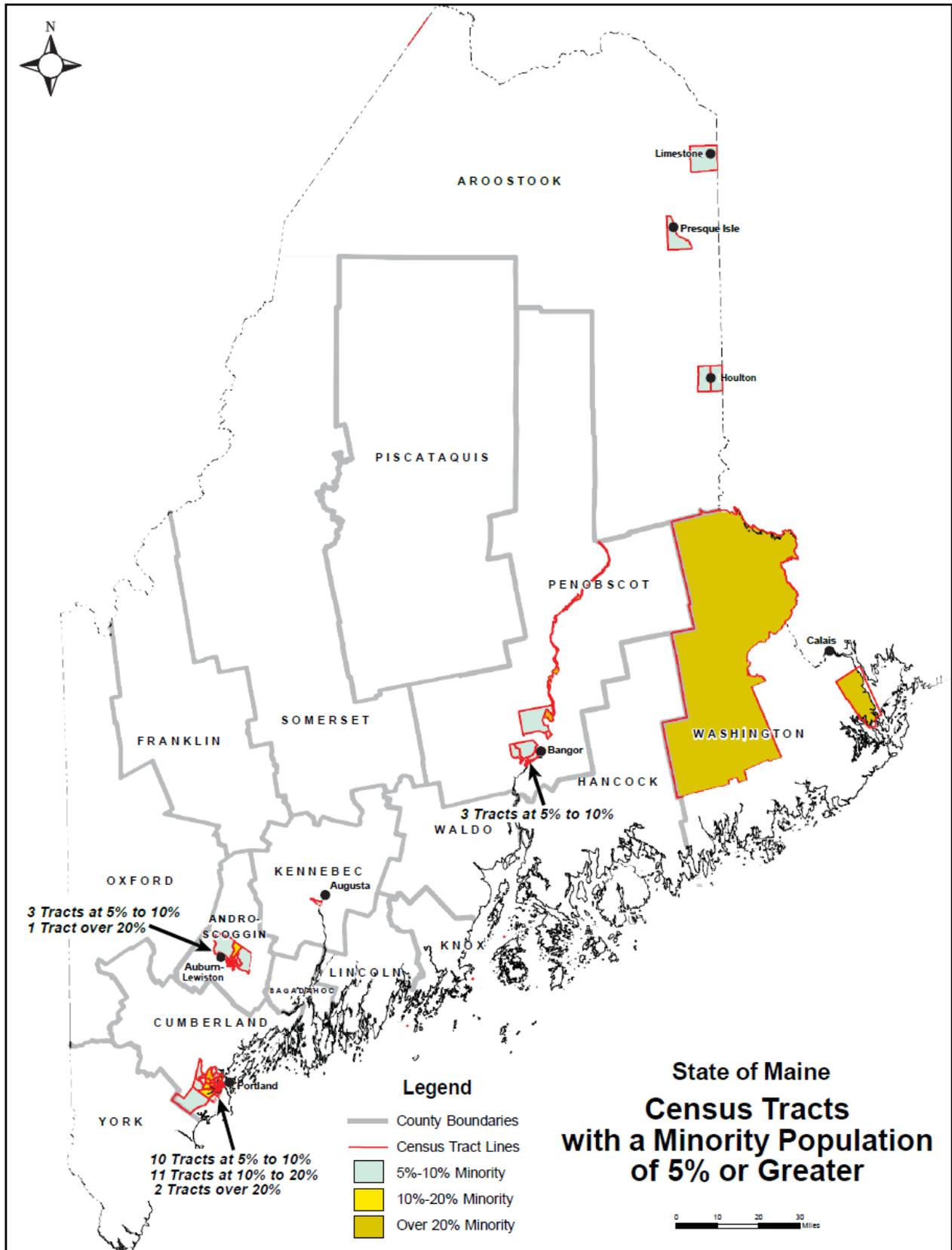
communities exist. Washington County has a larger rate of minority population because of Passamaquoddy Nation and some Penobscot and Maliseet presence. Census tract data shows that there are also concentrations in Aroostook County where the Maliseet Nation is located. The Penobscot Nation is located in Penobscot County.

**State of Maine  
Race Demographics by State/County**

<b>County</b>	<b>Total Population</b>	<b>White #</b>	<b>Minority #</b>	<b>Minority %</b>
<b>Maine</b>	<b>1,328,361</b>	<b>1,284,877</b>	<b>43,484</b>	<b>3.3%</b>
Androscoggin	107,702	101,970	5,732	5.3%
Aroostook	71,870	69,692	2,178	3.0%
Cumberland	281,674	266,172	15,502	5.5%
Franklin	30,768	30,381	387	1.3%
Hancock	54,418	53,349	1,069	2.0%
Kennebec	122,151	119,479	2,672	2.2%
Knox	39,736	39,120	616	1.6%
Lincoln	34,457	34,002	455	1.3%
Oxford	57,833	56,850	983	1.7%
Penobscot	153,923	149,041	4,882	3.2%
Piscataquis	17,535	17,202	333	1.9%
Sagadahoc	35,293	34,527	766	2.2%
Somerset	52,228	51,399	829	1.6%
Waldo	38,786	38,216	570	1.5%
Washington	32,856	30,789	2,067	6.3%
York	197,131	192,688	4,443	2.6%

2010 Census File QT-P5

The following Map identifies minority populations by county.



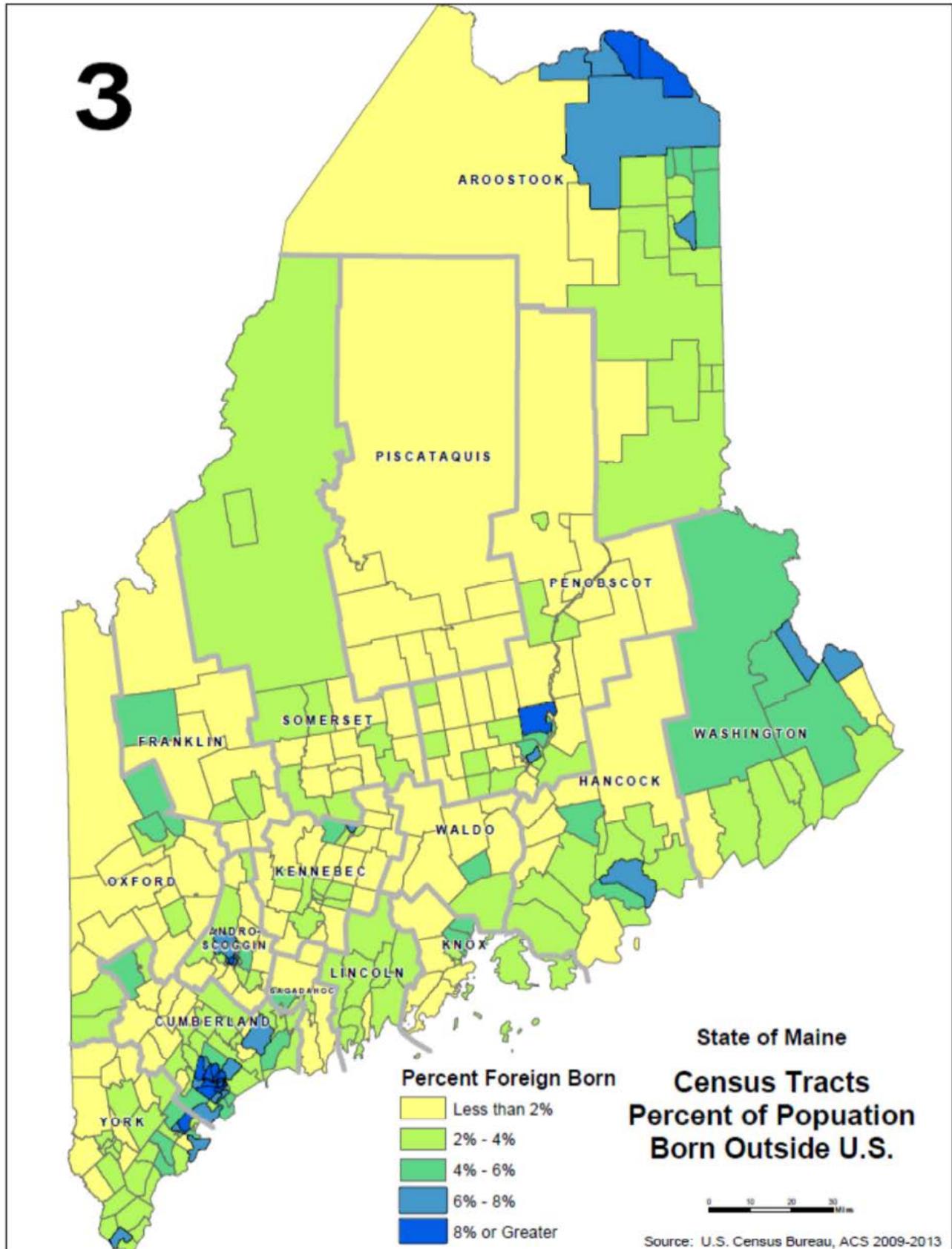
### Non-American National Origin

The map representing data on the national origin of Maine residents is similar in many ways to the maps of minorities. The core of Cumberland County again has the highest totals and the whole southern area has higher numbers than the rest of the state. The Saint John River Valley also has several towns in the upper categories. Towns along the Canadian border show up more prominently in this map than the minorities map, reflecting a higher representation of French Canadians. The map of concentrations of non-American born residents shows many of these Canadian border towns with percentages higher than the state average, though most of these towns are sparsely populated. Cumberland and Androscoggin Counties have concentrations of non-natives, due to the Maine Refugee Resettlement Program centered in Portland (Cumberland County.) and Lewiston (Androscoggin County). There are relatively few towns in the western and eastern areas of the state with concentrations of non-natives, other than clusters around Augusta and Bangor.

<b>State of Maine</b>					
<b>Native and Foreign Born Population</b>					
<b>County</b>	<b>Total Population</b>	<b>Native Born #</b>	<b>Native Born %</b>	<b>Foreign Born #</b>	<b>Foreign Born %</b>
<b>Maine</b>	<b>1,328,320</b>	<b>1,283,035</b>	<b>96.6%</b>	<b>45,285</b>	<b>3.4%</b>
Androscoggin	107,634	107,634	96.9%	3,356	3.1%
Aroostook	71,230	67,949	95.4%	3,281	4.6%
Cumberland	283,046	266,523	94.2%	16,523	5.8%
Franklin	30,660	30,016	97.9%	644	2.1%
Hancock	54,557	52,918	97.0%	1,639	3.0%
Kennebec	121,757	118,963	97.7%	2,794	2.3%
Knox	39,694	38,639	97.3%	1,055	2.7%
Lincoln	34,297	33,459	97.6%	838	2.4%
Oxford	57,657	56,531	98.0%	1,126	2.0%
Penobscot	153,649	149,559	97.3%	4,090	2.7%
Piscataquis	17,343	17,123	98.7%	220	1.3%
Sagadahoc	35,194	34,408	97.8%	786	2.2%
Somerset	51,942	51,044	98.3%	898	1.7%
Waldo	38,819	38,039	98.0%	780	2.0%
Washington	32,621	31,446	96.4%	1,175	3.6%
York	198,220	192,140	96.9%	6,080	3.1%

Source: 2009-2013 American Community Survey, File DP02

The following Map identifies non-native populations by county.



## Low Income

As a rural state without a large base of high-paying jobs—outside of Cumberland and Androscoggin Counties—poverty is more widespread in Maine than any of the other factors considered in the Title VI program. In the 2009-2013 American Community Survey some 180,652 people are estimated to be in households that have incomes below the federal poverty threshold. (In dollar terms, that threshold varies by household size). This number represents about 13% of the population for whom it is possible to determine poverty status. In comparison, 4.7% of residents are minorities, and 3.3 % of residents were not born in the United States. The highest concentration of low income people reside in Cumberland County with 32,267 people. The cost of living and more urban settings reflect higher service needs in these areas.

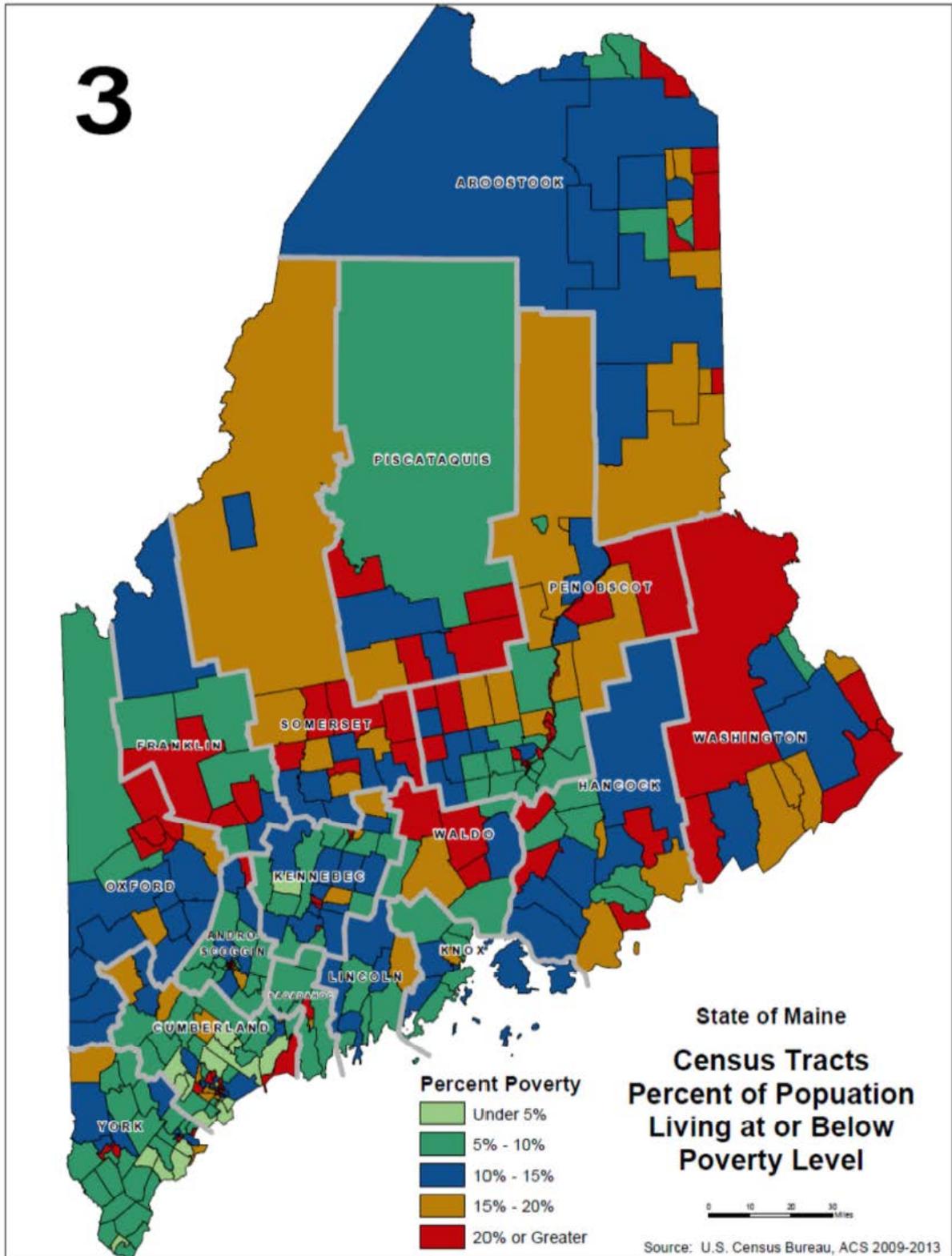
In spite of the high number of low-income people in Cumberland and Androscoggin Counties the percentages of people in poverty in most of these communities is below the state average. The highest percentages of low income per county are the rural counties of Washington, Piscataquis and Aroostook.

<b>State of Maine</b>			
<b>Low-income Levels</b>			
<b>County</b>	<b>Total Population</b>	<b># Persons below Poverty Level *</b>	<b>% Persons below Poverty Level</b>
<b>Maine</b>	<b>1,328,320</b>	<b>180,652</b>	<b>13.6%</b>
Androscoggin	107,634	16,791	15.6%
Aroostook	71,230	11,610	16.3%
Cumberland	283,046	32,267	11.4%
Franklin	30,660	4,783	15.6%
Hancock	54,557	7,638	14.0%
Kennebec	121,757	16,315	13.4%
Knox	39,694	4,287	10.8%
Lincoln	34,297	4,013	11.7%
Oxford	57,657	8,591	14.9%
Penobscot	153,649	26,120	17.0%
Piscataquis	17,343	3,208	18.5%
Sagadahoc	35,194	3,907	11.1%
Somerset	51,942	9,246	17.8%
Waldo	38,819	6,366	16.4%
Washington	32,621	6,361	19.5%
York	198,220	18,831	9.5%

Source: 2009-2013 American Community Survey, File DP03

\*number calculated from percentage in File DP03

The following Map identifies low-income populations by county.



## **TRAINING**

**Internal** -- MaineDOT's Title VI Program Coordinator will work with the MaineDOT Director of Employee Development to integrate Title VI Training in Employee Development standard requirements as a portion of the overall training requirements.

MaineDOT will require periodic Title VI Program training to include the following: Commissioner, Bureau/Division Directors, Federal Program Area Directors (including LPA Unit Director), Title VI/Nondiscrimination Coordinator, and Title VI/Nondiscrimination Federal Program Area Liaisons. In addition, upon the promotion or reassignment of any of these positions, the Title VI/EJ Coordinator will request to meet with that individual to conduct training to familiarize the employee with the Title VI obligations relating to his/her areas as well as the best practices for carrying out those requirements. As appropriate, the Title VI/EJ Coordinator will schedule Title VI related training to address regulatory changes.

Additional training requests may be made directly to the Title VI/EJ Coordinator.

The Title VI Coordinator will meet with and update MaineDOT Management team at least once a year on any issue identified through annual reviews or updates in federal requirements or program changes.

The Title VI Specialist will meet semi-annually with Title VI Liaisons as a group to have an open discussion of any program issues or concerns that they wish to bring forward or any issues identified in annual reviews or program changes.

The Title VI Specialist will meet individually as needed with Title VI Liaisons to discuss progress and any concerns or ideas that the Liaison may generate.

**External** -- The MaineDOT will provide opportunities for training to any subrecipient. Any time MaineDOT, FHWA or any agency of the USDOT offers training sessions MaineDOT extends these training opportunities to our subrecipients. These include FHWA webinars and local training opportunities that may be provided as requested by the MaineDOT.

MaineDOT also provides an open invitation to subrecipients for Title VI training or to speak about changes and requirements and will make ourselves available to attend association meetings and other meetings to provide information, either formal or informal on Title VI/EJ requirements.

MaineDOT provides training on civil rights issues including Title VI bi-annually to municipalities and their consultant who receive funding for Locally Administered Projects (LAPs).

## **COMPLAINT DISPOSITION AND INVESTIGATION PROCEDURES**

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990,

for alleged discrimination in any program or activity administered by the MaineDOT or in the event a complaint is filed against a subrecipient.

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and the MaineDOT/subrecipient may be utilized for resolution. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited under Title VI and related statutes may file a written complaint to the following address:

Maine Department of Transportation  
Attn: Title VI Coordinator  
Civil Rights Office  
State House Station 16  
Augusta, Maine 04333

### **PROCESSING PROCEDURES FOR EXTERNAL COMPLAINTS OF DISCRIMINATION**

#### **Purpose:**

To describe the rights of complainants to file and the responsibilities of the MaineDOT to process, resolve and investigate external complaints of discrimination. These procedures do not preclude the responsible staff from attempting to resolve any verbal or non-written concerns or complaints that it is aware of.

#### **Definition:**

*Discrimination* -- An act (or action) whether intentional or unintentional, through which a person in the United States, based on race, color, sex, age, national origin, or disability has been subjected to unequal treatment under any program or activity receiving financial assistance from the FHWA under title 23 U.S.C.

#### **Persons Eligible to File:**

Any person who believes that he or she or any specific class of persons to be subjected to discrimination or retaliation prohibited by any of the Civil Rights authorities, based upon race, color, sex, age, national origin, or disability may file a written complaint. The complaint may be filed by the individual or the individual's representative.

#### **Time Limits for Filing:**

A complaint must be filed no later than 180 days<sup>1</sup> after the following:

1. The date of the alleged act of discrimination; or
2. The date when the person(s) became aware of the alleged discrimination; or

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<sup>1</sup> All days refer to calendar days.

3. Where there has been a continuing course of conduct, the date on which that conduct was discontinued or the latest instance of the conduct.

### **Form of Complaints:**

1. Complaints shall be in writing and signed by the individual or his/her representative, and will include the complainant's name, address and telephone number; name of alleged discriminating official, basis of complaint (race, color, national origin, sex, disability, age, income status), and the date of alleged act(s). Complaints shall explain as fully as possible the facts and circumstances surrounding the alleged discriminatory action, and identify the individual(s) and/or organization(s) responsible for the alleged discriminatory action.
2. In cases where the Complainant will be assisted in converting an oral complaint into a written complaint, the Complainant is required to sign the written complaint. Signed allegations of discrimination received by facsimile or e-mail will be acknowledged and processed. Complaints received by telephone will be reduced to writing and provided to the complainant for confirmation, revision and signature before processing.
3. The MaineDOT Civil Rights Office will investigate complaints filed with the MaineDOT against its contractors, consultants, or other subrecipients. Complaints filed directly with the MaineDOT against the MaineDOT shall be forwarded to the appropriate USDOT agency for investigation.

### **Complaint Acceptance and Notifications:**

1. When a complaint is received, the Title VI Coordinator will provide written acknowledgment to the complainant, within ten days by registered mail with a read receipt request. At the same time, the complaint will be sent to the appropriate USDOT agency.
2. If a complaint is deemed incomplete, additional information will be requested, and the complainant will be provided sixty business days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.
3. Within fifteen business days from receipt of a complete complaint, the MaineDOT will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five business days of this decision, the Commissioner or his/her authorized designee will notify the complainant and respondent, by registered mail, informing them of the disposition.
  - a. If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.
  - b. If the complaint is to be investigated, the notification shall state the grounds of the MaineDOT's jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
4. When the MaineDOT does not have sufficient jurisdiction, the Commissioner or his/her authorized designee will refer the complaint to the appropriate State or USDOT agency holding such jurisdiction.
5. If the complaint has investigative merit, the Commissioner or his/her authorized designee will assign an investigator trained in compliance investigations.

### **Investigation Procedure:**

The Investigation Procedure includes the following documents/actions:

- Investigative plan
- Investigative log
- Request for information
- Conducting interviews
- On-site visit
- Obtaining evidence
- Analyzing data
- Writing the investigative report

### Investigative Plan

The Investigative Plan is a procedural document to provide a framework with which to conduct and complete the investigation. The Investigative Plan is an internal document for use by the Investigator to investigate the merit of the filed complaint. The following are the elements contained in the Investigative Plan:

- Investigative Log will be maintained which will document all activities related to the complaint
- Complainant(s) name and address
  - Attorney for complainant name, address and telephone
- Respondent(s) name and address
  - Attorney for respondent with name, address and telephone
- Applicable Law (i.e., Title VI, Title VIII, compliance review under regulations)
- Basis of the complaint
- Issue(s)
- Background summary of complaint
- Name of person(s) to be interviewed
  - Questions for the complainant
  - Questions for the respondent, and
  - Questions for the witness(es)
- Evidence to be obtained during the investigation

### Request for Information

The investigator will contact the respondent to advise him/her of the complaint and determine the appropriate official(s) to whom the Request for Information (RFI) should be sent and eventually interviewed.

The investigator will prepare a cover letter to transmit the RFI. The cover letter will explain the investigative process and provide information regarding any meetings that have been scheduled. The investigator will modify the cover letter to satisfy the circumstances and provide the RFI to the respondent prior to conducting the on-site visit. This will facilitate the availability and review of the evidence during the on-site visit.

### Conducting Interviews

The main objective of conducting interviews is to obtain information from witnesses that will either support or refute the allegations. Interviews will be conducted by telephone unless an on-site visit is required. A list of relevant questions will be prepared to address the issues raised in the complaint.

The complainant will be interviewed to gain a full understanding of the situation outlined in the discrimination complaint. Appropriate changes to the Investigative Plan will be made based upon any new information provided by the complainant.

The respondent will be interviewed to provide him/her an opportunity to respond to the allegations raised by the complainant as well as to provide the investigator the opportunity to understand the respondent's operation or policies that complainant cites in the complaint. As the keeper of the records, the investigator will discuss the RFI with the respondent and explain the need for requesting documentation. The respondent will be informed that he/she has the right to submit a formal position statement addressing the complainant's allegations.

Only witnesses who have information relevant to the allegations raised in the complaint of discrimination will be interviewed. The investigator will determine whether the testimony to be provided is relevant and when sufficient interviews have been conducted in order to make a finding.

#### On-Site Visit

An On-Site visit will be conducted when:

- Personal contact with the complainant and the respondent may yield information and clarification that might not otherwise be discovered by only reviewing the written documents or telephone contacts;
- It is necessary to review the physical environment;
- More effective communication can be established with representatives and witnesses of the complainant and respondent; and
- Documentation can only be examined on-site for reasons of convenience, cost, format, or volume.

#### Obtaining Evidence

Evidence requested will relate to the issues cited in the complaint and should contain some or all of the following:

- The policies and procedures regarding the practice that complainant has alleged;
- All documents relating to respondent's dealing with the complainant in the situation described in the complaint;
- Documents which exhibit how others, not in the complainant's group, were treated under similar circumstances;
- Respondent's reason(s) for the action taken; and
- A formal position statement from respondent responding to complainant's allegations.

#### Types of Evidence include the following

- Circumstantial Evidence – Includes facts from which may be inferred intent or discriminatory motive and proves intent by using objectively observable data;
- Comparative Evidence – A comparison between similarly situated individuals;
- Direct Evidence – Related to the respondent's motive, it is defined as any statement or action by an official of the respondent that indicates a bias against members of a particular group;
- Documentary Evidence – Written material, which is generated during the course of normal business activity;

- Statistical Evidence – Statistics, facts, or data of a numerical type, which are assembled, classified, and tabulated so as to present significant information about a given subject; and
- Testimonial Evidence – Evidence which is provided orally.

### Analyzing Data

Data must be analyzed to determine whether a violation has occurred. When analyzing data, the following elements will be considered:

- Review what happened to the complainant;
- Compare complainant’s treatment with the appropriate policies and procedures;
- Compare complainant’s treatment with others in the same situation;
- Review respondent’s reason(s) for the treatment afforded the complainant; and
- Compare respondent’s treatment of the complainant with the treatment afforded others.

### Writing the Investigative Report

The Investigative Report (IR) will be submitted to the Commissioner within sixty days from receipt of the complaint and will contain the sections noted below. A copy of the investigative report shall be forwarded to the respective subrecipient and USDOT agency within the same time period.

- Complainant(s) Name and Address
- Respondent(s) Name and Address
- Applicable Law
- Basis of the complaint
- Analysis of the issues raised in the course of the investigation
- Findings for each issue with a corresponding conclusion for each issue. Findings are based upon the preponderance of the evidence that the allegation was more likely to have occurred or not occurred.
- Recommended decision
- Recommendations for remedial action (if applicable)

### Records

The MaineDOT shall maintain records of external complaints, identifying each complaint by race, color, sex, age, religion/creed, disability, national origin or retaliation. The records will indicate:

- The nature of the complaint;
- The recipient agency with which the complaint was filed;
- The date the complaint was filed;
- The investigative report;
- The complaint disposition and date; and
- Other pertinent information.

### Final Decision

1. The Commissioner or his/her authorized designee will issue letters of finding to the complainant and respondent within ninety days from receipt of the complaint.
2. If the complainant is dissatisfied with the MaineDOT’s resolution of the complaint, he/she has the right to file a complaint with the:

U.S. Department of Transportation  
Departmental Office of Civil Rights  
1200 New Jersey Avenue, SE  
Washington D.C. 20590  
Tel: (202) 366-4648  
Fax: (202) 366-7717  
TTY Access: (202) 366-9696  
DC Relay: (202) 855-1000

3. If additional clarification of procedures is required the MaineDOT will utilize the FHWA Procedures Manual for Processing External Complaints of Discrimination as a reference. The manual may be found at:

<http://www.fhwa.dot.gov/civilrights/programs/finalcomplaintmanual110410.htm>

**Maine Department of Transportation  
External Discrimination Complaint Form**

**(Title VI/Nondiscrimination and ADA/Section 504 Complaints)**

<b>Name</b>	<b>Phone</b>	<b>Name of Person(s) That Discriminated Against You</b>
<b>Address</b>		<b>Location and Position of Person (If Known)</b>
<b>City, State, Zip</b>		<b>City, State, Zip</b>
<b>Agency involved</b>		<b>Date of Alleged Incident</b>
<b>Discrimination Because of:</b> <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Sex <input type="checkbox"/> Age <input type="checkbox"/> Disability		<b>What Remedy are you requesting?</b>
<p><b>Explain As Briefly And Clearly As Possible What Happened And How You Were Discriminated Against. Indicate Who Was Involved. Be Sure To Include How Other Persons Were Treated Differently Than You. Also Attach Any Written Material Pertaining To Your Case.</b></p>		
<b>Signature</b>		<b>Date</b>

**Please Mail Complaint to:**

<p><b>Maine Department of Transportation Civil Rights Office # 16 State House Station Augusta, Maine 04333-0016 Or Call (207) 624- 3042 or TYY Relay 711</b></p>
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## **DISSEMINATION OF TITLE VI INFORMATION**

MaineDOT posts on bulletin boards and in public places at its Maine office and regional facilities the following Notice to the Public. It is also posted on the MaineDOT website at <http://www.maine.gov/mdot/civilrights/title6/> MaineDOT has also developed a Non-Discrimination Poster that is placed at all work areas within the MaineDOT and is also on our website.

### **Notice to the Public**

#### **Maine Department of Transportation TITLE VI OF THE CIVIL RIGHTS ACT OF 1964**

In accordance with Title VI of the Civil Rights Act of 1964 and other authorities, the MaineDOT is committed to ensuring that the fundamental principles of equal opportunity are upheld in all decisions involving our employees and contractors/consultants, and to ensuring that the public-at-large is afforded access to our programs and services.

To that end, no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any MaineDOT program or activity on the grounds of race, color, or national origin.

MaineDOT will work with staff, subrecipients, contractors and service beneficiaries to promote awareness for the provisions of Title VI and the responsibilities associated with that Act. We are readily available to assist you with technical assistance, resources, guidance and information on Title VI.

**Language translation services available upon request.**  
**Services de traduction langue disponibles sur demande**  
**Servicios de traducción disponibles bajo petición.**  
**要求提供的语言翻译服务。**  
**Lugha ya tafsiri huduma inapatikana juu ya ombi.**  
**Ladenan panarjamahan Basa aya kana paménta.**  
**خدمات الترجمة اللغة متاحة عند الطلب**

For more information on the MaineDOT's civil rights programs and the procedures to file a complaint, see: <http://www.maine.gov/mdot/civilrights/title6/>

Complaints must be filed in person or in writing. Complaints should be directed to:

Theresa Savoy, Director  
Civil Rights Office  
Maine Department of Transportation  
16 State House Station  
Augusta, Maine 04333  
Office Phone: (207) 624-3042  
Cell Phone: (207) 592-1562

A complainant may file a complaint directly with the Federal Highway Administration (FHWA) or the Federal Transit Administration (FTA) by filing a complaint at:

Colleen M. Sinotte, Civil Rights Specialist  
Maine & New Hampshire Division Offices  
Federal Highway Administration  
53 Pleasant Street, Suite 2200  
Concord, NH 03301  
Phone (603) 410-4868  
Fax (603) 228-2829  
e-mail [colleen.m.sinotte@dot.gov](mailto:colleen.m.sinotte@dot.gov)

## **Language Access Plan (Limited English Proficiency)**

MaineDOT undergoes and an extensive Four Factor Analysis every three years. In that analysis the Census data shows that all of Maine's 16 counties fall below the 1,000 person - 5% Safe Harbor LEP threshold identified by the U.S. Department of Transportation. In Maine as a whole there are concentrations above 5% and 1000 persons speaking Spanish, French and Cushite.

**Spanish.** According to the data in Table 1, there are 1,234 Spanish-speaking LEP persons in Maine. However, there do not appear to be any Spanish LEP communities in Maine. While the ACS 2006-2008 survey did not contain a breakdown of languages by county or population, the 2012 ACS 1-Year survey contained data on Spanish LEP persons 5 years and older for two counties and the State, and similar data for persons 18 years and older for four counties, as shown below (as of this writing, data has not been released for the remaining counties). The available data would indicate that Spanish-speaking LEP persons are dispersed throughout Maine, rather than concentrated in communities.

**French.** According to the data in Table 1, there are 10,021 French-speaking LEP persons in Maine. Although the ACS does not include county statistics, it is known that substantial French speaking populations exist in Aroostook and Androscoggin Counties, especially in the Androscoggin communities of Lewiston and Auburn as well as Biddeford in York County. When MaineDOT does projects and holds meetings in these communities language interpretation will be considered and posting of any meetings will be in English and French.

**Cushite.** According to the data in Table 1, there are 1,767 Cushite-speaking LEP persons in Maine. Although the ACS does not include county statistics, it is known that the re-settlement communities of Lewiston/Auburn and Portland contain substantial numbers of Somali people who speak Cushite. When MaineDOT does projects and holds meetings in these communities language interpretation will be considered and posting of any meetings will be in English and Cushite.

**Arabic.** In conversations with Catholic Charities Maine, Refugee Immigration Services many African immigrants in Maine can speak and read Arabic. There are also new populations from Iraq and Syria entering Maine. Maine has taken note of this and has included Arabic in its public notice.

MaineDOT will continue to monitor new data to ensure that, if thresholds are exceeded, processes will be put in place to address any language discrimination that may exist. MaineDOT's most current Four Factor Analysis and information on translation and diversity services by county can be found on our website at: <http://www.maine.gov/mdot/civilrights/title6/>

Each Program area is responsible for determining which personnel will interact with members of the public and will have access and understanding of LEP populations in the Program Area.

## **ENVIRONMENTAL JUSTICE (EJ) PLAN/PROCESS**

Executive Order #12898 is entitled "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations". EJ may be defined as follows: "Each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its

programs, policies, and activities on minority populations and low-income populations.” The following are applicable:

- Recipients of FHWA funding are responsible for the effective implementation of the EJ requirements.
- MaineDOT will identify minority and low-income populations using the most recent Census data and the definition of low-income as established by the US Department of Health & Human Services;
- MaineDOT will integrate its Public Participation Plan to ensure the participation of the identified minority and low-income populations located within the limits of a proposed project as well as sharing in the benefits of Federal Program Areas.
- Each Program area is responsible for determining which personnel will interact with members of the public and will have access and understanding of EJ populations in the Program Area.

### **PROCESS TO RESOLVE DEFICIENCIES IDENTIFIED BY FHWA**

When deficiencies are identified by FHWA, the MaineDOT will work with FHWA Division Office (DO) and Headquarters to correct deficiencies and comply with Title VI and other authorities. MaineDOT will develop a Corrective Action Plan (CAP) to address deficiencies identified by FHWA and should submit the CAP to the DO for review and approval.

The CAP will be developed by the Title VI Coordinator according to the deficiency and will include participation of any or all program area(s), the program area liaison(s) and any subrecipient that the deficiency or the corrective action may impact. The CAP will be developed in accordance with any direction the DO provides. Depending on the deficiency, monitoring and reporting criteria will be included in the CAP. The Title VI Coordinator will present the CAP to legal staff and will require approval by the Commissioner. Once a CAP is approved by the Commissioner it will be sent to the FHWA DO and Civil Rights Specialist for approval. Once a CAP is approved it will be implemented by the MaineDOT and will be monitored by the Civil Rights Coordinator or their designee. Depending on the deficiency, and the corrective action taken, a monitoring and reporting approved, how the CAP is implemented, and how the CAP implementation is monitored. This section may be placed here, may be incorporated into the *Internal Monitoring Program* section of the Plan, or may be combined with the *Process To Identify/Eliminate Discrimination* section of the Plan.

### **INTERNAL MONITORING PROGRAM**

The Internal Monitoring Program will be the MaineDOT’s approach to annually review processes of the Federal Program Areas to identify any trends/patterns of discrimination. The Internal Monitoring Program will be composed of two principal elements: Data Collection/ Analysis/Reporting and Process Reviews:

- Members of the Public participating in the Project Development process (i.e., Public Involvement/Participation), impacted by a proposed FHWA-funded project, or benefiting from an FHWA-funded Program will be identified according to their race, color, national origin, sex, age, and disability (as well as low-income and whether a person speaks English as his/her primary language);

- The Civil Rights Office, in coordination with each Federal Program Area, will gather this data;
- Representatives from the Property Office may collect this data through personal contacts with property owners and tenants (in-person or via telephone);

Each Federal Program Area will be responsible for annually reviewing a segment of process related to the Area's function. Title VI/Nondiscrimination Liaisons will become subject matter experts that perform Federal Program Area-related duties and that have been designated to represent the Program Area with respect to Title VI/Nondiscrimination-related functions. These functions may include data collection, data analysis, data reporting, and process reviews. Title VI/Nondiscrimination Liaisons will develop Review Reports in coordination with the Title VI/Nondiscrimination Specialist. If a trend or pattern of discrimination is identified during the Review, the Federal Program Area develops corrective actions to address the identified trend/pattern. The Title VI/Nondiscrimination Specialist monitors how the Federal Program Area implements the corrective actions.

## **PUBLIC PARTICIPATION PLAN**

Planning (23 CFR 450.210 (a) & 23 CFR 450.316 (a)), Environment (National Environmental Policy Act of 1969), Rights-of-Way (Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended), and Design (23 U.S.C. 109 (h)) require effective public involvement/public participation processes, which is be combined into a MaineDOT's *Public Involvement in Transportation Decision Making(Plan)*. This plan was submitted to the FHWA Division office and is currently under review. Below are highlights from this Plan:

### **Public Involvement and Traditionally Underserved Populations**

Many people in minority and low-income communities, as well as those with low literacy and/or limited English proficiency, have traditionally been underserved by conventional outreach methods. Reaching out to traditionally underserved groups helps ensure that all customers and stakeholders have opportunities to influence the decision-making process. It sets the tone for subsequent project activities and promotes a spirit of inclusion. MaineDOT meeting planners strive to encourage attendance among groups protected by anti-discrimination laws with which MaineDOT is required to comply. This tailoring of outreach efforts is particularly useful because they:

- Provide fresh perspectives to project planners and developers
- Give MaineDOT information about community-specific issues and concerns
- Allow MaineDOT to identify potential controversies
- Provide feedback on how to get these communities involved
- Ensure that the solutions ultimately selected are those that best meet the communities' needs
- To maximize the effectiveness of the department's public participation efforts in engaging underserved people, MaineDOT staff is committed to: Plan public meetings and hearings well in advance, and publicize them in diverse media, flyers, and on the MaineDOT website
- Ensure that meeting notices state that the meeting uses accessible-format materials
- Determine what non-English languages and other cultural characteristics apply and could inhibit public participation for the particular program or activity if not accommodated, and to offer appropriate accommodations to reduce any barrier effect
- Accept both verbal and written comments in languages other than English

- Hold meetings and conduct outreach in the affected neighborhoods themselves, using community activity centers as meeting locations and venues for informal outreach
- Use varied meeting times, sizes, and locations to accommodate the schedule, transportation, and child care limitations for the community members hold meetings at convenient times and at locations that are accessible and welcoming to all, including those with disabilities. (This includes providing appropriate room set-up and, when requested, alternate formats of handouts [e.g., large-print materials] and audio equipment)
- Make available alternative methods for two-way flow of information and input between MaineDOT and people who are not likely to attend meetings
- Use various illustration and visualization techniques to convey the project information including, but not limited to, charts, graphs, photos, maps, and the Internet
- Reach out to others, both internally and externally, with expertise in contacting and connecting with underserved people, to obtain advice and information about best practices and effective techniques

### **Environmental Justice**

In 1994, the administration of President Bill Clinton issued Executive Order #12898—*Federal Actions to Address Environmental Justice in Minority and Low-Income Populations*. Under this order, transportation agencies are required to make achieving environmental justice (EJ) part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations. EJ initiatives accomplish this goal by involving the potentially affected public in developing transportation projects that fit harmoniously within their communities, without sacrificing safety or mobility. MaineDOT complies with EJ requirements by:

- Updating the state’s demographic profile every three years to determine where low-income, non-native and minority populations reside (the most recent profile was complete in 2014 and can be accessed on our website at: <http://www.maine.gov/mdot/civilrights/title6/>)
- Updating U.S. Census Data every three years and conducting a “Four-Factor Analysis” to determine Limited English Proficiency (LEP) population concentrations around the state
- Ensuring the participation of identified minority and low-income populations located within the limits of a proposed project by holding meetings that are close to or adjacent to the project areas
- Providing good access for public participation—holding public forums and meetings at facilities that are ADA-accessible, and providing translation services requested for non-English speaking populations when they are requested
- Designating and training EJ liaisons—ensuring that they are knowledgeable about the EJ requirements of federal agencies

MaineDOT will work in collaboration with FHWA Division staff in incorporating any changes that may be required pursuant to their review of MaineDOT’s public participation process.

### **REVIEW OF MAINEDOT DIRECTIVES**

The Director of the Civil Rights Office receives and reviews all draft Administrative Policy Memorandums and reviews those for compliance with Federal civil rights laws and regulations.

### **REPORTING TO FHWA**

The MaineDOT will submit to the FHWA DO and Civil Rights Specialist, a Title VI/Nondiscrimination Annual Work Plan & Accomplishment Report by October 1 of each year. The MaineDOT understands that FHWA request more frequent status updates if the STA is implementing a Corrective Action Plan or Implementation Plan.

**APPENDICES**

**APPENDIX A – OUTREACH CONTACT LIST TRANSLATION RESOURCES DOCUMENT**

**Outreach Contact List – Translation Resource Document**

<p>Cambodia 35 Oxford St. Portland ME 04101 Contact: Sokhany Sieng (207)775-5073</p> <p>Maine Khmer Council Portland Housing Authority 14 Baxter Blve. Portland ME 04101 Contact: Shawna Ohm, President (207)773-4753 Ext. 267</p> <p>Asian American Heritage Research Foundation Portland Multilingual Program 83 Sherman St. Portland ME 04101 Contact: Grace Valenzuela (207)874-8135 email: <a href="mailto:graceval@gwi.net">graceval@gwi.net</a></p> <p>Maine Families with Children From Asia 54 Saunders St. #2 Portland ME 04103 Contact: Christine Kukka (Portland) (207)883-1133 Contact: Coleen Quint (Lewiston/Auburn) (207)784-7726</p> <p>Office of Rehabilitation Services Maine Dept. of Labor 2 Anthony Ave. Augusta ME 04333 Voice: (207)624-5950 TTY: 1-888-755-0023</p>	<p>Chinese Association of Maine 104 Berkshire Rd. Portland ME 04103 Contact: Cunli Jia, Vice President (207)775-6139</p> <p>Korean American Association 626 Congress St. Portland ME 04101 Contact: Won Bae Park, President (207)772-8675</p> <p>Alpha One/Wheelchairs Unlimited 127 Main Street South Portland, ME 04106 (207) 767-2189 (v/tty) (800) 640-7200 (v/tty) (207) 799-8346 - Fax <a href="http://www.alphaonenow.org">www.alphaonenow.org</a></p> <p>Disability Rights Center P.O. Box 2007 Augusta ME 04338-2007 Voice and TDD: 626-2774</p> <p>NAACP Portland P.O. Box 3631 Portland, ME 04104 Telephone:(207)253-5074 Fax: (207) 253-5079 e-mail: <a href="mailto:naacpportland@hotmail.com">naacpportland@hotmail.com</a></p>
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## Religious Resources

### Prayer Schedules:

[www.islamicfinder.org/prayerDetail.php?zipcode=04240&country=USA&start=0&home=2011-7-6&monthly=1](http://www.islamicfinder.org/prayerDetail.php?zipcode=04240&country=USA&start=0&home=2011-7-6&monthly=1)

[www.holidays.net/ramadan/dates.htm](http://www.holidays.net/ramadan/dates.htm)

### Ramadan:

[www.guideways.com/kb/article-125.html](http://www.guideways.com/kb/article-125.html)

[www.masjidtucson.org/submission/practices/ramadan](http://www.masjidtucson.org/submission/practices/ramadan)

### Islam:

[www.bbc.co.uk/religion/religions/islam/](http://www.bbc.co.uk/religion/religions/islam/)

### Books:

Somalis in Maine: Crossing Cultural Currents

Me Against My Brother: At War in Somalia, Sudan and Rwanda

The Middle of Everywhere: Helping Refugees Enter the American Community

The Spirit Catches You and You Fall Down

The Good Braider

Born in the Big Rains: A Memoir of Somalia and Survival

Teenage Refugees from Somalia Speak Out (In Their Own Voices)

Diversity Consciousness: Opening our Minds to People, Cultures and Opportunities

## ASL Interpretation Services

### Contacting and Scheduling an ASL Interpreter

All ASL interpretation vendors listed below received contracts based on a competitive process. Therefore, each department or agency is free to choose the vendor with which it would like to work by using the information below. You can use the vendor's "Online Request Form" (if available), or use this template ([ASL Interpreter Scheduling Confirmation Form](#)) to document the service you are requesting. Regardless of how you make your appointment, ***be sure to agree upon an estimated total price for the appointment (including travel, if applicable) in advance.***

Once you have agreed upon an estimated total price with the vendor and scheduled the interpreter appointment, follow these instructions ([AdvantageME Delivery Order Instructions](#)) to create a Delivery Order against the Master Agreement (MA) number shown below the vendor's name. When you receive the invoice after the service has been provided, ***payment must be made within 30 days from when you receive the invoice.*** You may need to contact your Service Center to accomplish this part of the process, which will vary by department.

In the event that you need to ***cancel an appointment***, follow this link ([Cancellation Policy](#)).

**Vendor Name:** Bangor Interpreting Agency  
**Master Agreement #:** 18P- 1007300000000000024  
**Point(s) of Contact:** Ms. Pat Heitmann  
**Telephone(s):** 207-862-2947 (voice)  
207-862-4027 (fax)  
207-862-4063 (TTY)  
**Email:** [bangorinterpreting@tds.net](mailto:bangorinterpreting@tds.net)  
**Website:** [www.bangorinterpreting.com](http://www.bangorinterpreting.com)  
**Online Request Form:** <http://www.bangorinterpreting.com/request-services/>  
**Address:** 7 Summer Street, Hampden, ME 04444

**Vendor Name:** Certified Interpreting  
**Master Agreement #:** 18P-10042300000000000181  
**Point(s) of Contact:** Mr. Victor Vigna, or  
Ms. Ruth Vigna  
**Telephone(s):** 207-798-7995 (voice/TTY)  
**Email:** [services@certifiedinterpreting.com](mailto:services@certifiedinterpreting.com)  
**Website:** [www.cimaine.com](http://www.cimaine.com)  
**Online Request Form:** <http://www.certifiedinterpreting.com/servicerequest.aspx>  
**Address:** PO Box 6500, Brunswick, ME 04011

**Vendor Name:** KEWL ASL  
**Master Agreement #:** 18P-10042300000000000183  
**Point(s) of Contact:** Ms. Deborah Myers  
**Telephone(s):** 207-549-4733 (voice/TTY)  
207-240-3177 (cell/text)  
866-755-5206 (video phone)

<b>Email:</b>	<a href="mailto:kewlasl@gmail.com">kewlasl@gmail.com</a>
<b>Address:</b>	15 Jones Road, Somerville, Maine 04348
<b>Vendor Name:</b>	Mary Jane Grant Sign Language Interpreting Services, LLC
<b>Master Agreement #:</b>	18P-1106090000000000268 (for 7/1/11 to 6/30/14)
<b>Point(s) of Contact:</b>	Ms. Mary Jane Grant
<b>Telephone(s):</b>	207-651-3146 (voice) 207-213-1325 (video phone)
<b>Email:</b>	<a href="mailto:mjgrantinterpreting@gmail.com">mjgrantinterpreting@gmail.com</a>
<b>Website:</b>	<a href="http://maryjanegrant.com">http://maryjanegrant.com</a>
<b>Online Request Form:</b>	<a href="http://maryjanegrant.com/contact.html">http://maryjanegrant.com/contact.html</a>
<b>Address:</b>	PO Box 843, Sanford, ME 04073
<b>Vendor Name:</b>	Pine Tree Society
<b>Master Agreement #:</b>	18P-1004280000000000192
<b>Point(s) of Contact:</b>	Mr. Douglas Newton
<b>Telephone(s):</b>	207-386-5971 (voice/TTY) 207-885-0076 (fax)
<b>Email:</b>	<a href="mailto:interpreting@pinetreesociety.org">interpreting@pinetreesociety.org</a> <a href="mailto:dnewton@pinetreesociety.org">dnewton@pinetreesociety.org</a>
<b>Website:</b>	<a href="http://www.pinetreesociety.org">www.pinetreesociety.org</a>
<b>Online Request Form:</b>	<a href="http://www.pinetreesociety.org/interpreting_request.asp">http://www.pinetreesociety.org/interpreting_request.asp</a>
<b>Address:</b>	51 US Route 1, Suite G, Scarborough, ME 04074
<b>Vendor Name:</b>	Professional Interpreting
<b>Master Agreement #:</b>	18P-1004270000000000186
<b>Point(s) of Contact:</b>	Kris Bracklow, or Carrie Profenno
<b>Telephone(s):</b>	207-774-3068 (voice/TTY)
<b>Email:</b>	<a href="mailto:professionalinterpreting@maine.rr.com">professionalinterpreting@maine.rr.com</a> <a href="mailto:kris120@juno.com">kris120@juno.com</a>
<b>Address:</b>	14 Torrey Street, Portland, ME 04103

**Vendor Cost and Price Information – FY14**

**Mary Jane Grant Interpreting - Updated Pricing FY14**

Overall evaluation rank for cost: 1 (lowest costs across all service categories)

Service Category	Hourly Rate for Weekdays, 8AM – 5PM	Hourly Rate for After-hours, weekends, and holidays
1. Standard ASL Interpreter Services	\$47.00/hour	\$52.00/hour
2. Legal ASL Interpreter Services	\$55.00/hour	\$60.00/hour
3. Limited Language/Deaf Tandem Interpreter Services	\$47.00/hour	\$52.00/hour

4. Short Notice ASL Interpreter Services (less than two business days notice, but not "Emergency" / "immediate")	\$47.00/hour	\$52.00/hour
5. Emergency ASL Interpreter Services (immediate assistance required)	\$47.00/hour	\$52.00/hour

**KEWL ASL**

Overall evaluation rank for cost: 2

Service Category	Hourly Rate for Weekdays, 8AM – 5PM	Hourly Rate for After-hours, weekends, and holidays
1. Standard ASL Interpreter Services	\$47.00/hour	\$52.00/hour
2. Legal ASL Interpreter Services	\$55.00/hour	\$60.00/hour
3. Limited Language/Deaf Tandem Interpreter Services	\$47.00/hour	\$52.00/hour
4. Short Notice ASL Interpreter Services (less than two business days notice, but not "Emergency" / "immediate")	\$49.00/hour	\$54.00/hour
5. Emergency ASL Interpreter Services (immediate assistance required)	\$55.00/hour	\$60.00/hour

**Bangor Interpreting Agency**

Overall evaluation rank for cost: 3

Service Category	Hourly Rate for Weekdays, 8AM – 5PM	Hourly Rate for After-hours, weekends, and holidays
1. Standard ASL Interpreter Services	\$45.00/hour	\$50.00/hour
2. Legal ASL Interpreter Services	\$65.00/hour	\$75.00/hour
3. Limited Language/Deaf Tandem Interpreter Services	\$45.00/hour	\$55.00/hour
4. Short Notice ASL Interpreter Services (less than two business days notice, but not "Emergency" / "immediate")	\$56.00/hour	\$60.00/hour
5. Emergency ASL Interpreter Services (immediate assistance required)	\$75.00/hour	\$75.00/hour

**Certified Interpreting – Updated Pricing FY14**

Overall evaluation rank for cost: 4

Service Category	Hourly Rate for Weekdays, 8AM – 5PM	Hourly Rate for After-hours, weekends, and holidays
1. Standard ASL Interpreter Services	\$48.00/hour	\$53.00/hour
2. Legal ASL Interpreter Services	\$63.00/hour	\$63.00/hour
3. Limited Language/Deaf Tandem Interpreter Services	\$48.00/hour	\$53.00/hour
4. Short Notice ASL Interpreter Services (less than two business days notice, but not "Emergency" / "immediate")	\$48.00/hour	\$53.00/hour
5. Emergency ASL Interpreter Services (immediate assistance required)	\$58.00/hour	\$68.00/hour

### Professional Interpreting

Overall evaluation rank for cost: 5

Service Category	Hourly Rate for Weekdays, 8AM – 5PM	Hourly Rate for After-hours, weekends, and holidays
1. Standard ASL Interpreter Services	\$50.00/hour	\$55.00/hour
2. Legal ASL Interpreter Services	\$72.00/hour	\$82.00/hour
3. Limited Language/Deaf Tandem Interpreter Services	\$50.00/hour	\$55.00/hour
4. Short Notice ASL Interpreter Services (less than two business days notice, but not "Emergency" / "immediate")	\$55.00/hour	\$60.00/hour
5. Emergency ASL Interpreter Services (immediate assistance required)	\$60.00/hour	\$70.00/hour

### Pine Tree Society

Overall evaluation rank for cost: 6 (highest costs across all service categories)

Service Category	Hourly Rate for Weekdays, 8AM – 5PM	Hourly Rate for After-hours, weekends, and holidays
1. Standard ASL Interpreter Services	\$64.00/hour	\$81.00/hour
2. Legal ASL Interpreter Services	\$75.00/hour	\$90.00/hour
3. Limited Language/Deaf Tandem Interpreter Services	\$64.00/hour	\$81.00/hour
4. Short Notice ASL Interpreter Services (less than two business days notice, but not "Emergency" / "immediate")	\$81.00/hour	\$81.00/hour
5. Emergency ASL Interpreter Services (immediate assistance required)	\$162.00/hour	\$162.00/hour

### Foreign Language Interpretation / Translation Services for In Person Spoken Language Interpreting Services:

New England Interpreter Services

Martin Sungoyo

207-409-5514

[Marin@translateforme.net](mailto:Marin@translateforme.net)

New England Interpreter Service provides the following fee schedule

Service Category	Hourly Rate for Weekdays, 8AM – 5PM	Hourly Rate for After-hours, weekends, and holidays
1. Standard In Person Spoken Language Interpreting Services	\$ 50 /hour	\$ 55 /hour
2. Short Notice In Person Spoken Language Interpreting Services (less than two business days notice, but not "Emergency" / "immediate")	\$ 50 /hour	\$ 55 /hour
3. Emergency In Person Language Interpreting Services (immediate assistance required)	\$ 50 /hour	\$ 55 /hour
4. Legal In Person Spoken Language Interpreting Services	\$ 50 /hour	\$ 55 /hour
5. Medical-In Person Spoken Language Interpreting Services	\$ 50 /hour	\$ 55 /hour

**List of Spoken Languages Offered:**

Acholi, ASL, Amharic, Arabic, Bari, Bulgarian, Cambodian, Cantonese, Darfur, Dinka, Farsi, French, Furo, Japanese, Juba Arabic, Khmer, Kinyarwanda, Kirundi, Lingalla, Mandarin, Nuer, Russian, Serbo-Croatian, Somali, Spanish, Sudanese/Arabic, Swahili, Vietnamese, Zande

**United Somali Women of Maine** provides the following fee schedule for In Person Spoken Language Interpreting Services:

United Somali Women of Maine  
 207-753-0061  
[fhussein@uswofmaine.org](mailto:fhussein@uswofmaine.org)

Service Category	Hourly Rate for Weekdays, 8AM – 5PM	Hourly Rate for After-hours, weekends, and holidays
1. Standard In Person Spoken Language Interpreting Services	\$50/hour	\$65 /hour
2. Short Notice In Person Spoken Language Interpreting Services (less than two business days notice, but not “Emergency” / “immediate”)	\$50 /hour	\$65 /hour
3. Emergency In Person Language Interpreting Services (immediate assistance required)	\$50/hour	\$65/hour
4. Legal In Person Spoken Language Interpreting Services	\$50/hour	\$65/hour
5. Medical In Person Spoken Language Interpreting Services	\$50/hour	\$65 /hour

**Catholic Charities Maine** provides the following fee schedule for In Person Spoken Language Interpreting Services:

Catholic Charities Maine  
 207-523-1182  
[tballenger@ccmaine.org](mailto:tballenger@ccmaine.org)

Current languages offered by Catholic Charities Maine Language Partners as of June 22, 2011 are:

- |                         |                     |
|-------------------------|---------------------|
| 1. Acholi               | 18. Kinyarvandan    |
| 2. Albanian             | 19. Kinyumulenge    |
| 3. Amharic              | 20. Kirundi         |
| 4. Arabic (Classic)     | 21. Kurdish         |
| 5. Arabic (Sudanese)    | 22. Lingala         |
| 6. Azerbaijani          | 23. Oromo           |
| 7. Bosnian              | 24. Pashto          |
| 8. Bulgarian            | 25. Persian (Farsi) |
| 9. Burmese              | 26. Portuguese      |
| 10. Chinese (Mandarin)  | 27. Romanian        |
| 11. Chinese (Cantonese) | 28. Russian         |
| 12. Dari                | 29. Serbo-Croatian  |
| 13. French              | 30. Somali          |
| 14. German              | 31. Spanish         |
| 15. Greek               | 32. Swahili         |
| 16. Italian             | 33. Tigrinya        |
| 17. Khmer (Cambodian)   | 34. Turkish         |
|                         | 35. Vietnamese      |

**Geneva Worldwide, Inc.** provides the following fee schedule for In Person Spoken Language Interpreting Services (call 1-877-GO-GENEVA, ref. Maine Contract #120913\*0069).

Service Category	Hourly Rate for Weekdays, 8AM – 5PM	Hourly Rate for After-hours, weekends, and holidays
<b>1. Standard In-Person Spoken Language Interpreting Services</b>		
Tier 1 Spanish	\$ 48.99/hour	\$ 61.24/hour
Tier 2 Languages, including French	\$ 67.99/hour	\$ 84.99/hour
Tier 3 Languages, including Arabic, Somali and Khmer	\$ 81.99/hour	\$102.49/hour
<b>2. Short Notice In-Person Spoken Language Interpreting Services (less than two business days' notice, but not "Emergency" / "immediate")</b>		
Tier 1 Spanish	\$ 61.24/hour	\$ 76.55/hour
Tier 2 Languages, including French	\$ 84.99/hour	\$ 106.24/hour
Tier 3 Languages, including Arabic, Somali and Khmer	\$ 102.49/hour	\$ 128.11/hour
<b>3. Emergency In-Person Language Interpreting Services (immediate assistance required)</b>		
Tier 1 Spanish	\$ 73.49/hour	\$ 91.86/hour
Tier 2 Languages, including French	\$ 101.99/hour	\$ 127.49/hour
Tier 3 Languages, including Arabic, Somali and Khmer	\$ 122.99/hour	\$ 153.74/hour
<b>4. Legal In-Person Spoken Language Interpreting Services</b>		
Tier 1 Spanish	\$ 69.83/hour	\$ 87.29/hour
Tier 2 Languages, including French	\$ 86.78/hour	\$ 108.48/hour
Tier 3 Languages, including Arabic, Somali and Khmer	\$ 91.84/hour	\$ 114.80/hour
<b>5. Medical In-Person Spoken Language Interpreting Services</b>		
Tier 1 Spanish	\$48.99/hour	\$ 61.24/hour
Tier 2 Languages, including French	\$ 67.99/hour	\$ 84.99/hour
Tier 3 Languages, including Arabic, Somali and Khmer	\$ 81.99/hour	\$ 102.49/hour

Geneva Worldwide, Inc. has over 6,000 linguists worldwide to assist clients with their language needs in the following languages:

Afrikaans	Farsi	Lanzhaou	Sichuan
Akan	Fijian	Lao	Sicilian
Albanian	Finnish	Latvian	Sinhalese
ASL	Flemish	Lebanese	Slovak
Amharic	French	Lithuanian	Somali
Arabic	French Canadian	Maithili	Somali Bantu
Armenian	Frisian	Malay	Spanish
Ashanti	Fulde	Malayalam	Sudanese
Assyrian	Fuzhou	Maltese	Swahili
Azeri	Ga	Mandarin	Swedish
Bahasa (Malaysia)	Georgian	Mandinka	Tagalog
Bambara	German	Marathi	Taiwanese
Basque	Greek	Marshallese	Tamil
Bassa	Greenlandic	May-May	Tatar
Belorussian	Gujarati	Mien	Telugu
Bengali	Hakka	Mongolian	Teochew
Bosnian	Hebrew	More	Thai
Bulgarian	Hindi	Myanmar	Thai Dam
Burmese	Hmong	Navajo	Tibetan
Cambodian	Hunanese	Nepali	Tigrinya
Canjobal	Hungarian	Norwegian	Toisanese
Cantonese	Ibo	Nuer	Tongan
Cape Verde	Icelandic (modern)	Oromifa	Trukese
Cebuano	Ilocano	Pampangan	Turkish
Chamorro	Indo	Pangasinan	Turkmen
Chinese Yunnan	Italian	Pashtu	Twì
Choujo	Jaaxanke	Polish	Uighur
Chukchi	Japanese	Ponapean	Ukrainian
Chuukese	Javanese	Persian	Urdu
Cotocoli	Kannada	Portuguese (Brazil, European)	Uzbek
Creole (Haitian, French)	Karen	Pulaar	Vietnamese
Croatian	Kazakh	Punjabi	Visayan
Czech	Khmer	Quechua	Welsh
Danish	Kinyarwanda	Romanian	Wolof
Dari	Kirundi	Russian	Xhosa
Dinka	Korean	Samoan	Yiddish
Dutch	Kosrae	Sara	Yoruba
Estonian	Kpelle	Serbian	Zulu
Ewe	Krahn	Shanghainese	
	Kurdish		

**Department of Justice, Federal Protections Against National Origin Discrimination  
(pamphlet):**

[Arabic PDF version](#)

[Cambodian PDF version](#)

[Chinese PDF version](#)

[English HTML version \(PDF version\)](#)

[Farsi PDF version](#) (4.7 MB file)

[French PDF version](#)

[Haitian Creole PDF version](#)

[Hmong PDF version](#) (3.1 MB file)

[Hindi PDF version](#) (2.1 MB file)

[Korean PDF version](#)

[Laotian PDF version](#)

[Protecciones Federales Contra la Discriminación por Origen Nacional \(PDF\)](#)

[Punjabi PDF version](#)

[Russian PDF version](#)

[Tagalog PDF version](#)

[Urdu PDF version Vietnamese PDF version](#)

**APPENDIX B – MAINEDOT NONDISCRIMINATION BROCHURE AND POSTER**

**Discrimination Prohibited by Title VI**



There are many forms of illegal discrimination based on race, color, or national origin that limit the opportunity of minorities to gain equal access to services and programs. Among other things, in operating a federally assisted program, a recipient cannot, on the basis of race, color, or national origin, either directly or indirectly:

- » Deny program services, aids, or benefits
- » Provide a different service, aid, or benefit, or provide them in a manner different than they are provided to others; or
- » Segregate or separately treat individuals in any matter related to the receipt of any service, aid, or benefit

**Programs or Services Include (but are not limited to)**

- » Transportation
- » Construction
- » The distribution of benefits and services
- » Tax benefits enjoyed by private agencies, fraternal and non-profit organizations (i.e. 501(c)(3)) or well as educational institutions
- » Location of facilities
- » Law enforcement
- » Program effects on people in applicable communities
- » Healthcare (i.e. Medicare, Medicaid, MaineCare), social services and public welfare
- » Natural resources and the environment
- » Employment and job training
- » Housing and community development
- » Agriculture



**Title VI Federal-Aid Contract Provisions**

All Federal-Aid contracts must include Title VI contract assurance language which requires compliance with Title VI of the Civil Rights Act of 1964. Federal-Aid contractors may not discriminate in selection and retention of first-tier subcontractors; subcontractors may not discriminate in the selection and retention of second-tier subcontractors who participate in Federal-Aid Highway construction, and contractors and subcontractors cannot discriminate in their employment practices in connection with highway construction projects or projects assisted by Federal Highway Administration.

**TITLE VI PROGRAM  
Of the Civil Rights Act of 1964**

**How to file a complaint**

You may file a signed, written complaint 180 days to the date of the alleged discrimination. The complaint should include:

- » Your name, address and telephone number.
- » The name and address of the agency, institution, or department you believe discriminated against you.
- » How, why, and when you believe you were discriminated against. Include as much specific, detailed information as possible about the alleged acts of discrimination, and any other relevant information.
- » The names of any persons, if known, who the MainedOT Title VI Division could contact for clarity of your allegations.

**Your complaint must be signed and dated**

Please submit your complaint to:

Civil Rights Office  
Maine Department of Transportation  
16 State House Station  
Augusta, Maine 04333-0016  
  
Telephone 207-624-3042  
TTY Users Dial Maine Relay 711

For a printable complaint form  
visit our website:

[www.maine.gov/mdot/civilrights/](http://www.maine.gov/mdot/civilrights/)



**MainedOT**  
Civil Rights Office



**TITLE VI PROGRAM  
Of the Civil Rights Act of 1964**



### Title VI Program Commitment

MaineDOT is committed to ensuring that discrimination does not occur within our programs, services and contracts. We work with staff, sub-recipients, contractors and service beneficiaries to promote awareness for the provisions of Title VI of the Civil Rights Act of 1964.



The responsibilities associated with that Act. We are readily available to assist you with technical assistance, resources, guidance and information on Title VI. Please do not hesitate to contact our office for further assistance.

### What is Title VI of the Civil Rights Act of 1964?

It is the policy of the MaineDOT to ensure 42, U.S.C. 2000d, "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 subjected to discrimination under a program or activity receiving federal financial assistance from the MaineDOT. "Title VI covers all forms of federal aid except those federally funded contracts of insurance and guaranty. It does cover employment practices resulting in discrimination against program beneficiaries or where the purpose of federal assistance is to provide employment".



"Simple Justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination."  
 ~ President John F. Kennedy

### Title VI and Environmental Justice

On February 11, 1994, President Clinton signed Executive Order 12898: Federal Action to Address Environmental Justice in Minority Populations and Low-Income Populations. The Executive Order focused attention on Title VI by providing that "each agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations." In support of Executive Order 12898, the US DOT issued an Order on Environmental Justice (DOT Order 5610.2). This order clarifies and reinforces Title VI responsibilities as well as address the effects on low-income populations.



### Adverse Impacts may include

- ▶ Bodily impairment, infirmity, illness, or death
- ▶ Air, noise, and water pollution and soil contamination
- ▶ Destruction or disruption of man-made or natural resources
- ▶ Destruction or diminution of aesthetic values
- ▶ Destruction or disruption of community cohesion or a community's economic vitality
- ▶ Destruction or disruption of the availability of public and private facilities and services
- ▶ Vibration
- ▶ Adverse employment effects
- ▶ Displacement of persons, businesses, farms, or nonprofit organizations
- ▶ Increased traffic congestion, isolation, exclusion, or separation of minority or low-income individuals within a given community or from the broader community
- ▶ The denial of benefits of DOT programs, policies, or activities



### Public Involvement

Public involvement is an integral part of transportation planning and project development decision making. The DOT Order (5610.2) on Environmental Justice directs the department to provide minority populations and low-income populations greater access to information on, and opportunities for public participation in matters that may impact human health and the environment.



### Title VI and Limited English Proficiency (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. This will require agencies to think "outside the box" for creative solutions to address the needs of this ever growing population of individuals, for whom English is not their primary language.



### 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 may be entitled to language assistance with respect to a particular type of service, benefit, or encounter.

### Who Must Comply and Who Can be Found in Violation?

All programs and operations of entities that receive assistance from the federal government must comply.

## **NON-DISCRIMINATION TITLE VI POSTER**

### **Title VI and Nondiscrimination Commitment (FHWA):**

Pursuant to Title VI of the Civil Rights Act of 1964 and related laws and regulations, MaineDOT will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age or disability.

### **Title VI and Nondiscrimination Commitment (FTA):**

Pursuant to Title VI of the Civil Rights Act of 1964 and related laws and regulations, MaineDOT will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color and national origin.

### **Complaint Procedures:**

MaineDOT has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with MaineDOT. Any such complaint must be in writing and filed with the MaineDOT Title VI Coordinator within one hundred eighty (180) calendar days following the date of the alleged discriminatory occurrence. For more information, please contact the MaineDOT's Title VI Coordinator.

### **ADA/504 Statement:**

Pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations, MaineDOT will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. MaineDOT will provide reasonable accommodation to disabled individuals who wish to participate in public involvement events or who require special assistance to access MaineDOT facilities, programs, services or activities. Because providing reasonable accommodation may require outside assistance, organization or resources, MaineDOT asks that requests be made at least five (5) calendar days prior to the need for accommodation. Questions, concerns, comments or requests for accommodation should be made to MaineDOT's ADA Coordinator.

Services are provided free without charge for individuals with special needs with disabilities. Any fees will be paid by the recipient or subrecipient. The public will have access to translators, "I Speak Cards", TTY/TDD services and vital documents translated when requested.

### **MaineDOT Title VI/ADA Coordinator**

Theresa Savoy, Director

Civil Rights Office

Maine Department of Transportation

16 State House Station

Augusta, Maine 04333

Office Phone: (207) 624-3042

TTY: Users Dial MAINE RELAY 711

## **APPENDIX C - 2014 MAINEDOT FOUR FACTOR ANALYSIS**

### **Maine Department of Transportation Limited English Proficiency Analysis for Transit**

#### **Introduction**

On August 11, 2000, President Clinton signed **Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency**, which requires meaningful access to all federally assisted programs and activities by persons with limited English proficiency (LEP).

Executive Order 13166 states that individuals who do not speak English well and who have a limited ability to read, write, speak or understand English are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit or encounter. It reads in part:

Each Federal agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency's programs and activities.

In addition to the requirement that federal agencies prepare LEP plans, all recipients of federal financial assistance have to comply with Title VI and LEP guidelines of the federal agency from which funds are provided. The Federal Highway Administration has mandated that all "...recipients must take reasonable steps to ensure that such persons have meaningful access to the programs, services and information those recipients provide, free of charge..."

#### **Who is an LEP Individual?**

For the purposes of the 2006-2008 data obtained from the American Community Survey, the term Limited English Proficient (LEP) refers to anyone age 5 and older who reported speaking English "less than very well" as classified by the US Census Bureau.

#### **The Four Factor Analysis**

Under guidance from the U.S. Department of Transportation, and in accordance with Circular FTA C 4702.1B, MaineDOT is obligated to determine the extent of its obligation to provide LEP services to its transit population. This determination must be based on an analysis of four factors:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.
2. The frequency with which LEP persons come in contact with the program;
3. The nature and importance of the program, activity, or service provided by the program to people's lives; and
4. The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.

**Factor #1:** The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.

An analysis of Census data reflected in American Community Survey (ACS) data for 2006-2008, which is included in Table 1 below, shows that statewide, there are only two languages in which the number of persons who spoke English less than “very well” exceeded the 1,000 person/5% threshold: French and the African language Cushite.

<b>TABLE 1</b>				
<b>American Community Survey Table 23. Detailed Languages Spoken at Home and Ability to Speak English for the Population 5 Years and Over for Maine: 2006-2008</b>				
<b>Release Date: April, 2010</b>				
	<b>Number of Speakers</b>	<b>Margin of Error</b>	<b>Spoke English Less than Very Well</b>	<b>Margin of Error</b>
<b>.Population 5 years and over</b>	<b>1,244,327</b>	<b>396</b>	<b>23,075</b>	<b>1,818</b>
Spoke only English at home	1,151,282	3,269	(X)	(X)
Spoke a language other than English at home	93,045	3,252	23,075	1,818
<b>Spoke a language other than English at home</b>	<b>93,045</b>	<b>3,252</b>	<b>23,075</b>	<b>1,818</b>
<b>SPANISH AND SPANISH CREOLE</b>	<b>13,506</b>	<b>1,234</b>	<b>3,762</b>	<b>549</b>
..Spanish	13,506	1,234	3,762	549
<b>OTHER INDO-EUROPEAN LANGUAGES</b>	<b>66,055</b>	<b>2,667</b>	<b>13,033</b>	<b>1,132</b>
<b>.French</b>	<b>52,395</b>	<b>2,241</b>	<b>10,021</b>	<b>827</b>
..French	52,296	2,240	10,002	824
..Patois	99	74	19	34
<b>.French Creole</b>	<b>130</b>	<b>116</b>	<b>55</b>	<b>68</b>
<b>.Italian</b>	<b>1,020</b>	<b>246</b>	<b>269</b>	<b>130</b>
<b>.Portuguese</b>	<b>749</b>	<b>337</b>	<b>139</b>	<b>91</b>
..Portuguese	749	337	139	91
<b>.German</b>	<b>4,223</b>	<b>633</b>	<b>572</b>	<b>169</b>
..German	4,223	633	572	169
<b>.Yiddish</b>	<b>15</b>	<b>25</b>	<b>(B)</b>	<b>--</b>
<b>.Other West Germanic languages</b>	<b>263</b>	<b>107</b>	<b>21</b>	<b>31</b>
..Pennsylvania Dutch	22	26	3	5
..Dutch	231	106	18	30
..Afrikaans	10	18	(B)	--
<b>.Scandinavian languages</b>	<b>809</b>	<b>297</b>	<b>167</b>	<b>149</b>
..Swedish	567	252	85	120
..Danish	67	76	26	42
..Norwegian	170	120	51	84
..Icelandic	5	8	5	8
<b>.Greek</b>	<b>771</b>	<b>287</b>	<b>48</b>	<b>50</b>
<b>.Russian</b>	<b>1,783</b>	<b>749</b>	<b>570</b>	<b>300</b>

	Number of Speakers	Margin of Error	Spoke English Less than Very Well	Margin of Error
<b>.Polish</b>	<b>646</b>	<b>239</b>	<b>181</b>	<b>110</b>
<b>.Serbo-Croatian languages</b>	<b>538</b>	<b>285</b>	<b>236</b>	<b>160</b>
..Serbocroatian	376	278	198	164
..Croatian	74	118	38	60
..Serbian	88	91	(B)	--
<b>.Other Slavic languages</b>	<b>991</b>	<b>333</b>	<b>301</b>	<b>227</b>
..Ukrainian	309	221	97	152
..Czech	168	122	50	62
..Slovak	70	58	(B)	--
..Bulgarian	418	222	154	152
..Macedonian	26	44	(B)	--
<b>.Armenian</b>	<b>215</b>	<b>290</b>	<b>16</b>	<b>28</b>
<b>.Persian</b>	<b>176</b>	<b>219</b>	<b>158</b>	<b>217</b>
<b>.Hindi</b>	<b>363</b>	<b>172</b>	<b>89</b>	<b>80</b>
<b>.Gujarati</b>	<b>239</b>	<b>189</b>	<b>94</b>	<b>144</b>
<b>.Urdu</b>	<b>135</b>	<b>145</b>	<b>(B)</b>	<b>--</b>
<b>.Other Indic languages</b>	<b>145</b>	<b>112</b>	<b>25</b>	<b>43</b>
..India n.e.c. <sup>2</sup>	48	78	(B)	--
..Bengali	17	29	(B)	--
..Panjabi	39	67	25	43
..Marathi	24	27	(B)	--
..Assamese	17	34	(B)	--
<b>.Other Indo-European languages</b>	<b>449</b>	<b>228</b>	<b>71</b>	<b>62</b>
..Romanian	75	66	15	25
..Irish Gaelic	177	174	(B)	--
..Scottic Gaelic	6	10	(B)	--
..Albanian	74	78	33	48
..Lithuanian	69	88	5	8
..Pashto	48	61	18	34
<b>ASIAN AND PACIFIC ISLAND LANGUAGES</b>	<b>7,158</b>	<b>696</b>	<b>3,215</b>	<b>536</b>
<b>.Chinese</b>	<b>2,001</b>	<b>507</b>	<b>1,002</b>	<b>360</b>
..Chinese	1,543	449	859	343
..Cantonese	229	192	112	103
..Mandarin	126	96	31	45
..Formosan	103	133	(B)	--
<b>.Japanese</b>	<b>537</b>	<b>240</b>	<b>184</b>	<b>113</b>
<b>.Korean</b>	<b>870</b>	<b>322</b>	<b>366</b>	<b>164</b>
<b>.Mon-Khmer, Cambodian</b>	<b>1,143</b>	<b>456</b>	<b>536</b>	<b>368</b>
<b>.Hmong</b>	<b>(B)</b>	<b>--</b>	<b>(B)</b>	<b>--</b>
<b>.Thai</b>	<b>175</b>	<b>141</b>	<b>91</b>	<b>104</b>

	Number of Speakers	Margin of Error	Spoke English Less than Very Well	Margin of Error
<b>.Laotian</b>	<b>108</b>	<b>118</b>	<b>68</b>	<b>102</b>
<b>.Vietnamese</b>	<b>1,274</b>	<b>417</b>	<b>784</b>	<b>307</b>
<b>Other Asian languages</b>	<b>212</b>	<b>106</b>	<b>29</b>	<b>37</b>
..Turkish	72	65	17	29
..Telugu	29	30	(B)	--
..Kannada	34	58	(B)	--
..Malayalam	18	30	(B)	--
..Tamil	59	68	12	24
<b>.Tagalog</b>	<b>619</b>	<b>263</b>	<b>133</b>	<b>76</b>
<b>Other Pacific Island languages</b>	<b>219</b>	<b>153</b>	<b>22</b>	<b>31</b>
..Bisayan	24	34	6	12
..Sebuano	20	32	16	29
..Ilocano	58	92	(B)	--
..Melanesian	27	37	(B)	--
..Samoan	75	112	(B)	--
..Tokelauan	15	27	(B)	--
<b>ALL OTHER LANGUAGES</b>	<b>6,326</b>	<b>1,256</b>	<b>3,065</b>	<b>860</b>
<b>.Navajo</b>	<b>43</b>	<b>68</b>	<b>(B)</b>	<b>--</b>
<b>Other Native North American languages</b>	<b>1,215</b>	<b>273</b>	<b>66</b>	<b>49</b>
..Micmac	88	88	13	19
..Passamaquoddy	919	230	42	37
..Penobscot	144	98	8	13
..Dakota	18	21	(B)	--
..Muskogee	15	25	(B)	--
..American Indian	31	39	3	6
<b>.Hungarian</b>	<b>52</b>	<b>57</b>	<b>26</b>	<b>44</b>
<b>.Arabic</b>	<b>1,123</b>	<b>455</b>	<b>500</b>	<b>222</b>
<b>.Hebrew</b>	<b>236</b>	<b>256</b>	<b>(B)</b>	<b>--</b>
<b>African languages</b>	<b>3,291</b>	<b>975</b>	<b>2,406</b>	<b>835</b>
..Amharic	188	129	99	86
..Cushite	2,243	1,060	1,767	840
..Sudanic	183	275	183	275
..Nilotic	198	180	151	135
..Swahili	57	50	26	45
..Bantu	75	63	17	33
..Fulani	57	88	57	88
..Kru, Ibo, Yoruba	19	34	(B)	--
..Mbum	271	331	106	130
<b>Other and unspecified languages</b>	<b>366</b>	<b>150</b>	<b>67</b>	<b>53</b>
..Finnish	328	148	62	56
..Estonian	18	23	5	9
..Uncodable	20	27	(B)	--

Source: American Community Survey Table 23. Detailed Languages Spoken at Home and Ability to Speak English for the Population 5 Years and Over for Maine: 2006-2008. Release Date: April, 2010.

Factor #1 contains four sub-factors which are discussed below:

(a) **How LEP persons interact with the recipients agency.** MaineDOT does not operate a transit system, so does not come into direct contact with LEP passengers. However, there is the potential that the Department may interact with LEP persons through its web site and through telecommunication. MaineDOT has access to a number of language translation services and is prepared to refer these services to its subrecipients, should the need arise. That information is also found on our website at: <http://www.maine.gov/mdot/civilrights/title6.htm>

(b) **Identification of LEP communities, and assessing the number or proportion of LEP persons from each language group to determine the appropriate language services for each language group.**

- **Spanish.** According to the data in Table 1, there are 1,234 Spanish-speaking LEP persons in Maine. However, there do not appear to be any Spanish LEP communities in Maine. While the ACS 2006-2008 survey did not contain a breakdown of languages by county or population, the 2012 ACS 1-Year survey contained data on Spanish LEP persons 5 years and older for two counties and the State, and similar data for persons 18 years and older for four counties, as shown below (as of this writing, data has not been released for the remaining counties). The available data would indicate that Spanish-speaking LEP persons are dispersed throughout Maine, rather than concentrated in communities.

<b>Table 2</b>			
<b>Spanish Persons Speaking English Less than Very Well</b>			
<b>Persons 5 Years and Over</b>			
<b>County</b>	<b>Total Persons</b>	<b># Less than Well</b>	<b>%</b>
Cumberland	270,144	692	0.3%
York	189,078	224	0.1%
Maine	1,263,002	1,243	0.1%
<b>Persons 18 Years and Over</b>			
<b>County</b>	<b>Total Persons</b>	<b># Less than Well</b>	<b>%</b>
Androscoggin	82,448	110	0.1%
Aroostook	55,831	15	0.3%
Kennebec	96,326	66	0.07%
Penobscot	121,820	136	0.1%

Source: American Community Survey 1-Year 2012 Estimate, Table S1601

**French.** According to the data in Table 1, there are 10,021 French-speaking LEP persons in Maine. Although the ACS does not include county statistics, it is known that substantial French speaking populations exist in Aroostook and Androscoggin Counties,

especially in the Androscoggin communities of Lewiston and Auburn. The French-speaking LEP communities in Lewiston and Auburn are served by the Citylink fixed route bus system managed by the Lewiston-Auburn Transit Committee (LATC). LATC is a direct recipient of FTA funds and has its own title VI plan to serve French-speaking LEP persons.

**Cushite.** According to the data in Table 1, there are 1,767 Cushite-speaking LEP persons in Maine. Although the ACS does not include county statistics, it is known that the re-settlement communities of Lewiston/Auburn and Portland contain substantial numbers of Somali people who speak Cushite. The Somali communities in Lewiston/Auburn and Portland are served by fixed route bus systems. In both locations, the communities are direct recipients of FTA funds and have their own Title VI plans.

- (c) **The literacy skills of LEP populations in their native languages, in order to determine whether translation or documents will be an effective practice.** MaineDOT's potential contact with LEP populations would be through its website and telecommunication methods. More direct contact with LEP populations would potentially occur through subrecipient operation of transit services (see discussion under Factors 2 and 4).
- (d) **Whether LEP persons are underserved by the recipient due to language barriers.** MaineDOT does not provide transit services to LEP populations (but see discussion under Factors 2 and 4).

**Factor #2: The frequency with which LEP persons come in contact with programs, activities or services.** In general transit providers throughout Maine do not come into frequent contact with LEP persons, but there are some exceptions:

- **Region 1: Aroostook Regional Transportation Program (ARTS).** A significant portion of the population speaks English and French, and in the St. John Valley, French is the primary language of some of the region's elderly population. Most French-speaking people also speak English. Language has not been a barrier. There is daily contact with French/English speaking persons.
- **Region 2: West's Bus Service.** Approximately 20% of the riders on West's Bus Service speak Spanish. Many of these riders are migrant workers who have been recruited for work in blueberry fields, pickle-canning and sea urchin operations. There is daily contact with Spanish-speaking persons.
- **Region 6: Regional Transportation Program (RTP).** There is a diversity of languages that are spoken in Cumberland County. Contact frequency with an LEP person is one to three times per month.
- **Region 7: Western Maine Transportation Services (WMTS).** There is a French-speaking population in Lewiston-Auburn, but most of the population speaks English as well. There is also a Somali population, many of whom speak a language that is based on French. There is periodic contact with LEP persons.

**Factor #3: The nature and importance of programs, activities or services to the LEP population.** Except in Region 2, the importance of providing transportation services to the LEP population may not be as great as other services such as housing, medical services or legal services to a person who has been arrested. However, the availability of transportation services to the LEP

population is important. An LEP person's inability to effectively utilize public transportation may adversely affect his or her ability to obtain health care, education, or employment.

In particular, in Region 2, West's transportation service is very important for migrant workers needing to get to their places of important. Most of the migrants do not have their own vehicles, and there are no other transportation options.

**Factor #4: The resources available to the recipient and overall costs to provide LEP assistance.** Despite the small number and percentage of LEP people in Maine, there are a number of resources that are being provided. MaineDOT has distributed to all transit providers "I Speak" language Identification cards. Highlights of other resources are described below. In all cases except West's, the costs of these services are minimal.

- **Region 1: Aroostook Regional Transportation Program (ARTS).** A number of ARTS' bus drivers speak French, as do some members of the central office staff.
- **Region 2: West's Bus Service.** A company, Escort Inc, contracts with West's to provide migrant worker transportation. Escort provides translators and has helped West's publish its timetable in Spanish. Several of West's bus drivers speak Spanish. The costs of translator services are not known because there is no charge to West's for this service.
- **Region 6: Regional Transportation Program (RTP).** RTP has a contract with Language Line Services. Translator services are utilized on average about one to three times per month.
- **Region 7: Western Maine Transportation Services (WMTS).** One of WMTS' customer service representatives speaks French. Less than 5% of WMTS' ridership consists of Somalis, including Somali children who are fluent in English and often act as interpreters for their parents. Many of the rides for Somalis are arranged through Child Development Services, Catholic Charities or Lutheran Services, whose staff serve as translators.

### **LEP Analysis of Factors 2, 3 and 4 by Provider**

The following analysis has been compiled based on interviews with each of the providers.

#### **Region 1**

##### **Aroostook Regional Transportation Program (ARTS)**

- Factor 2 – Frequency of Contact: There is daily contact with French/English speaking persons.
- Factor 3 – Importance of Program: The service is presumed to be very important to LEP persons who use it.
- Factor 4 – Resources: ARTS has "I Speak" language Identification cards. A number of ARTS' bus drivers speak French, as do some members of the central office staff.

#### **Region 2**

##### **Washington-Hancock Community Agency**

- Factor 2 – Frequency of Contact: Language barriers have not been an issue.
- Factor 3 – Importance of Program: Not applicable.
- Factor 4 – Resources: WHCA has "I Speak" language Identification cards as well as a poster displayed in the office. WHCA also has the number of Language Line Services if the need arises.

### **Downeast Transportation, Inc. (DTI)**

- Factor 2 – Frequency of Contact: Language barriers have not been an issue, in spite of the fact that many summer visitors come to Mount Desert Island from foreign countries.
- Factor 3 – Importance of Program: Not applicable.
- Factor 4 – Resources: DTI has “I Speak” language Identification cards.

### **West’s Transportation**

- Factor 2 – Frequency of Contact: There is daily contact with Spanish speaking persons, including many LEP persons.
- Factor 3 – Importance of Program: West’s transportation service is presumed to be very important for migrant workers needing to get to their places of important. Most of the migrants do not have their own vehicles, and there are no other transportation options.
- Factor 4 – Resources: A company, Escort Inc, contracts with West’s to provide migrant worker transportation. Escort provides translators and has helped West’s publish its timetable in Spanish. Several of West’s bus drivers speak Spanish.

## **Region 3**

### **Penquis Transportation Program**

- Factor 2 – Frequency of Contact: Language barriers have not been an issue.
- Factor 3 – Importance of Program: Not applicable.
- Factor 4 – Resources: Penquis has “I Speak” language Identification cards on its buses.

### **Cyr Bus Line**

- Factor 2 – Frequency of Contact: Language barriers have not been an issue.
- Factor 3 – Importance of Program: Not applicable.
- Factor 4 – Resources: Cyr has “I Speak” language Identification cards on its buses.

## **Region 4**

### **KVCAP**

- Factor 2 – Frequency of Contact: Several times a year, there are one or more riders who do not speak English well.
- Factor 3 – Importance of Program: The service is presumed to be very important to LEP persons who use it.
- Factor 4 – Resources: KVCAP has “I Speak” language Identification cards on its buses. Several people on KVCAP’s staff speak French, and one is fluent in Spanish. KVCAP would use the service of Language Line on a fee basis if the need arises.

## **Region 5**

### **Coastal Trans**

- Factor 2 – Frequency of Contact: Language barriers have not been an issue.
- Factor 3 – Importance of Program: Not applicable.
- Factor 4 – Resources: None.

### **Waldo Community Action Program**

- Factor 2 – Frequency of Contact: Language barriers have not been an issue.
- Factor 3 – Importance of Program: Not applicable.
- Factor 4 – Resources: None.

### **Bath City Bus**

- Factor 2 – Frequency of Contact: Language barriers have not been an issue.
- Factor 3 – Importance of Program: Not applicable.
- Factor 4 – Resources: None.

### **Region 6**

#### **Regional Transportation Program (RTP)**

- Factor 2 – Frequency of Contact: Contact frequency with an LEP person is one to three times per month.
- Factor 3 – Importance of Program: The service is presumed to be very important to LEP persons who use it.
- Factor 4 – Resources: RTP has “I Speak” language Identification cards on its buses. RTP also has a contract with Language Line Services which RTP uses on average about one to three times per month.

### **Region 7**

#### **Western Maine Transportation Services**

- Factor 2 – There is periodic contact with LEP persons – mostly the French-speaking population in Lewiston/Auburn, and the Somali population, many of whom speak a language that is based on French.
- Factor 3 – Importance of Program: The service is presumed to be very important to LEP persons who use it.
- Factor 4 – Resources: WMTS has “I Speak” language Identification cards on its buses. Less than 5% of WMTS’ ridership consists of Somalis. Many of the rides for Somalis are arranged through Child Development Services, Catholic Charities or Lutheran Services, whose staff serve as translators.

### **Region 8**

#### **York County Community Action Corporation (YCCAC)**

- Factor 2 – Frequency of Contact: Once every two months or so, there are one or more riders who do not speak English well.
- Factor 3 – Importance of Program: The service is presumed to be very important to LEP persons who use it.
- Factor 4 – Resources: YCCAC has “I Speak” language Identification cards on its buses. YCCAC has a contract with Pacific Interpreters / Language Line Solutions, for 3-way telephone interpreter services. YCCAC also utilizes family members, social service groups, family-based organizations and medical providers to provide translator services when appropriate.

**Table 3  
MaineDOT Summary of Transit Projects Approved and Denied**

Federal Program	Provider	Provider Type	Coordination	FY 2012		FY 2013		FY 2014	
				Approved	Denied	Approved	Denied	Allocated	Denied
5310 Elderly and Persons with Disabilities	ARTS	Non-profit	Agency collaboration, RPAC goals, rider surveys	\$60,424.00	\$0.00	\$70,521.00	\$0.00	\$63,732.00	\$0.00
	WHCA	Non-profit	Agency collaboration, RPAC goals, rider surveys	\$56,539.00	\$0.00	\$68,175.00	\$0.00	\$61,612.00	\$0.00
	PENQUIS	Non-profit	Agency collaboration, RPAC goals, rider surveys	\$76,951.00	\$0.00	\$90,600.00	\$0.00	\$81,878.00	\$0.00
	KVCAP	Non-profit	Agency collaboration, RPAC goals, rider surveys	\$72,312.00	\$0.00	\$84,390.00	\$0.00	\$76,266.00	\$0.00
	CTI	Non-profit	Agency collaboration, RPAC goals, rider surveys	\$36,219.00	\$0.00	\$44,962.00	\$0.00	\$40,634.00	\$0.00
	WALDO	Non-profit	Agency collaboration, RPAC goals, rider surveys	\$24,146.00	\$0.00	\$29,975.00	\$0.00	\$27,089.00	\$0.00
	RTP	Non-profit	Agency collaboration, RPAC goals, rider surveys	\$57,409.00	\$0.00	\$70,452.00	\$0.00	\$63,669.00	\$0.00
	WMTS	Non-profit	Agency collaboration, RPAC goals, rider surveys	\$82,692.00	\$0.00	\$95,362.00	\$0.00	\$86,181.00	\$0.00
	YCCAC	Non-profit	Agency collaboration, RPAC goals, rider surveys	\$55,205.00	\$0.00	\$66,588.00	\$0.00	\$60,177.00	\$0.00
<b>Total</b>				<b>\$521,897.00</b>	<b>\$0.00</b>	<b>\$621,025.00</b>	<b>\$0.00</b>	<b>\$561,238.00</b>	<b>\$0.00</b>

Federal Program	Provider	Provider Type	Coordination	FY 2012		FY 2013		FY 2014	
				Approved	Denied	Approved	Denied	Approved	Denied
5316 JARC Operating	BANGOR	City	BACTS Policy Committee	\$45,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	DTI	Private non-profit	Agency collaboration, RPAC goals, rider surveys	\$80,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	METRO	City	PACTS, RPAC goals, rider surveys	\$80,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	WHCA	Non-profit	Agency collaboration, RPAC goals, rider surveys	\$50,467.00	\$131,355.00	\$0.00	\$0.00	\$0.00	\$0.00
	YCCAC	Non-profit	Agency collaboration, RPAC goals, rider surveys	\$356,805.00	\$157,967.00	\$0.00	\$0.00	\$0.00	\$0.00
	RTP	Non-profit	Agency collaboration, RPAC goals, rider surveys	\$20,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	SPtld Bus	City	PACTS, RPAC goals, rider surveys	\$20,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total</b>				<b>\$652,272.00</b>	<b>\$289,322.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
5317 New Freedom	Community Concepts	Non-profit	Agency collaboration, RPAC goals, rider surveys	\$ 129,414.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	PENQUIS	Non-profit	Agency collaboration, RPAC goals, rider surveys	\$92,468.00	\$157,535.00	\$0.00	\$0.00	\$0.00	\$0.00
	YCCAC	Non-profit	Agency collaboration, RPAC goals, rider surveys	\$35,000.00	\$48,915.00	\$0.00	\$0.00	\$0.00	\$0.00
	WaldoCAP	Non-profit	Agency collaboration, RPAC goals, rider surveys	\$56,910.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	ARTS	Non-profit	Agency collaboration, RPAC goals, rider surveys	\$50,000.00	\$137,247.00	\$0.00	\$0.00	\$0.00	\$0.00
	WHCA	Non-profit	Agency collaboration, RPAC goals, rider surveys	\$50,000.00	\$69,494.00	\$0.00	\$0.00	\$0.00	\$0.00
	CTI	Non-profit	Agency collaboration, RPAC goals, rider surveys	\$25,187.00	\$174,067.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total</b>				<b>\$ 438,979.00</b>	<b>\$587,258.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

**Table 4  
Poverty and Minority Statistics**

	<b>Poverty %- Census ACS 2008-2012 Table DP03</b>	<b>Minority %- Non-White ACS 2008-2012 Table DP05</b>
<b>State and Counties</b>		
Maine	13.3	4.7
Androscoggin	14.8	3.0
Aroostook	15.9	4.4
Cumberland	11.1	7.0
Franklin	17.1	3.1
Hancock	12.7	2.8
Kennebec	12.5	3.7
Knox	11.5	2.9
Lincoln	11.1	2.3
Oxford	14.5	1.7
Penobscot	17.1	4.7
Piscataquis	17.7	3.0
Sagadahoc	10.0	4.0
Somerset	18.2	3.0
Waldo	15.5	2.8
Washington	19.8	7.6
York	9.5	3.6

Source: American Community Survey 2006-2008, Tables DP03 and DP05