

Overview Nondiscrimination Compliance Programs



**Federal Aviation
Administration**

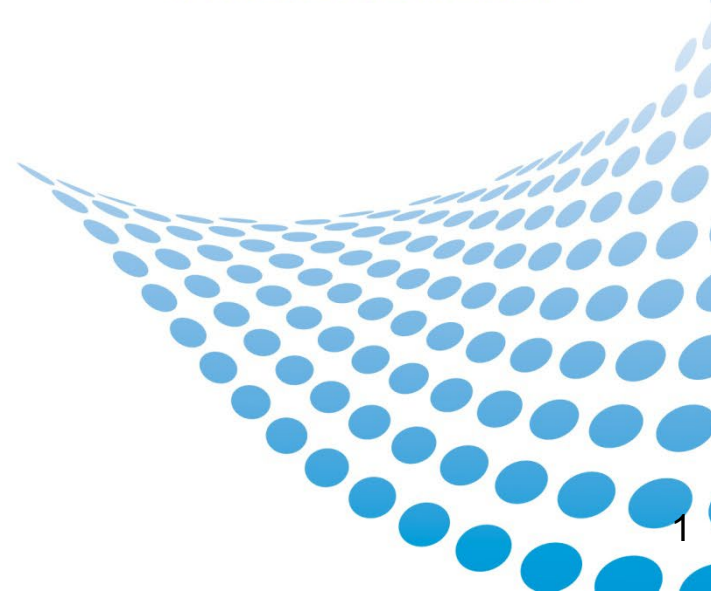
Office Of Civil Rights

*ACHIEVING SAFETY
THROUGH DIVERSITY*

To: Montana ADO Conference

By: FAA Office of Civil Rights, External Programs

Date: October 30, 2024



FAA Office of Civil Rights Operations Role

Three Teams

- DBE and ACDBE Compliance Program: “**DBE Team**”
- Airport Disability Compliance Program: “**ADA Team**”
- Airport Nondiscrimination Compliance Program: “**Title VI Team**”

Responsibilities

- Compliance Reviews / Self-Assessments
- Complaint Investigations
- Technical Assistance



Title VI Team

Authorities

- Title VI of the Civil Rights Act of 1964 and related laws prohibit discrimination on the basis of race, color, national origin, age, sex, and creed
- Disparate treatment and impact discrimination prohibited
- Airport responsibility for tenant and contractor compliance

Hot topic

- **Common issues** - compliance with administrative requirements: discrimination complaints, posted notices, limited English proficiency (LEP) plans, outreach to minority and woman owned businesses
- **DOT Title VI Order implementation** - Pre-Award Checklists, Airport Title VI Plans, and Airport Community Participation Plans

Title VI Team - “Dear Airport Sponsors” Letter

- **Issued: August 12, 2022 Updated letter sent July 1, 2024**
- Notification of DOT Order 1000.12C (June 11, 2021)
- Reminder of Title VI and related nondiscrimination obligations
- Includes “Tentative” FAA Implementation Schedule

Airport Type	Schedule
Large and Medium hub primary airports	COMPLETE
Small and Non-hub primary airports	FY 2024
Block Grant States and smaller commercial service/reliever airports	FY 2025
General Aviation	FY 2026

Title VI Team – Pre-Award Checklist

- **DOT Order Requirement:**
 - “During the Pre-Award Review period, each [Operating Administration (OA)] must conduct a Title VI Assessment of each applicant for Federal financial assistance”
- FAA is using the Title VI Checklist for the assessment
 - Due with next grants for commercial service reliever airports
 - Determine “probable” compliance or noncompliance
 - Title VI Plans and Community Participation Plans could meet the assessment requirement
 - Checklist posted at:
https://www.faa.gov/about/office_org/headquarters_offices/acr/airport-nondiscrimination-compliance-title-vi-lep-ej
 - Training video posted at:
<https://faa.civilrightsconnect.com/FAA/login.asp> [under Training & User Guides]

Title VI Team – Airport Title VI Plan

- **DOT Order Requirement:**
 - “Each OA providing formula or continuing Federal financial assistance shall require that each recipient develop and adopt a Title VI Plan that outlines the recipient’s measures to ensure compliance with Title VI...”
- FAA roll out of plan requirements
 - Plans for 15 largest airports were due March 31, 2023, and the last primary airport plans were due Sept. 30, 2024
 - Timelines for commercial service reliever airports are pending; not required for smaller airports
 - Template posted at:
https://www.faa.gov/about/office_org/headquarters_offices/acr/airport-nondiscrimination-compliance-title-vi-lep-ej
 - Training video posted at:
<https://faa.civilrightsconnect.com/FAA/login.asp> [Training & User Guides]

Title VI Team – Community Participation Plan

- **DOT Order Requirement:**
 - “Each OA shall develop comprehensive community participation requirements...that applicants and recipients must satisfy as a condition of receiving an award of Federal financial assistance”
- FAA roll out of plan requirements
 - The last primary airport plans are due Dec. 31, 2024
 - Timelines for commercial service reliever airports are pending
 - Template posted at:
https://www.faa.gov/about/office_org/headquarters_offices/acr/airport-nondiscrimination-compliance-title-vi-lep-ej
 - Training video posted at:
<https://faa.civilrightsconnect.com/FAA/login.asp> [Training & User Guides]
 - General DOT guidance: <https://www.transportation.gov/public-involvement>

Title VI Team – Roll Out Plan Summary

- DOT Order Requirements:
 - Initial roll out of Title VI Plan and Community Participation Plan requirements to primary airports and commercial service reliever airports is nearing completion
 - Training resources and templates are posted online
 - Commercial service reliever airports are the last / smallest airports that will require Title VI Plans or Community Participation Plans for grants (they are not required for general aviation airports)
- **Next Steps:**
 - Announcement of Title VI Checklist requirements for FY 2025 for state grants other than for general aviation airports
 - Announcement of Title VI Checklist requirements for FY 2026 for all general aviation airport grants
 - Title VI plans will need to be renewed after 3 years (first renewals expected in FY 2026)

Questions



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