



State of New Jersey

DEPARTMENT OF TRANSPORTATION
P.O. Box 600
Trenton, New Jersey 08625-0600

PHILIP D. MURPHY
Governor

DIANE GUTIERREZ-SCACCETTI
Commissioner

TEHESHA L. WAY
Lt. Governor

September 29, 2023

Via Upload to Civil Rights Connect

Mr. Robert Clark
Division Administrator
US Department of Transportation
Federal Highway Administration
840 Bear Tavern Road, Suite 202
West Trenton, NJ 08628

Dear Mr. Clark:

In accordance with 23 CFR Part 200.9 (b) (11), we are pleased to provide the New Jersey Department of Transportation's Title VI Nondiscrimination Update Plan for Federal Fiscal Year 2024 beginning October 1, 2023. Our Accomplishments Report for the period ending September 30, 2023, and Goals for the upcoming fiscal year will be uploaded on Monday, October 2, 2023.

Should you have any questions or need additional information regarding the contents of these documents, feel free to contact me or our Nondiscrimination Programs Supervisor, Chrystal Section at 609-963-2047.

Sincerely,
Via Electronic Signature
Vicki Tilghman-Ansley
Vicki Tilghman-Ansley,
Director, Division of Civil Rights and
Affirmative Action

Attachments ([Uploaded to Civil Rights Connect](#))

c: C. Section



New Jersey Department of Transportation

P.O. Box 600
Trenton, New Jersey 08625-0600



Title VI Compliance and Implementation Plan

FEDERAL FISCAL YEAR Beginning October 1, 2023



“No person 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 any program or activity receiving federal assistance.”

—Civil Rights Act of 1964

Phil Murphy
Governor

Diane Gutierrez-Scaccetti
Commissioner

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Title VI Policy Statement

It is the policy of the NJDOT to effectuate Title VI of the Civil Rights Act of 1964 and NJAC 10:5-31 et. seq. which provide in part that no person in the United States shall, on the grounds of race, creed, color, national origin, age, ancestry, nationality, gender, disability, religion, affectional or sexual orientation, gender identity or expression, income level or ability to read, write or speak English, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program or activity which is administered by the NJ Department of Transportation. The policy below applies to NJDOT and all of its sub-recipients (see Appendix A).



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Lt. Governor

Title VI Nondiscrimination Policy Statement

It is the policy of the New Jersey Department of Transportation to abide by Title VI of the Civil Rights Act of 1964, The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Executive Order 12898 for Environmental Justice, Executive Order 13166 for Limited English Proficiency, 42 U.S.C. 4601, 23 U.S.C. Section 324, Sections 503 and 504 of the Rehabilitation Act of 1973, The Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, The Civil Rights Restoration Act of 1987, Executive Order 11246 for Equal Employment Opportunity, the Vietnam Era Veterans Readjustment Assistance Act of 1972, N.J.S.A. 52:32-31.1 et. seq., New Jersey Law Against Discrimination N.J.S.A. 10:5-1 et. seq. and implementing regulations at N.J.A.C. 17:27 et. seq., and other related nondiscrimination laws, statutes, Executive Orders, or policies.

No person shall, on the grounds of race, creed, color, national origin, age, ancestry, nationality, marital/domestic partnership/civil union status, gender, disability, religion, affectional or sexual orientation, gender identity or expression, family status, pregnancy, atypical cellular or blood trait, genetic information, military service, veterans status, income level or ability to read, write or speak English, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination in any New Jersey Department of Transportation program, activity or service.

Any person who believes that, because of his or her race, creed, color, national origin, age, ancestry, nationality, marital/domestic partnership/civil union status, gender, disability, religion, affectional or sexual orientation, gender identity or expression, family status, pregnancy, atypical cellular or blood trait, genetic information, military service, veterans status, income level or ability to read, write or speak English, has been excluded from participation in any program or activity being administered by the New Jersey Department of Transportation, or who believes that he or she has been denied any benefits provided by such program or activity, or believes he or she has been unfairly treated in connection with such program or activity, should contact the following office within 180 days from the date of occurrence of any violation of this policy:

New Jersey Department of Transportation
Division of Civil Rights and Affirmative Action
Title VI Nondiscrimination Programs Unit
1035 Parkway Avenue
PO Box 600
Trenton, New Jersey 08625
(609) 963-2047

Diane Gutierrez-Scacchetti, Commissioner

9/26/2023
Date

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Figure 1- Title VI Policy Statement

I. Introduction

The New Jersey Department of Transportation (NJDOT) is pleased to present our Annual Compliance Update Plan for Title VI Nondiscrimination Program covering Federal Fiscal Year (FFY) beginning October 1, 2023. As a recipient of Federal funding, this Plan and Report are compiled to demonstrate and document our compliance with Title VI of the Civil Rights Act of 1964.

To support our transportation programs, projects and operations, NJDOT receives Federal funds from the U.S. Department of Transportation operating administrations including the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). Consequently, the department administers a Title VI Nondiscrimination Program that complies with the requirements of Title VI of the Civil Rights Act of 1964 and other nondiscrimination statutes, regulations and authorities.

Through our Title VI Nondiscrimination Program, we are carrying out the department's blueprint behind its mission statement "Improving Lives by Improving Transportation." NJDOT is committed to improving the lives of the citizens of New Jersey through various transportation decisions and activities. These measures include but are not limited to engaging the public to learn how the department's transportation-related actions will improve quality of life; being responsive to recommendations; ensuring community coordination; and verifying departmental actions are nondiscriminatory by engaging all aspects of New Jersey's diverse populations in the transportation decision-making process. This allows the department to modify project alternatives through a direct engagement process to avoid, minimize and mitigate adverse effects to our communities.

Although NJDOT's Title VI Nondiscrimination Program continues to evolve, the department takes pride in its deliberate implementation of Title VI and related nondiscrimination mandates by providing technical assistance, training, oversight and monitoring internal programmatic areas and sub-recipients. We also provide outreach to and offer Title VI education and training to the public, minority and stakeholder groups.

NJDOT is committed to both the intent and spirit of the Title VI Act of 1964 and its implementing regulations. The following Title VI Nondiscrimination Plan details the structure of the NJDOT's Title VI Program as well as the policies, procedures and activities across the department in order to comply with and exceed nondiscrimination requirements. As a living document, the Plan is updated annually to reflect notable changes to programming, organization and methodologies used to achieve nondiscrimination and compliance.

II. Title VI Standard Assurances

As required by USDOT Order 1050.2A, please refer to a copy of NJDOT's Title VI Nondiscrimination Assurances signed by Commissioner Diane Gutierrez-Scaccetti (see Appendix B).

III. Statutory/Regulatory Authorities

During the execution of the Title VI Nondiscrimination Program, the NJDOT will comply with the following nondiscrimination statutes and authorities, including but not limited to:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252) and 49 CFR § 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. § 4601).
- Federal-Aid Highway Act of 1973 (23 U.S.C. § 324 et seq.).
- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794 et seq.) and 49 CFR § 27.
- The Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 et seq.).
- Airport and Airway Improvement Act of 1982 (49 U.S.C. § 471, Section 47123), as amended.
- The Civil Rights Restoration Act of 1987 (PL 100-209).
- Title II and III of the Americans with Disabilities Act (42 U.S.C. § 12131-12189); 49 C.F.R. § 37 and § 38.
- The Federal Aviation Administration's Nondiscrimination Statute (49 U.S.C. § 47123)
- FMCSA Title VI/Nondiscrimination Regulation 49 C.F.R. § 303.
- Executive Order 12898.
- Executive Order 13166.
- Title IX of the Education Amendments of 1972 (20 U.S.C. 1987 et seq.)

IV. Notification to Beneficiaries

Our policy is available on our website for public information and review; and posted in conspicuous locations in our headquarters as well as at our two regional facilities. A Title VI notice is provided to all sub-recipients of NJDOT advising them of their Title VI nondiscrimination responsibilities (see Appendix C). Sub-recipients are required to post the notice in the public areas of their facilities and project sites. Moreover, to ensure this information is widely publicized and effectively communicated, NJDOT has developed a Civil Rights brochure that informs the public of our Title VI programs and activities. The brochure is distributed at public meetings, hearings, information centers, and pre-construction meetings with our contractors (see Appendix D). The brochure will continually be updated and made available in other languages.

The following link provides information available to the public regarding the NJDOT Title VI Program: <https://www.state.nj.us/transportation/business/civilrights/titlevi.shtm>

V. Organization, Staffing and Responsibilities

Commissioner of NJDOT

NJDOT is a hierarchical organization led by the Commissioner of Transportation, which is an Executive level cabinet position, appointed by the Governor of New Jersey. Reporting directly to the Commissioner are the Deputy Commissioner and Chief of Staff. The Inspector General reports directly to the Chief of Staff. Four Assistant Commissioners report directly to the Deputy Commissioner. The Assistant Commissioners oversee Finance and Administration; Transportation Operations Systems and Support; Planning, Multimodal and Grants Administration; and Capital Program Management. A breakdown of Senior Leadership by gender and race is included (see Appendix E).

**New Jersey Department of Transportation
Organization Chart**

Deputy Commissioner

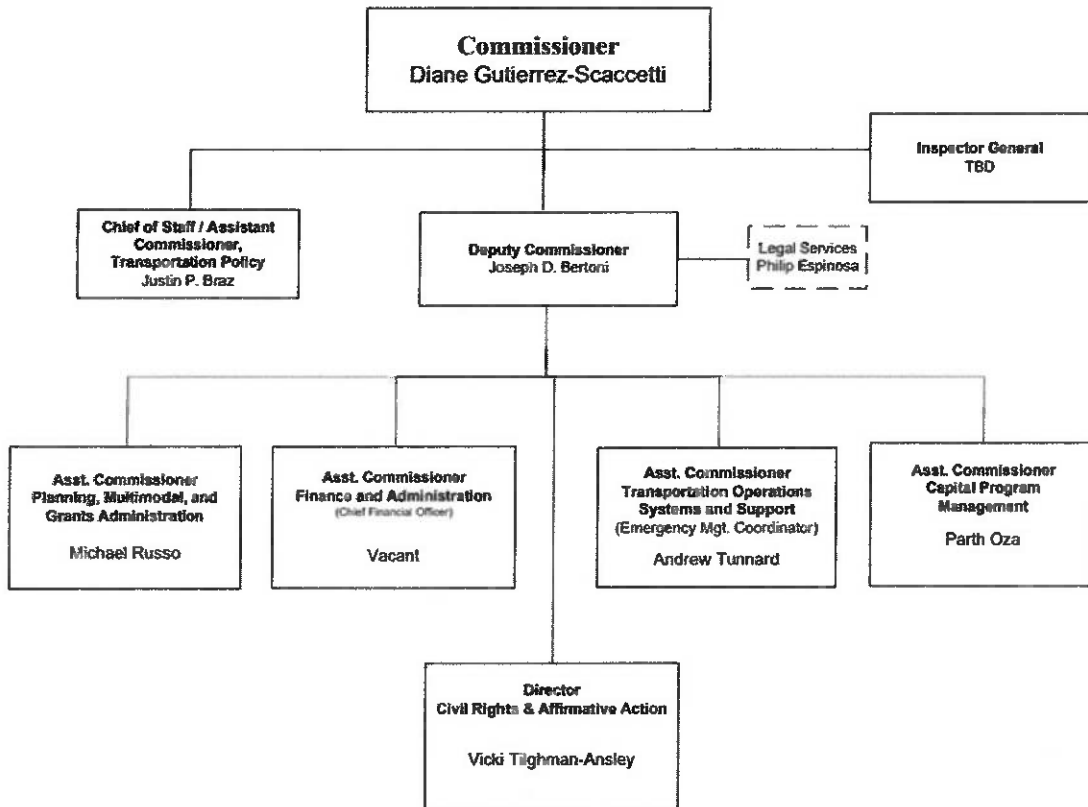


Figure 2-NJDOT Organizational Chart

The Commissioner of the New Jersey Department of Transportation is ultimately responsible for NJDOT’s Title VI Nondiscrimination Programs. The Division of Civil Rights and Affirmative Action (herein referred to as DCR/AA) has been delegated responsibility to carry out the appropriate activities that ensure the department remains in compliance with Title VI Nondiscrimination and related mandates.

Director Of DCR/AA

The Director of DCR/AA is responsible for the overall administration, implementation, monitoring and enforcement of the department’s various Civil Rights programs and activities.

The DCR/AA reports directly to the Deputy Commissioner who reports to the Commissioner of Transportation. The DCR/AA director also participates as a member of the department's Senior Leadership Team who meets with the Commissioner on a bi-weekly basis and/or as needed to report goals, accomplishments, issues and concerns which includes matters associated with the department's Title VI Nondiscrimination Program and the department's overall Civil Rights program.

Division of Civil Rights/Affirmative Action

The DCR/AA's Title VI Coordinator is ultimately responsible for initiating and monitoring Title VI Nondiscrimination activities and completing all reporting requirements. Other units within the DCR/AA including Contractor Compliance, Disadvantaged and Small Business Programs (D&SBP) and Internal Equal Employment Opportunity will assist with these tasks as necessary. The above units are staffed by 13 specialists who are trained in contract compliance, discrimination complaint investigation and Disadvantaged Business Enterprise (DBE) certification and program administration. The supervisory staff in these groups report to the managers, who report to the director of the DCR/AA as shown in the organization chart below.

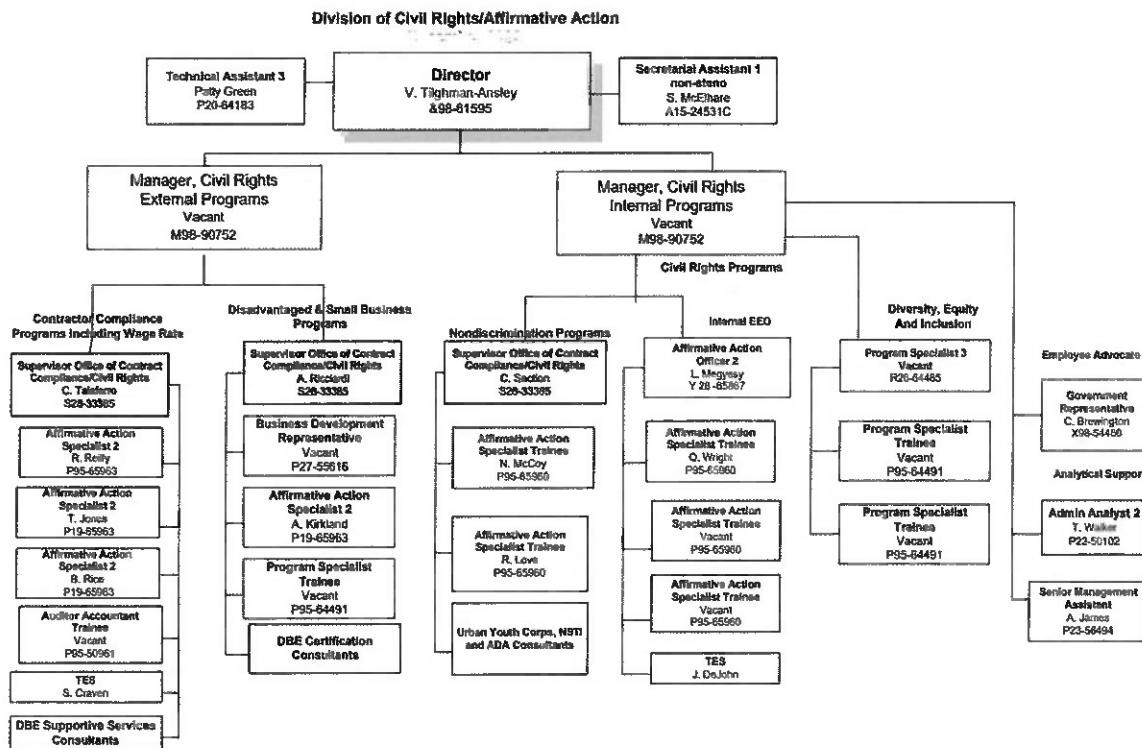


Figure 3 DCR/AA Organizational Chart

Title VI Coordinator

The Title VI Coordinator is responsible for carrying out the day-to-day administration of activities to include monitoring of all Title VI/EJ activities, some of which are provided below.

- Providing technical assistance and advice on Title VI and related policy matters to department program officials.
- Monitoring department programs and activities for Title VI compliance.
- Conducting Comprehensive Title VI Programmatic Reviews on special emphasis program areas and activities when necessary to cover aspects not addressed through the day-to-day approach.
- Investigating Title VI complaints and preparing reports of findings, conclusions and recommendations.
- Providing technical guidance to project managers and units on a project-by-project basis.
- Attending project scoping and core group meetings.
- Collaborating with NJDOT program managers in developing Title VI information for dissemination to the public.
- Coordinating with other Civil Rights program personnel in the reviewing of Title VI activities and issues.
- Working with program managers to resolve problems identified as discriminatory practices and policies pursuant to Title VI and related statutes.
- Monitoring NJDOT's sub-recipients for compliance and implementation of Title VI activities.
- Establishing procedures to resolve noncompliance determinations.
- Coordinating Title VI training programs.
- Preparing and completing an annual report detailing all NJDOT's Title VI activities, accomplishments, complaints and initiatives.
- Updating the Title VI Program as necessary to reflect changes in organization, policy or program implementation.
- Increasing public/community awareness of the department's activities.
- Developing and updating Title VI information for dissemination to the public and where appropriate, in languages other than English; and

- Communicating with FHWA officials on a regular basis regarding areas requiring attention as it relates to effective implementation of the department's Title VI Program.

NJDOT Administrators and Programmatic Decision Makers

Compliance with Title VI and its related nondiscrimination statutes is a shared responsibility among the programmatic areas within the department. Accordingly, those who head program areas must ensure nondiscrimination within their programmatic area of responsibility. These individuals are also responsible for identifying any potential adverse effects their programs and/or activities may have on protected groups; and seek guidance from the Title VI Coordinator or DCR/AA to avoid or mitigate these impacts.

Title VI Task Force Liaisons

The Title VI Task Force is a committee or group of department employees assembled to provide the necessary support to ensure that Title VI and nondiscrimination is given appropriate consideration. The task force is made up of the department's designated Title VI Liaisons representing various divisions, regions and work units across the department. Each liaison is charged with monitoring programs and activities in their respective program area and reporting related data and accomplishments to the Title VI Coordinator. The responsibilities of liaisons include, but are not limited to the following:

- Participate in all available Title VI Nondiscrimination training or information sessions.
- Maintain all relevant statistical nondiscrimination data for the respective program areas.
- Prepare and submit quarterly data to the Title VI Coordinator.
- Work with respective division managers or programmatic area administrators to implement Title VI Nondiscrimination policies in all programs and activities.
- Ensure Title VI Nondiscrimination information and/or material is available to division staff.
- Disseminate Title VI Nondiscrimination material to the public when encountered in the implementation of programs or activities.
- Advise the Title VI Coordinator of any potential Title VI concerns and seek guidance for methods to address these matters.

- Refer all Title VI Nondiscrimination complaints to the Title VI Coordinator; and
- Assist the Title VI Coordinator in conducting reviews of respective programmatic areas, programs or activities.

NOTE: The Title VI Task Force is currently being assembled.

Requirements of Programmatic Areas

The Title VI Nondiscrimination Unit uses specific reporting tools to monitor compliance across the department on an ongoing basis. Programmatic areas, with the assistance of their respective Title VI Liaison are required to collect and complete data collection forms annually. Please see the “Data Collection and Analysis” section for more information.

VI. Internal Review Procedures

The Title VI Nondiscrimination Unit periodically conducts Title VI compliance reviews of NJDOT’s programmatic areas to determine their status of compliance with the requirements of Title VI of the Civil Rights Act, 49 CFR Part 21 and 23 CFR Part 200.

Programmatic areas are selected for review based on the nature of their programs and activities to include their public-facing responsibilities. Consideration is also given to review program areas where a discrimination complaint has been filed against NJDOT and an activity associated with the program area was identified as an issue. The goal is to annually conduct at least one comprehensive review of a programmatic area and follow up on the corrective actions of previously reviewed areas to maximize the application, understanding and awareness of Title VI compliance.

Title VI Comprehensive Review Procedures

Staffers in the Title VI Nondiscrimination Unit work with the unit supervisor to identify programmatic area(s) to be reviewed each Federal Fiscal Year (FFY). The Title VI Coordinator and/or personnel assigned review responsibilities will develop a Title VI Comprehensive Review Questionnaire tailored to the specific programmatic area. The Deputy Commissioner and/or Commissioner, as appropriate, will be notified of the intent to conduct a Title VI Comprehensive Review of the programmatic area. The draft review script and questionnaire will be provided for their review and concurrence. A formal notification, along with the Comprehensive Review Outline will be sent to the Assistant Commissioner of the programmatic area and the Director or appropriate leadership, notifying them of the upcoming review schedule. An introductory meeting will be held with key staffers to discuss the background, purpose and general details of the planned review. A questionnaire/inquiry form will be developed to request information about the services and activities of the select programmatic area(s), which is significant for the desk audit. The inquiry form is generally required to be returned to the Title VI Nondiscrimination Unit within two (2) weeks of receipt. The questionnaire will be reviewed by the Title VI Coordinator and/or personnel conducting the review prior to scheduling the onsite review. The onsite review will last approximately two to five days and will consist of interviews with program staff and examination of programmatic documents and data.

The Title VI Coordinator and/or personnel conducting the review will prepare a report of findings within 30 days from the last day of the onsite review. The final report of findings will be provided to the Deputy Commissioner, Assistant Commissioner of the programmatic area and the programmatic area Director. If deficiencies are identified and corrective actions are necessary, the Title VI Coordinator will work with the Director of the programmatic area to develop a corrective action plan with a schedule of dates to achieve compliance. FHWA will be provided with a copy of the report of findings and corrective action plan if necessary. The Title VI Coordinator will continue to monitor the programmatic area to ensure adherence to the established corrective action plan and ongoing compliance with Title VI and its nondiscrimination requirements.

Standard Title VI Language

Each Title VI Comprehensive Review Questionnaire form includes the following information:

Title VI Background

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin in any program or activity receiving Federal financial assistance. However, the broader application of nondiscrimination law is found in other statutes, regulations and executive orders. Section 324 of the Federal-Aid Highway Act of 1973 prohibits discrimination based on sex. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 prohibits unfair and inequitable treatment of persons as a result of projects that are undertaken with Federal financial assistance. The Americans with Disabilities Act of 1990 prohibits discrimination based on disability, prohibits discrimination in the provision of access to public buildings and requires that rest areas be accessible by wheelchair. The Age Discrimination Act of 1975 prohibits age discrimination. The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of Federal-aid recipients and contractors, regardless of funding source of programs and activities.

In addition to the above-mentioned statutory authorities, the 1994 Executive Order 12898 on Environmental Justice amplifies Title VI by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of federal-aid projects on minority populations and low-income populations. Executive Order 13166 on Limited English Proficiency is also enforced under Title VI as it clarifies the Title VI responsibility of National Origin discrimination and requires Federal-aid recipients to take steps to ensure meaningful access to their programs, services and information by people with Limited English Proficiency.

Review Methodology

The Title VI Comprehensive Review process was developed and intended to allow the Title VI Nondiscrimination Unit staff to understand the programs and activities of a programmatic area

as well as determine whether the operations, as carried out meet the requirements of Title VI and its related nondiscrimination statutes. The Review process consists of the following methods:

- **Desk Audit**

This qualitative review method focuses primarily on the Title VI Comprehensive Questionnaire developed and tailored for the specific programmatic area. This questionnaire allows the Title VI staff to develop a preliminary determination on whether the programmatic area complies with Title VI and its nondiscrimination requirements. Documents such as policies, procedures, data collection methods, public information material are requested and reviewed.

- **Interview**

The Title VI staff will interview managerial programmatic area staff as well as frontline staff to better understand the day-to-day operations. This part of the review process will allow Title VI staff to determine whether the operations of the programmatic area incorporate necessary Title VI obligations and their familiarity with Title VI and Nondiscrimination requirements as it relates to their specific programs and activities.

- **Examination of Documents and Data**

This process allows Title VI staff to review the documents and specific data which the programmatic area records and maintains. The Title VI staff will be able to determine whether the data collection efforts capture the required Title VI information relevant to the programmatic area's programs and activities.

- **Field Visit/Shadowing**

To achieve a more immersed experience and when applicable, Title VI staff may determine a field visit and/or shadowing of frontline staff is necessary. This process would allow Title VI staff to experience the day-to-day operations of projects, programs and activities.

Steps of Title VI Comprehensive Review

The Title VI Nondiscrimination Unit tailors its internal Title VI Comprehensive Review to the programmatic area, and generally consists of the following steps:

1. Identify the programmatic area to be reviewed based on the previously noted assessments.
2. Develop and finalize the Title VI Comprehensive Review Questionnaire modified for the specific programmatic area. The questions are reviewed and approved by the Supervisor of the Title VI Nondiscrimination Unit.
3. A formal document notifying the programmatic area of the upcoming review and process is prepared and sent to the Assistant Commissioner, a copy of which is provided to the Deputy Commissioner and/or Commissioner for approval and signature.
4. An introductory meeting to discuss the details of the review is held with the Assistant Commissioner and his/her Division Director(s) and other key staff.
5. A formal Title VI Review Questionnaire along with other related information are sent to the Assistant Commissioner of the programmatic area to be reviewed. Copies of the package are also distributed to the Division Director(s) of the programmatic area being reviewed.
6. The programmatic area(s) should complete and return the Title VI Review Questionnaire along with all supporting documents to the Title VI Nondiscrimination Unit within two (2) weeks of receipt of package.
7. Each questionnaire is reviewed by the Title VI Coordinator and/or person conducting the Title VI Review.
8. The Title VI Coordinator and/or person conducting the Title VI Review shall brief the Supervisor of the Title VI Nondiscrimination Unit on the responses to questionnaire, early findings and areas to be discussed with the Director of the programmatic area.
9. The Title VI Coordinator and/or personnel conducting the review will meet with the Director of the programmatic area to discuss responses to the questionnaire, mutually identify projects and processes to be audited and establish a schedule to complete review of the specific projects and processes.

10. The Title VI Coordinator and/or personnel assisting with the review will conduct the desk audit review of the identified projects and processes.
11. Following the completion of the desk audit review, the Title VI Coordinator and/or personnel assisting with the review will identify key individuals to query for the interview portion of the review.
12. Interviews of all identified individuals within the programmatic area will be scheduled.
13. The Title VI Coordinator will conduct the interviews and record all pertinent information.
14. Following the completion of the interview process, the Title VI Coordinator will document findings and identify deficiencies.
15. Prior to conducting the formal write-up of the review, the Title VI Coordinator and/or personnel assisting with the review will meet with the Director of the programmatic area to discuss findings. This meeting will also give the Director an opportunity to provide clarification or additional information in order to prove or disclaim the findings.
16. The Title VI Coordinator will prepare a formal write-up of the review. This write-up will include findings as well as identification of deficiencies. The report will also offer suggestions for improvements needed and policies and procedures requiring modification or further development.
17. The Title VI Coordinator will provide the report of findings to the Supervisor of the Title VI Nondiscrimination Unit for approval.
18. The final report of findings will be provided to the Assistant Commissioner and Director of the programmatic area.
19. A follow-up meeting may be scheduled if corrective actions are required.
20. Findings and a plan for rectifying deficiencies will be provided to FHWA.
21. The Title VI Coordinator will continue to monitor the programmatic area to ensure progress towards corrective actions and provide technical guidance as necessary.

Follow-up Monitoring and Technical Guidance

Following the completion of the report of findings, the Title VI Coordinator will continue to follow up and monitor the programmatic area to ensure progress towards achieving compliance in cited areas. The Title VI Coordinator and/or staff working on the review will collaboratively develop and coordinate a schedule with the Director of the programmatic area to rectify all deficiencies. This schedule will accompany the corrective action plan.

The Title VI Coordinator will provide technical guidance throughout the corrective action process. Technical guidance can be requested or be prompted by the Supervisor of Title Nondiscrimination Unit. Guidance can range from assistance in incorporating Title VI language in contracts, official documents and public engagement material; procuring translation services; training staff in Title VI; developing data collection material, et cetera.

If the programmatic area is not cited for deficiencies and does not require corrective action, the Title VI Coordinator may provide recommendations to enhance Title VI considerations within programs and activities.

Changes to Review Process

The Title VI Comprehensive Review process, schedule and selection of programmatic areas are intended to be flexible and may be altered due to, but not limited to, the following factors:

- Urgent or critical Title VI issue
- Title VI Complaint(s) and investigation
- Staffing and organizational changes
- New programs or activities
- Changes in policies, protocol or rollout of projects
- Patterns indicating noncompliance
- Any additional considerations and factors

Title VI Comprehensive Reviews FFY-2023

Civil Rights commenced a comprehensive Title VI review on select program areas housed within Transportation Operations Systems and Support (TOS&S). The primary reasons TOS&S was selected for review included the following: 1) Reorganizations have added to and changed the business of NJDOT Operations, and therefore this review will help better understand the activities and responsibilities of Operations; 2) There are no records of any Title VI reviews completed on TOS&S; and 3) Several of the services and activities of Operations include public facing responsibilities. Additionally, this review included a broad discussion with management staff where we provided the background, general responsibilities of nondiscrimination, and the purpose and importance of the Title VI review. Finally, due to the number of organizational changes that have taken place within TOS&S, this review will include a detailed examination of the workforce and staff assignments.

The Title VI Nondiscrimination Unit's comprehensive review of TOS&S is ongoing. Thus far we have completed desk audits of two primary divisions of TOS&S. Specifically, Operations and Transportation Mobility. A Title VI In-depth Questionnaire was provided to both divisions for completion which was used to make preliminary determinations on whether their programmatic areas compliance with Title VI and its nondiscrimination requirements. The questionnaires have been reviewed by Title VI staff. In October 2023, we will begin on-site reviews during which we will interview managerial and front-line Operations and Transportation Mobility staff; examine documents/data and perform field visits/shadowing of the divisions to understand the day-to-day operations of projects, programs and activities to determine if these procedures incorporate necessary Title VI obligations.

The Title VI Nondiscrimination Unit along with the Contractor Compliance Unit staff continued follow-up activities with the Divisions of Multimodal Services and Procurement (Professional Services) during Federal Fiscal Year 2023.

During Federal Fiscal Year 2024, the Title VI Nondiscrimination Unit will develop plans to conduct a Title VI Comprehensive Review of one or more of the following program areas: Statewide Planning, Right of Way and Local Aid.

VII. External Review Procedures

NJDOT identifies its sub-recipients as those receiving Federal financial assistance through NJDOT which is generated from the following US Department of Transportation's Operating Administrations: Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Federal Aviation Administration (FAA), Federal Railroad Administration (FRA), Federal Motor Carrier Safety Administration (FMCSA), or any other Federal agencies. These sub-recipients include but are not limited to, local public agencies, Metropolitan Planning Organizations and consultants. The department notifies all of its sub-recipients of their obligations and responsibilities to comply with NJDOT's Title VI Program requirements that prohibit discrimination on the basis of race, creed, color, national origin, age, ancestry, nationality, marital/domestic partnership/civil union status, gender, disability, religion, affectional or sexual orientation, gender identity or expression, familial status, atypical cellular or blood type, genetic information, military service, veteran status, income level or ability to read, write or speak English. The Memorandum, Title VI Nondiscrimination Notice to Sub-Recipients of Federal Financial Assistance, signed by NJDOT's Commissioner, can be found on the department's Civil Rights webpage <https://www.state.nj.us/transportation/business/civilrights/titlevi.shtm> (see Appendix C).

Our sub-recipients are required to annually submit, at minimum, the following Title VI documentation: Signed Title VI Policy Statement and signed Title VI Standard Assurances. The local public agencies, more specifically the 21 counties who were provided Title VI training, are required to submit the following, in addition to the minimum requirements: Minority/Female Utilization Business Plans, Affirmative Action/EEO Plans and ADA Transition Plans. The Title VI Nondiscrimination Unit provides sub-recipients with templates, guidance documents and samples of requirements.

The Title VI Nondiscrimination Unit conducts compliance reviews of its sub-recipients to ensure that persons are not excluded from participation in any program or activity being administered, or denied any benefit provided by such program or activity. These review measures also ensure that no person has been discriminated against based on race, color, national origin, sex, age, limited English proficiency, low-income, disability, or other protected category.

Sub-Recipient Compliance Review Selection

Due to limited staff and the significant number of sub-recipients, the unit is modifying its approach to ensure sub-recipients comply with Title VI. More specifically, we will be requesting that sub-recipients complete a checklist to confirm and certify their compliance with Title VI requirements to include the annual submission of Title VI documents. This process helps identify compliance status of sub-recipients and areas requiring corrective action. The Title VI Nondiscrimination Unit will select sub-recipients for a full compliance review based on one or more of the following factors:

- Receipt of formal or informal Title VI/Nondiscrimination complaint.
- Annual submission has revealed deficiencies.
- Incomplete submission.
- Annual submission was not received.
- Size of sub-recipient.
- Scope of work.
- Implementation of a major program, project or activity.
- Amount of funding in comparison to other sub-recipients; and/or
- Follow-up to Federal compliance review

Method of Review

The Title VI Nondiscrimination Unit conducts either a desk audit or an on-site review of its sub-recipients. Depending on the reason for selection or result of a desk audit, the unit may determine both methods of review are required.

- Desk Audit

This qualitative review method focuses primarily on the Title VI Questionnaire and checklist (see Appendix F). This questionnaire and checklist allow the Title VI staff to develop an initial assessment of whether the sub-recipient complies (on paper) with Title VI and its nondiscrimination requirements. Documents such as policies, procedures, data collection methods, public information material are requested and reviewed.

- **On-site Review**

This method of review will consist of examination of records and data maintained by the recipient; shadowing and observing a program or activity; and interviews with administrative and frontline staff.

Determining the need for an on-site review will be under the discretion of the Supervisor of the Title VI Nondiscrimination Unit and may be based on the following:

- Title VI/Nondiscrimination complaint received
- Missing critical component(s) to Title VI Program
- Implementation of program or activity which cannot be fully understood through a traditional desk audit.

Review Procedures

1. Upon selecting sub-recipient(s) to be reviewed, the Director of Civil Rights and Affirmative Action will notify Planning, Multimodal and Grants Administration (PMGA) as necessary to be sure they are aware of the review and related details.
2. The Title VI Coordinator will prepare a letter and compliance review package for the sub-recipient. The letter will notify the sub-recipient of its upcoming Title VI Compliance Review and requirements. The letter will be delivered no later than thirty (30) days from the start of the compliance review.
3. The Title VI Coordinator and staff participating in the review will evaluate sub-recipient submissions and draft comments and concerns.
4. Preliminary findings of the desk audit will be presented to the Supervisor of the Title VI Nondiscrimination Unit.
5. The Title VI Coordinator will set up a meeting with sub-recipient staff to discuss preliminary findings, recommendations, et cetera.
6. The Supervisor of the Title VI Nondiscrimination Unit will determine whether an on-site review will be necessary.
7. A report of findings will be prepared within sixty (60) days and shared with the sub-recipient.

8. If deficiencies were identified and corrective action is necessary, a corrective action plan must be developed.
9. The Title VI Coordinator will work closely with the sub-recipient to develop the corrective action plan and corresponding schedule to achieve compliance.
10. Deficiencies must be rectified within one (1) year from the date of review findings.

NOTE: In the event a sub-recipient is uncooperative and/or fails to comply with the recommendations and corrective action plan, NJDOT will prepare a letter notifying the sub-recipient of its deficiency status. A copy of the letter will be forwarded to FHWA for recommendation of further action.

Title VI Sub-Recipient Reviews FFY-2023

The Unit continues to work closely with the Metropolitan Planning Organizations (MPOs) to provide technical guidance, review required documentation, offer recommendations for improvements and training. In addition, the Unit has developed a Title VI Guidance Document and Checklist to assist the MPOs with their Title VI reporting requirements for NJDOT (Appendix F). As noted above we are working to improve our Title VI compliance requirements with Local Public Agencies (LPAs).

Title VI Sub-Recipient Reviews FFY-2023

The Title VI Nondiscrimination Unit anticipates conducting compliance review(s) of one or both of the following:

- One Metropolitan Planning Organization
- One Local Public Agency

VIII. Data Collection and Analysis

The Title VI Nondiscrimination Unit continues to work on educating internal staff and sub-recipients about data collection requirements related to Title VI, Environmental Justice and Limited English Proficiency. The Title VI Nondiscrimination Unit is currently in the process of improving data collection templates specifically tailored to programmatic areas and their

respective operations. To date, the following programmatic areas annually submit data collection information to the Title VI Nondiscrimination Unit:

- Division of Civil Rights and Affirmative Action (Contractor Compliance; Disadvantaged and Small Business Enterprise; Internal Equal Employment Opportunity; ADA Unit)
- Bureau of Landscape, Architecture and Environmental Standards (BLAES)
- Division of Environmental Resources
- Division of Procurement-Construction Services
- Division of Procurement-Professional Services
- Division of Right-of-Way
- Office of Community & Constituent Relations

NJDOT's various Programmatic areas are uniformly required to report the following items of data:

1. The types of demographic data collected by the programmatic area as it relates to the delivery of services.
2. Methods of disseminating Title VI/Nondiscrimination to the public, consultants and internal staff.
3. Efforts to identify Limited English Proficient (LEP) populations as it relates to the delivery of services.
4. Steps to provide 'meaningful' access to programs, activities and services.
5. Specific efforts made by the programmatic area to provide 'meaningful' access.
6. LEP requests received by the programmatic area.
7. Cost incurred in providing oral interpretation or translation services.
8. Data collection and sources used to identify minority and low-income populations as it relates to the delivery of services.
9. Performance of environmental justice analyses.
10. Specific projects with identified environmental justice impacts.
11. Measures taken to prevent or mitigate disproportionately high or adverse impacts to minority and low-income populations.

12. Specific efforts to reach minority and low-income populations to promote their participation in decision-making processes.
13. Complaints of discrimination.
14. Staff training, knowledge and understanding of Title VI/Nondiscrimination and its requirements.
15. Access to Title VI posters and notices for internal staff and the public.
16. Methods and sources used to publish public notices, advertisements, or other information.
17. Efforts made in securing the services of minority or female group consultants.
18. Accomplishments related to Title VI, Environmental Justice and LEP.

In addition to the above information, the following is also requested from specific programmatic areas either on an ongoing basis or annually:

Environmental Resources

- Copies of all Categorical Exclusion, Environmental Assessment and Environmental Impact Statement documents.

Right-of-Way

- Type of notice and timeframe when a property is acquired through the right-of-way process.
- Documentation of new method or process used to acquire real property in minority communities (price, selection, negotiation, etc.).
- Process and strategies used to ensure nondiscrimination in the selection, acquisition of right-of-way, property management, fee contracts and other commitments with persons for services and expenses incidental to the acquisition of right-of-way.
- Efforts made in securing the services of minority/female contractors; and
- The method and sources used to publish advertisements/information involving the ROW condemnation process.

Landscape Architecture Environmental Solutions

- Copies of all Categorical Exclusion, Environmental Assessment and Environmental Impact Statement documents.

Procurement-Construction Services and Professional Services

- The method and sources to publish solicitations and/or efforts to reach minority and women-owned consultant firms.

Community & Constituent Relations

- Projects or activities with significant public interest and comment; and
- New or unique methods of public engagement.

IX. Training

NJDOT is committed to providing periodic Title VI Nondiscrimination awareness events, activities and training for all department staff. Those involved in program activities that require a more thorough knowledge of Title VI and nondiscrimination statutes are targeted for instructor-led training. These efforts help ensure a basic understanding of and continued compliance with Title VI and its related nondiscrimination mandates in all department programs and activities. Typically, training sessions are held periodically throughout the year for internal units as well as our sub-recipients. The primary purpose of training is to increase internal staff and sub-recipients' knowledge and performance in the application, implementation, monitoring and enforcement of the department's Title VI Nondiscrimination Program.

The Title VI Nondiscrimination Unit worked with the NJDOT Bureau of Research and Rutgers Center for Advanced Infrastructure and Transportation (CAIT) Local Technical Assistance Program (LTAP) to continue offering comprehensive Title VI training to the department's internal staff and its sub-recipients. Rutgers is currently engaged to deliver three interactive virtual training classes via the Zoom platform during Calendar Year 2023. All classes will be held in two, half-day sessions on June 27, 29; October 10, 11; and November 29 and 30.

Updates to the training include modifying materials to add select references to Biden-Harris era initiatives, if appropriate, to reflect guidance related to the implementation of the Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities through the Federal Government* and Justice 40. USDOT and FHWA efforts aligned with the Executive Order have included a *USDOT Equity Action Plan*, a disadvantaged communities mapping tool, and other tools. Additional guidance on the deployment and evolution of existing or new tools may be warranted to acknowledge these initiatives in the training materials, including a more detailed description and examples from the USDOT Equitable Transportation Community (ETC) Explorer. Revisions were made to the data tools and resources exercise and other training materials, as appropriate, to reflect the deployment and/or evolution of these data tools and resources by Federal or other agencies. Observations from NJDOT CR/AA from prior rounds of Title VI reviews have informed refinements to the data collection exercise.

Training Efforts for Sub-recipients

During Fiscal Year 2023, NJDOT hosted Title VI training for sub-recipients which was also conducted by Rutgers. These sessions covered the basic elements of Title VI and activities to ensure nondiscrimination as well as the following items:

- Sub-recipient responsibilities at the agency level (methods of administration), such as:
 - submission of signed Standard Title VI assurances
 - submission of annual Title VI Nondiscrimination Implementation Plan
 - Title VI Nondiscrimination Policy Statement
 - organization and structure of civil rights unit
 - monitoring and review process
 - Procedures for assuring compliance and enforcement, such as:
 - processing of Title VI complaints
 - ensuring contract provisions are included in Federally funded contracts

- addressing education and outreach
 - Title VI training
 - dissemination of Title VI information to beneficiaries and stakeholders
 - Data collection procedures and methods.
 - Accomplishment report & work plan
 - development of Title VI procedures to ensure nondiscrimination in services, programs and activities, including involving the public, minorities, disabled, limited English proficient and other underserved populations
 - Limited English Proficiency Implementation Plan
 - contract provisions such as FHWA-1273 and NJDOT's Civil Rights Special Provisions
- Sub-recipient responsibilities in the project delivery process:
 - integrating Title VI, environmental justice and limited English proficiency into the project delivery
 - NEPA and public outreach and participation processes, including the development of a community profile, identifying minority, low income, disabled and other underserved populations within a project's study area
 - the need for an adequate EJ analysis when minority, low income, limited English proficient, disabled and other underserved populations are identified in the project study area
 - An impact assessment
- Meaningful public engagement
 - public outreach and participation: Who and How
 - barriers to achieving meaningful public involvement

- considering and including the underserved

The department recognizes that training is a key component to fully effectuating and integrating Title VI, EJ and LEP in its programs and services. Training is also key in educating our sub-recipients about their Title VI Nondiscrimination (including EJ and LEP) obligations and responsibilities. Additional Title VI training scheduled to take place in 2023 will be open and available to internal staff and sub-recipients.

X. Complaint Disposition Process

NJDOT's Title VI complaint process is outlined in its FHWA Title VI Nondiscrimination Plan and detailed on the department's website under the Title VI webpage. The process to file a complaint is as follows:

The New Jersey Department of Transportation will investigate written complaints that have been filed by any person or class of persons who believe they have been subjected to discrimination or retaliation based on race, color, sex, national origin, low-income or disability. Complaints against the NJDOT will be forwarded to the FHWA for review and investigation, as required.

To file a complaint, an individual or his/her representative should:

- Write and sign the complaint and include the complainant's name, address and telephone number.
- Initiate the filing no more than 180 days after the date of the alleged act of discrimination; the date when the individual(s) became aware of the alleged discrimination; or where there has been a continuing course of conduct, the date that the conduct was discontinued or the latest instance of the conduct.
- The Director of the Division of Civil Rights and Affirmative Action will acknowledge in writing the receipt of every complaint filed with the department within ten business days of receipt. If additional information is required, the DCR/AA Director will extend the response time by ten business days. If the complaint is rejected or

denied, the Director will inform the complainant of the appropriate appeal authority and set up a timeline for an appeal.

- With the complainant's consent and in the best interests of all parties involved in the complaint, attempts may be made to resolve the matter informally. However, if the complainant is dissatisfied with NJDOT's decision, he or she will be advised that they may bring the matter to the attention of the US Department of Transportation and the US Department of Justice.
- If the complaint is deemed to have merit, the Title VI Coordinator will supervise a thorough investigation and submit a written Report of Findings to the department's Director of Civil Rights and Affirmative Action for determination.
- Within 60 days of the receipt of the complaint, NJDOT will notify the complainant of the department's findings, the proposed disposition of the matter, the avenues available for appeal and the timeline to appeal if there is disagreement with the department's determination. The proposed remedy will include the actions necessary to correct and prevent future occurrences.
- NJDOT will issue a letter of findings for all Title VI investigations completed and/or develop informal settlements and resolutions, which will also be in writing when finalized. In accordance with regulations at 23 CFR 200, NJDOT will forward a copy of the complaint and a copy of the State's investigative report to the FHWA Division Office within 60 days of the date the complaint was received. The FHWA may grant an extension of an additional 60 days for justifiable reasons. NJDOT has the responsibility to periodically inform the FHWA, New Jersey Division Office of the status of all complaints.

Sub-recipients are required to investigate complaints. The agency, itself should carry out its responsibilities to be the first line of defense and course of redress for Title VI Nondiscrimination complaints. If the agency is unable to satisfactorily resolve a complaint, the agency should forward the complaint, along with a record of its disposition to NJDOT's Division of Civil Rights and Affirmative Action (Title VI Coordinator) or, if the complainant disagrees with a decision rendered by the agency, the complainant has the right to request an appeal to NJDOT

or the appropriate Federal agency, as applicable, for final determination and/or resolution. NJDOT requires its sub-recipients to notify the Division of Civil Rights and Affirmative Action (Title VI Coordinator) of any Title VI/Nondiscrimination complaints received.

Complaint Records

NJDOT maintains an intake log for Title VI/Nondiscrimination complaints (Figure 4). The complaint log can be made available to FHWA upon request. To date, NJDOT has not received a Title VI/Nondiscrimination complaint.

NJDOT Title VI Complaint Log						
Name of Complainant	Identification of Demography	Allegation(s)	Date of Complaint	Date of Report of Investigation	Determination and Date	Notes

Figure 4-Title VI Complaint Log

XI. Compliance and Enforcement Procedures

The Title VI Nondiscrimination Unit administers and enforces the Title VI Program and its requirements across the department. Each programmatic area, with direction from the Director or other authoritative figure, is responsible for ensuring compliance in their specific area of responsibility. Title VI monitoring, coordinating and documentation is the responsibility of the Unit who may also request assistance from the program area Title VI

Liaison. Whenever possible, implementation and monitoring of the Title VI Nondiscrimination Program will be jointly undertaken by the Title VI Coordinator, Contractor Compliance Unit, Disadvantaged and Small Business Enterprise (DBE) Unit, Internal EEO staff and Title VI Liaisons.

The Title VI Nondiscrimination Unit is currently in the process of developing an overall Department-wide Title VI Policy and Procedure which will outline each programmatic area's roles and responsibilities in effectuating Title VI in their programs, services, and activities (see Appendix G). This document seeks to further clarify the department's requirements and responsibilities to achieving and maintaining Title VI compliance.

When programmatic areas are deemed to be in noncompliance status based on findings of a Title VI Comprehensive Review, the programmatic area will be given a specific schedule tailored to correspond with the corrective action plan. The programmatic area will be required to rectify all deficiencies within the established timeframe. In the event the programmatic area is unable to meet the timeframe for corrective action, the programmatic Director must provide, in writing, to the DCR/AA (Title VI Coordinator) the following:

- Justification for extension
- Summary of progress towards achieving compliance
- Expected date of achieving full compliance

Monitoring, Compliance and Enforcement of Sub-Recipients

As outlined in the above section on Reviews of Sub-Recipients, the Title VI Nondiscrimination Unit monitors sub-recipients for compliance annually through their submission of Title VI documents. Upon review of the provided documents, the Title VI Coordinator will notify sub-recipients if they require corrective action. Receipt of required Title VI documents and compliance status of sub-recipients will be logged and maintained for records and reference purposes.

Monitoring, Compliance and Enforcement of Contractors

Contractors are monitored for compliance with Civil Rights and nondiscrimination requirements by the Contractor Compliance Unit. Contractors are notified of their Civil Rights requirements and responsibilities and provided a package of nondiscrimination posters and information at pre-construction meetings.

In the event of a contractor's noncompliance with nondiscrimination contract provisions, NJDOT will impose such contract sanctions as it or FHWA may determine appropriate, including but not limited to:

- Withholding payments to the contractor under the contract until the contractor complies; and/or
- Cancelling, terminating, or suspending a contract, in whole or part.

XII. Review of State Directives

The DCR/AA Director, Supervisor of the Title VI Nondiscrimination Unit and/or the Title VI Coordinator and other staff are involved in processes to review, recommend and comment on policies, procedures, and practices of the department. Examples of these activities and processes follow:

- The DCR/AA Director regularly attends Senior Leadership meetings.
- The Legislative and Regulatory Affairs Unit regularly notifies the DCR/AA about pending legislation that may affect the division's programs or activities.
- The Title VI Coordinator works with Title VI liaisons in ensuring Title VI and Environmental Justice requirements are addressed in programs and activities across the department.
- The Title VI Coordinator reviews all environmental documents, project-specific public involvement action plans, public notices and other relevant documents for compliance with Title VI requirements.
- The DCR/AA Director communicates with FHWA liaison and institutes all Federal mandates and directives with the assistance of Civil Rights staff; and

- The Title VI Nondiscrimination Unit proactively reviews department policies and directives to ensure compliance with Title VI/nondiscrimination mandates.

XIII. Dissemination of Information

In addition to the efforts to notify the public outlined in the “Notification to Beneficiaries” section above, NJDOT ensures the public has access to information regarding the programs and activities of the department through several means.

- NJDOT maintains a website with up-to-date information regarding projects, road closures, detours, public meetings, request for proposals, public comments, filing nondiscrimination complaints, et cetera.
- The website content can be translated to different languages using Google Translate.
- Members of the public can request project specific material be translated prior to a public meeting or public information session by contacting a special accommodations coordinator in the Office of Community and Constituent Relations.
- Announcements or public notices are also placed in community centers or commonly frequented public places; and
- NJDOT Title VI Nondiscrimination internet website has been updated to provide the public with current information which includes:
 - Title VI Notice of Nondiscrimination Policy Statement, Assurances and FAQs
 - Links to language identification tools
 - Online mapping resources with latest available American Community Survey and/or 2020 Decennial Census data, including the following items:
 - Environmental Justice Population map
 - Hispanic Population Map
 - Language Spoken by County
 - Populations Below Poverty Map

- Social media is a tool we also use to disseminate information to the public.

XIV. Public Involvement

Public Involvement Program and Public Involvement Action Plan

The department emphasizes the importance of the public involvement process during the project pipeline process. Public involvement ensures that commitments made by the department during all stages of a project – from planning and scope development through construction, are adhered to, and alternative designs are considered and seriously to guard against discrimination and disproportionately high and adverse impacts on minority and low-income communities. The department considers its public involvement process equally critical during the concept development and preliminary engineering phases and ensures adherence to the public involvement process during these phases of the project pipeline process. The Title VI Nondiscrimination Unit encourages public involvement through all stages, if possible.

In cooperation with the Office of Community and Constituent Relations, Project Management a consultant designs and conducts comprehensive, early and frequent public involvement programs for all transportation projects. This includes developing a project-specific Public Involvement Action Plan that involves the public at all levels of the department's project delivery process. The plan includes at a minimum the development of a database of known stakeholders and the anticipated number of meetings with local officials, citizens groups and any outside agencies impacted by the proposed project. Creation of Community Advisory Committees to establish partnerships with the community, solicit information about the community, determine how a project impacts the community, and help build a consensus between the community and NJDOT are beneficial during this public involvement process. The plan ensures public input on proposed projects involving major social, economic, environmental or transportation impacts. The Project Manager and/or consultant develops the Public Involvement Action Plan and forwards it to the Division of Community and Constituent Relations for final review and signature. The Title VI Coordinator reviews all project-specific Public Involvement Actions Plans for compliance with Title VI,

Environmental Justice and Limited English Proficiency requirements and provides recommendations as needed.

Other policy and procedures relating to project management and the advancement of projects through the pipeline process include:

- NJDOT Policy/Procedure 404– Initiation of NJDOT Projects
- NJDOT Policy/Procedure 703 – Complete Streets Policy
- NJDOT Policy 405 – Change in Project Scope and Status
- NJDOT Policy/Procedure 801– Environmental Reevaluation Process

In accordance with the USDOT EAP, E.O. 13985, and Justice 40, NJDOT is in the process of developing a department-wide Public Involvement Action Plan that will provide a more comprehensive and cohesive interdisciplinary approach to ensure equity in our transportation decision making process. As part of our ongoing effort to improve and strengthen our Title VI Program, the Title VI Nondiscrimination Unit intends to maximize collaborative efforts with the Office of Community and Constituent Relations in this endeavor. The Title VI Coordinator has been working closely with the Office of Community and Constituent Relations to institute public involvement recommendations.

XV. Limited English Proficiency

To ensure limited English proficient persons can access the benefits and services offered and meaningfully participate in decision-making activities, the department reasonably ensures vital documents are translated and available. The NJDOT website is imbedded with the Google Translate feature which provides limited English proficient persons the ability to navigate the information and notifications as needed. Also, the department has established a Linguistics Pool, which is comprised of department staff who have volunteered to provide basic oral interpretation services to members of the public. NJDOT will procure the services of a professional consulting firm for oral interpretation and translation services that are of legal and/or confidential nature.

The Title VI Nondiscrimination Unit has developed a draft Limited English Proficiency Policy and Procedure (Appendix H) and update of the department's Limited English Proficiency Guidelines/Plan are tailored to our business and details the reasonable steps to ensuring LEP individuals can access and participate in the department's programs and activities (Appendix I). Additionally, the Linguistics Pool is being updated to reflect departmental staff changes and capabilities.

XVI. NJDOT Commitment

The New Jersey Department of Transportation remains committed to upholding Title VI of the Civil Rights Act of 1964 and its related statutes in all programs, policies, activities and services. In addition, we take a proactive approach to ensuring that it is prioritized in all programmatic areas of the department.

Please see the **Accomplishments and Goals Report for FFY 2022-2023** to see specific examples and gain an understanding of the specific types of work the Division of Civil Rights and Affirmative Action is engaged in to proactively ensure nondiscrimination in all department programs and activities.