

Title VI Plan for MnDOT FHWA Subrecipient

Anoka County Highway Department

(Adopted September 12, 2023)

Title VI Plan Revision Log

Date Month/day/year	Section Revised	Summary of Revisions
September 12, 2023	Plan established and approved	

Table of Contents

Title VI Plan Revision Log.....	2
I. Introduction.....	4
II. Legal Authorities.....	5
III. Title VI and Non-Discrimination Policy Statement.....	6
IV. Title VI Assurances.....	7
V. Organization, Staffing, and Structure.....	7
VI. Training.....	9
VII. Primary Program Area Descriptions & Review Procedures.....	10
VIII. Data Collection.....	13
IX. Title VI Complaint Procedures.....	14
X. Environmental Justice.....	17
XI. Public Participation.....	19
XII. Limited English Proficiency (LEP) & Language Access.....	23
XIII. Notice of Rights.....	31

I. Introduction

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance. Several other federal legal authorities supplement Title VI by extending protections based on age, sex, disability, limited English proficiency, and low-income status. In addition, the Civil Rights Restoration Act of 1987 clarified Title VI enforcement by mandating that Title VI requirements apply to *all* programs and activities of federal-aid recipients regardless of whether any particular program or activity involves federal funds. Taken together, these laws require recipients and subrecipients of federal funds to ensure all programs and services are delivered to the public without discrimination.

The Anoka County Highway Department, as a recipient of federal financial assistance, will ensure full compliance with Title VI of the Civil Rights Act of 1964; 49 C.F.R. Part 21 (Department of Transportation Regulations for the Implementation of Title VI of the Civil Rights Act of 1964); 49 C.F.R. Part 21; and related statutes and regulations. The Anoka County Highway Department acknowledges it is subject to and will comply with Federal Highway Administration Title VI Assurances.

This plan explains the how the Anoka County Highway Department incorporates the requirements of Title VI and related legal authorities into its operations. The plan will be used a reference for the Anoka County Highway Department and an informational resource for the public. The plan will be updated every three (3) years to reflect changes in Title VI compliance operations.

II. Legal Authorities

The Anoka County Highway Department's Title VI compliance program is governed by many legal authorities, including, but not limited to, the list below.

Legal Authority	Summary
Title VI of the Civil Rights Act of 1964 , 42 U.S.C. § 2000d <i>et seq.</i>	Prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance.
Federal-Aid Highway Act of 1973 , 23 U.S.C. § 324.	Prohibits discrimination on the basis of sex in programs and activities receiving federal financial assistance.
Age Discrimination Act of 1975 , 42 U.S.C. § 6101 <i>et seq.</i>	Prohibits discrimination on the basis of age in programs and activities receiving federal financial assistance.
Section 504 of the Rehabilitation Act of 1973 , 29 U.S.C. § 794.	Prohibits discrimination on the basis of disability in programs and activities receiving federal financial assistance.
Uniform Relocation Act of 1970 , 42 U.S.C. § 4601 <i>et seq.</i>	Requires fair treatment of persons displaced by federal-aid programs and projects.
Environmental Justice Executive Order (Exec. Order No. 12898, 59 Fed. Reg. 7629 (Feb. 11, 1994).)	Requires federal agencies and federal-aid recipients to identify and address "disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority populations and low-income populations."
Limited English Proficiency Executive Order (Exec. Order No. 13166, 65 Fed. Reg. 50121 (Aug. 11, 2000).)	Recipients of federal financial assistance must provide meaningful access to limited English proficiency (LEP) applicants and beneficiaries.
49 C.F.R. Part 21	Nondiscrimination in Federally-Assisted Programs of the Department of Transportation.
23 C.F.R. Part 200	Title VI Program and Related Statutes - Implementation and Review Procedures.

III. Title VI and Non-Discrimination Policy Statement

It is the policy of the Anoka County Highway Department that no person shall on the grounds of race, color, national origin, sex, disability, or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of the Anoka County Highway Department as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

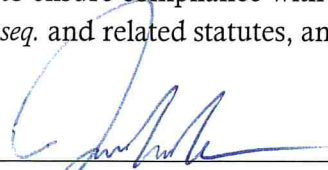
In addition, Executive Order No. 12898, 59 Fed. Reg. 7629 (Feb. 11, 1994) requires the Anoka County Highway Department to ensure fair treatment and meaningful involvement of low-income populations in all programs and activities, and Executive Order No. 13166, 65 Fed. Reg. 50121 (Aug. 11, 2000) requires agency programs to incorporate access for people with limited English proficiency.

This policy applies to all operations of the Anoka County Highway Department, including its contractors and anyone who acts on behalf of the Anoka County Highway Department. This policy also applies to the operations of any department or agency to which the Anoka County Highway Department extends federal financial assistance. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.

Prohibited discrimination may be intentional or unintentional. Seemingly neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Harassment and retaliation are also prohibited forms of discrimination.

Examples of prohibited types of discrimination based on race, color, national origin, sex, disability, or age include: Denial to an individual any service, financial aid, or other benefit; Distinctions in the quality, quantity, or manner in which a benefit is provided; Segregation or separate treatment; Restriction in the enjoyment of any advantages, privileges, or other benefits provided; and Discrimination in any activities related to highway and infrastructure or facility built or repaired.

Title VI compliance is a condition of receipt of federal funds. The Title VI Coordinator is authorized to ensure compliance with this policy, Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq.* and related statutes, and the requirements of 23 C.F.R. Part 200 and 49 C.F.R. Part 21.



Joseph MacPherson
County Engineer

9/12/2023

Date

IV. Title VI Assurances

The U.S. DOT requires that federal financial assistance be provided on the condition that the recipient provides an assurance that its programs and activities will be conducted in compliance with Title VI of the Civil Rights Act of 1964. The requirement is located at 49 CFR 21.7(a). To support the implementation of this requirement, the U.S. DOT provided an assurances agreement in U.S. DOT Order 1050.2A that federal fund recipients and subrecipients must sign as a condition of receiving federal financial assistance.

The assurances agreement provides specific non-discrimination language the Anoka County Highway Department is required to include in bid solicitations or requests for proposal, contracts, and real estate agreements. The Anoka County Highway Department is committed to ensuring the necessary language is used as prescribed in the assurances agreement.

In accordance with this requirement, the Anoka County Highway Department has signed the U.S. DOT Standard Title VI/Non-Discrimination Assurances. The document is attached as **Appendix A**.

V. Organization, Staffing, and Structure

Chief Officer of the Transportation Division and County Engineer is ultimately responsible for assuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related statutes and has directed that non-discrimination is required of all agency employees, contractors, and agents pursuant to 23 C.F.R. Part 200 and 49 C.F.R. Part 21.

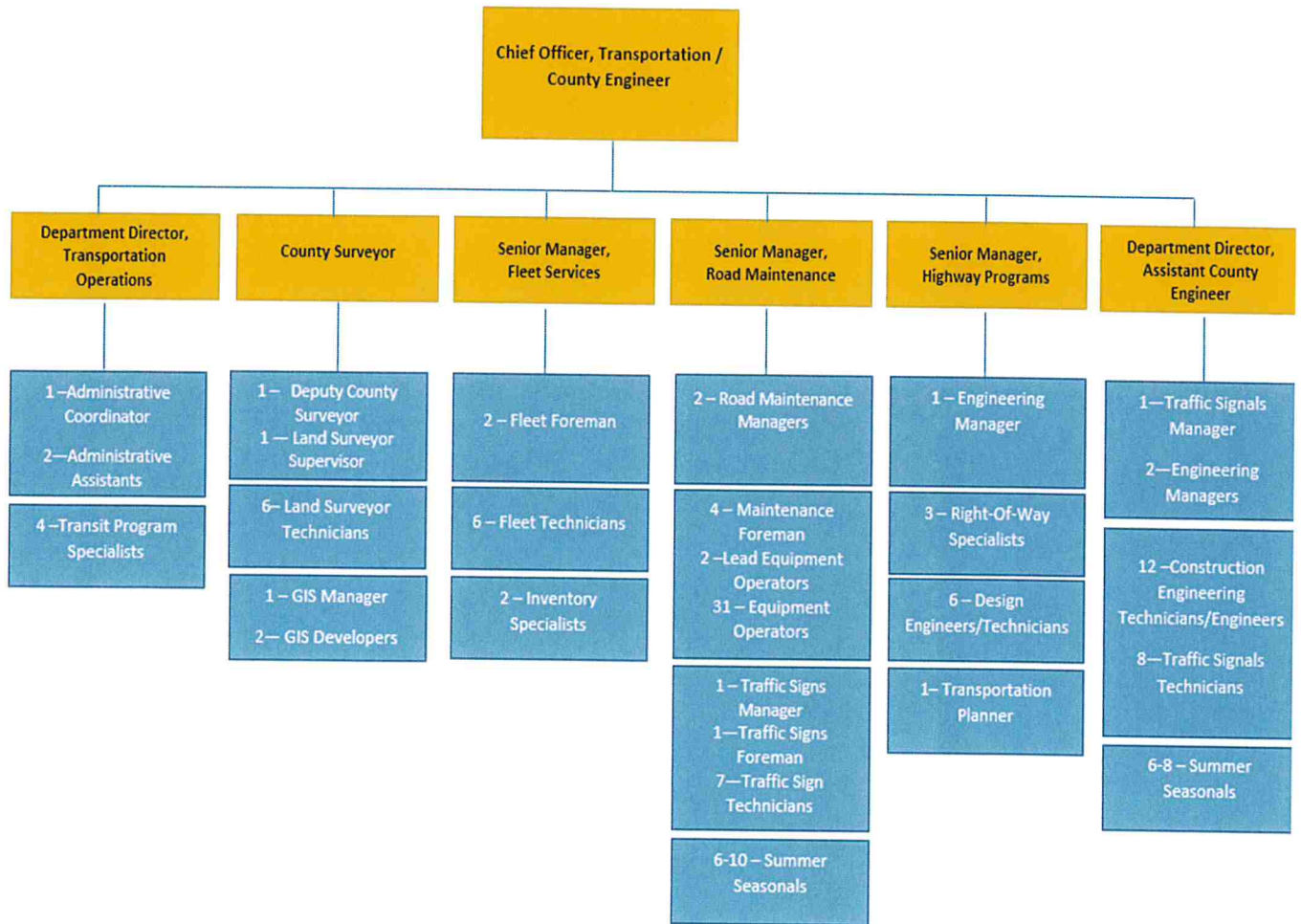
The Anoka County Highway Department has assigned its Director of Transportation Operations to perform the duties of the Title VI Coordinator and ensure implementation of the agency's Title VI program. The position of Transportation Operations Director is located within the Anoka County Highway Department.

The Title VI Coordinator is responsible for:

- Maintaining and updating the Title VI plan on the agency's behalf;
- Ensuring relevant agency staff receive necessary Title VI training;
- Ensuring prompt processing of Title VI complaints and referral to Minnesota Department of Transportation within the required timeframe;
- Developing procedures for the collection and analysis of statistical data;
- Developing a program to conduct Title VI reviews of program areas; and
- Developing Title VI information for dissemination internally and externally;

The Title VI Coordinator may delegate and assign certain duties to a Liaison, including but not limited to the tasks identified in the above list, to assist with the development and maintenance of Title VI procedures/protocols, training, and coordination among the various departments of the Anoka County Transportation Division.

An Organizational Chart for Anoka County Highway Department follows.



Anoka County Highway Org Chart 1

VI. Training

The Anoka County Highway Department will ensure that its staff understand Title VI of the Civil Rights Act of 1964 and how it may apply to their work. The following options are available for providing training:

- Review of the Anoka County Highway Department's Title VI Plan and internal trainings with the ACHD Title VI Coordinator and/or their designated Liaison.
- Attendance at any available Title VI trainings provided by the Minnesota Department of Transportation, U.S. Department of Transportation or its applicable operating administrations, or the U.S. Department of Justice.
- Viewing the video [Understanding and Abiding by Title VI of the Civil Rights Act of 1964](#) produced by the U.S. Department of Justice

The Anoka County Highway Department will maintain records indicating that staff have received sufficient training on a periodic basis.

VII. Primary Program Area Descriptions & Review Procedures

The Anoka County Highway Department engages in the following program areas:

Program Area	General Description	Title VI/Non-Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination
<p>Right of Way</p>	<p>Issues public right of way permits for construction, transportation, business, and other activities.</p> <p>Coordinates relocation of citizens whose property has been acquired for a right of way.</p> <p>Acquisition of right-of-way and related activities</p>	<p>Public right of way permits and relocations should not create unfair burdens for environmental justice communities.</p> <p>Collecting demographic data from property owners who may be subject to right of way activities.</p> <p>Ensuring property owners impacted by right of way activities are made aware of their right to be free from discrimination on the basis of race, color, or national origin under Title VI of the Civil Rights Act of 1964.</p>	<p>Reviewing permits and relocations to ensure nondiscrimination.</p> <p>Ensure demographic data is part of necessary right of way templates or forms.</p> <p>Ensure Title VI notice is consistently provided to property owners impacted by right of way activities.</p>
<p>Contracting</p>	<p>Develops and manages contracts and contracting opportunities, including specifications, bidding process, and contract execution.</p>	<p>Maintaining an open and fair bidding process for all contracts.</p> <p>Ensure Title VI Assurances appendices are included in contracts as specified within the assurances document.</p>	<p>Reviewing contracts for necessary Title VI language.</p> <p>Reviewing any available data on contract recipients to ensure nondiscrimination in contracting.</p> <p>Reviewing bidding procedures to ensure nondiscrimination and equal</p>

Program Area	General Description	Title VI/Non-Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination
Planning	Short-term and long-term planning of transportation projects	<p>Using equity-based analysis as part of planning process.</p> <p>Ensuring comprehensive public participation to meet environmental justice requirements.</p> <p>Collecting demographic data from public engagement activities regarding demographics of public participants.</p> <p>Providing language access as needed.</p>	<p>opportunity.</p> <p>Review planning decisions through equity lens to ensure nondiscrimination.</p> <p>Reviewing public engagement activities periodically to determine whether engagement opportunities were offered to all communities. Documenting language access requests.</p>
Public Engagement	Coordinates public engagement activities for planning and project development, as well as relationship-building engagement activities.	<p>Comprehensive public participation to meet environmental justice requirements.</p> <p>Collecting demographic data from public engagement activities regarding demographics of public participants. (See Appendix C)</p> <p>Providing language access and alternative formats of project information, as needed.</p> <p>Disseminating Title VI information to the public to ensure they are aware of their rights to be free from discrimination.</p>	<p>Reviewing public engagement activities periodically to determine whether engagement opportunities were offered to all communities.</p> <p>Documenting language access requests.</p>

Program Area	General Description	Title VI/Non-Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination
Maintenance	Services roadways and right of ways, including, but not limited to, providing: <ul style="list-style-type: none"> • Repair • Signage • Drainage • Snow and ice removal 	Ensuring no communities are subject to a disparate lack of maintenance services based on a protected class.	Reviewing resources provided to the community and determining whether any protected class communities have disproportionately benefited or been harmed by the delivery of maintenance services.

VIII. Data Collection

Program Area	Type of Data Collected & Process for Collecting	Intended Outcome of Data Analysis (i.e., Title VI Purpose for Collecting the Data)
Right of Way	Collecting demographic data from property owners who may be subject to right of way activities by including inputs for demographic data on the field title report form.	Ensuring right of way activities do not disproportionately affect individuals or groups based on a protected class status.
Contracting	Identifying contractors who are a: <ul style="list-style-type: none"> • Small or Woman/Minority Owned Business, or classified as Disadvantaged Business Enterprise (DBE) by the Minnesota Unified Certification Program • Targeted Group Business (TGB) by the Minnesota Department of Administration • Veteran-Owned/Service-Disabled Business by the United States Department of Veterans Affairs 	Ensuring equal opportunity in contracting to all individuals and groups.
Planning	Reviewing data from the U.S. Census Bureau and other credible sources to determine demographic make-up of the local community.	Ensuring project impacts do not disproportionately impact any individuals or groups based on a protected class status.
Public Engagement	Reviewing data from the U.S. Census Bureau and other credible sources to determine demographic make-up of the local community. Providing demographic questionnaires to public engagement participants and including demographic questions in public surveys.	Ensuring communications and interactions with the public sufficiently reach all local demographics.
Maintenance	Reviewing maintenance activities by geography and demographic makeup of communities receiving the maintenance services.	Ensuring no communities are subject to a disparate lack of maintenance services based on a protected class.

IX. Title VI Complaint Procedures

Scope of Title VI Complaints

No person or groups of persons shall, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by the Anoka County Highway Department, and its contractors on the grounds of race, color, national origin, sex, age, disability, or low-income status.

The scope of Title VI covers all internal and external activities of the Anoka County Highway Department.

The following types of actions are prohibited under Title VI protections (See [49 C.F.R. 21.5](#)):

- Excluding individuals or groups from participation in programs or activities
- Denying program services or benefits to individuals or groups
- Providing a different service or benefit or providing them in a manner different from what is provided to others
- Denying an opportunity to participate as a member of a planning, advisory or similar body that is an integral part of the program
- Retaliation for making a complaint or otherwise participating in any manner in an investigation or proceeding related to Title VI of the Civil Rights Act of 1964

The complaint procedure below is available from the Minnesota Department of Transportation (MnDOT) in [Spanish](#), [Somali](#), and [Hmong](#).

How to File a Formal Title VI Complaint

Any person(s) or organization(s) believing they have been discriminated against on the basis of the protected classes stated above by the Anoka County Highway Department or its contractors may file a Title VI complaint.

Discrimination complaints **must be received no more than 180 days after the alleged incident** unless the time for filing is extended by the processing agency.

Complaints should be in writing and signed and may be filed by mail, fax, in person, or e-mail. A complaint should contain the following information:

- A written explanation of the alleged discriminatory actions;
- The complainant's contact information, including, if available: full name, postal address, phone number, and email address;
- The basis of the complaint (e.g., race, color, national origin, etc.);
- The names of specific persons and respondents (e.g., agencies/organizations) alleged to have discriminated;

- Sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives Federal financial assistance; and
- The date(s) of the alleged discriminatory act(s) and whether the alleged discrimination is on-going.

Complainants are encouraged to submit complaints directly to Minnesota Department of Transportation (MnDOT) via its online complaint form available here:

<https://www.dot.state.mn.us/civilrights/nondiscrimination-complaint-form.html>.

Complaints can also be filed by completing and submitting the Anoka County Highway Department's Title VI Complaint Form available at Appendix B or by sending an email or letter with the necessary information to:

The Anoka County Highway Department

Attn: Title VI Coordinator

1440 Bunker Lake Boulevard

Andover, MN 55304

Email: RS-HwyDept-Support@co.anoka.mn.us

Fax: 763-324-3020

Phone: 763-324-3100

The complaint form is also available in hard copy at the reception area of the Anoka County Highway Department, located at the above address. Language assistance is available for limited English proficient individuals. MnDOT has hard copy complaint forms available in [Spanish](#), [Somali](#), and [Hmong](#). Other languages can be accommodated as needed.

If necessary, the complainant may use the phone number above and provide the allegations by telephone. The Title VI Coordinator will transcribe the allegations of the complaint as provided over the telephone and send a written complaint to the complainant for correction and signature.

Complaints can also be filed directly with the following agencies:

Minnesota Department of Transportation

Office of Civil Rights

385 John Ireland Boulevard, Mail Stop 170

St. Paul, MN 55105

Online: [Complaint Form](#)

Fax: 651-366-3129

Phone: 651-366-3073

Federal Highway Administration
U.S. Department of Transportation Office of Civil Rights
1200 New Jersey Avenue, SE
8th Floor E81-105
Washington, DC 20590
Email: CivilRights.FHWA@dot.gov
Fax: 202-366-1599
Phone: 202-366-0693

After submitting a complaint, the complainant will receive a correspondence informing them of the status of the complaint within ten (10) business days of the Anoka County Highway Department or other agency receiving the complaint.

Complaints received by the Anoka County Highway Department's Title VI Coordinator are forwarded to the MnDOT Office of Civil Rights (OCR). MnDOT OCR will forward the complaint to the FHWA Minnesota Division Office, along with a preliminary processing recommendation. The FHWA Minnesota Division Office will forward the complaint to FHWA Headquarters Office of Civil Rights (HCR).

FHWA HCR is responsible for all determinations regarding whether to accept, dismiss, or transfer Title VI complaints. There are four potential outcomes for processing complaints:

- **Accept:** if a complaint is timely filed, contains sufficient information to support a claim under Title VI, and concerns matters under the FHWA's jurisdiction, then HCR will send to the complainant, the respondent agency, and the FHWA Minnesota Division Office a written notice that it has accepted the complaint for investigation.
- **Preliminary review:** if it is unclear whether the complaint allegations are sufficient to support a claim under Title VI, then HCR may (1) dismiss it or (2) engage in a preliminary review to acquire additional information from the complainant and/or respondent before deciding whether to accept, dismiss, or refer the complaint.
- **Procedural Dismissal:** if a complaint is not timely filed, is not in writing and signed, or features other procedural/practical defects, then HCR will send the complainant, respondent, and FHWA Minnesota Division Office a written notice that it is dismissing the complaint.
- **Referral\Dismissal:** if the complaint is procedurally sufficient but FHWA (1) lacks jurisdiction over the subject matter or (2) lacks jurisdiction over the respondent entity, then HCR will either dismiss the complaint or refer it to another agency that does have jurisdiction. If HCR dismisses the complaint, it will send the complainant, respondent, and FHWA Division Office a copy of the written dismissal notice. For referrals, FHWA will

send a written referral notice with a copy of the complaint to the proper Federal agency and a copy to the USDOT Departmental Office of Civil Rights.

Complaints are not investigated by the Anoka County Highway Department. FHWA HCR is responsible for investigating all complaints. FHWA HCR may also delegate the investigation to MnDOT OCR, who would then conduct all data requests, interviews, and analysis and create a Report of Investigation (ROI). MnDOT OCR will have sixty (60) business days from the date the investigation is delegated to prepare the ROI and send it to HCR. HCR will review the ROI and compose a Letter of Finding based on the ROI.

For further information about the FHWA investigation process and potential complaint outcomes, please visit the [Questions and Answers for Complaints Alleging Violations of Title VI of the Civil Rights Act of 1964](#).

X. Environmental Justice

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, requires federal agencies to make achieving environmental justice a part of their mission by identifying and addressing disproportionately high and adverse human health and environmental effects of their programs, policies, and activities on minority and low-income populations. The requirements are to be carried out to the greatest extent practicable and permitted by law.

In May 2012, USDOT issued an update to DOT Order 5610.2(a), DOT Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which was originally published in April 1997. The revised Order continues to be a key component of DOT's environmental justice strategy. It updates and clarifies certain aspects of the original Order while maintaining its general framework and procedures and DOT's commitment to promote the principles of environmental justice in all DOT programs, policies, and activities.

Similarly, the Anoka County Highway Department will institutionalize the same key components of DOT's environmental justice strategy and commitment to promote the principles of environmental justice in all the Anoka County Highway Department's programs, policies, and activities. These policies outline actions and factors to address environmental justice in order to identify and avoid discrimination and disproportionality high and adverse effects on minority and low-income populations:

1. Identify and evaluate environmental, public health, and interrelated social and economic effects of the Anoka County Highway Department's programs, policies, and activities;
2. Propose measures to avoid, minimize, and/or mitigate disproportionately high and adverse environmental and public health effects and interrelated social and economic effects, and provide offsetting benefits and opportunities to enhance communities, neighborhoods, and

individuals affected by the Anoka County Highway Department's programs, policies, and activities, where permitted by law and consistent with Executive Order 12898;

3. Consider alternatives to proposed programs, policies, and activities where such alternatives would result in avoiding and/or minimizing disproportionately high and adverse human health or environmental impacts, consistent with Executive Order 12898; and
4. Elicit public involvement opportunities and consider the results thereof, including soliciting input from affected minority populations and low-income populations in considering alternatives.

The Anoka County Highway Department supports environmental justice through every stage of the planning, construction and maintenance processes, consistent with the factors outlined above. This ensures the Anoka County Highway Department gains input from the community that will help shape how the Anoka County Highway Department builds and maintains roads and bridges and other highway infrastructure.

Some ways in which the Anoka County Highway Department accomplishes this include:

- Ensuring the full and fair participation by all potentially affected communities in the transportation decision-making process;
- Avoiding, minimizing or mitigating disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations;
- Providing timely information to area residents and businesses affected by transportation plans and projects;
- Performing periodic reviews of public involvement process to gauge effectiveness, making revisions as necessary; and
- Preventing the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

XI. Public Participation

The Anoka County Highway Department actively seeks public engagement throughout the process of planning, evaluating, siting, and constructing road, highway, and bridge projects within the county. The department believes that community input is essential to its core mission of ensuring that its citizens have access to safe roads that are free of congestion.

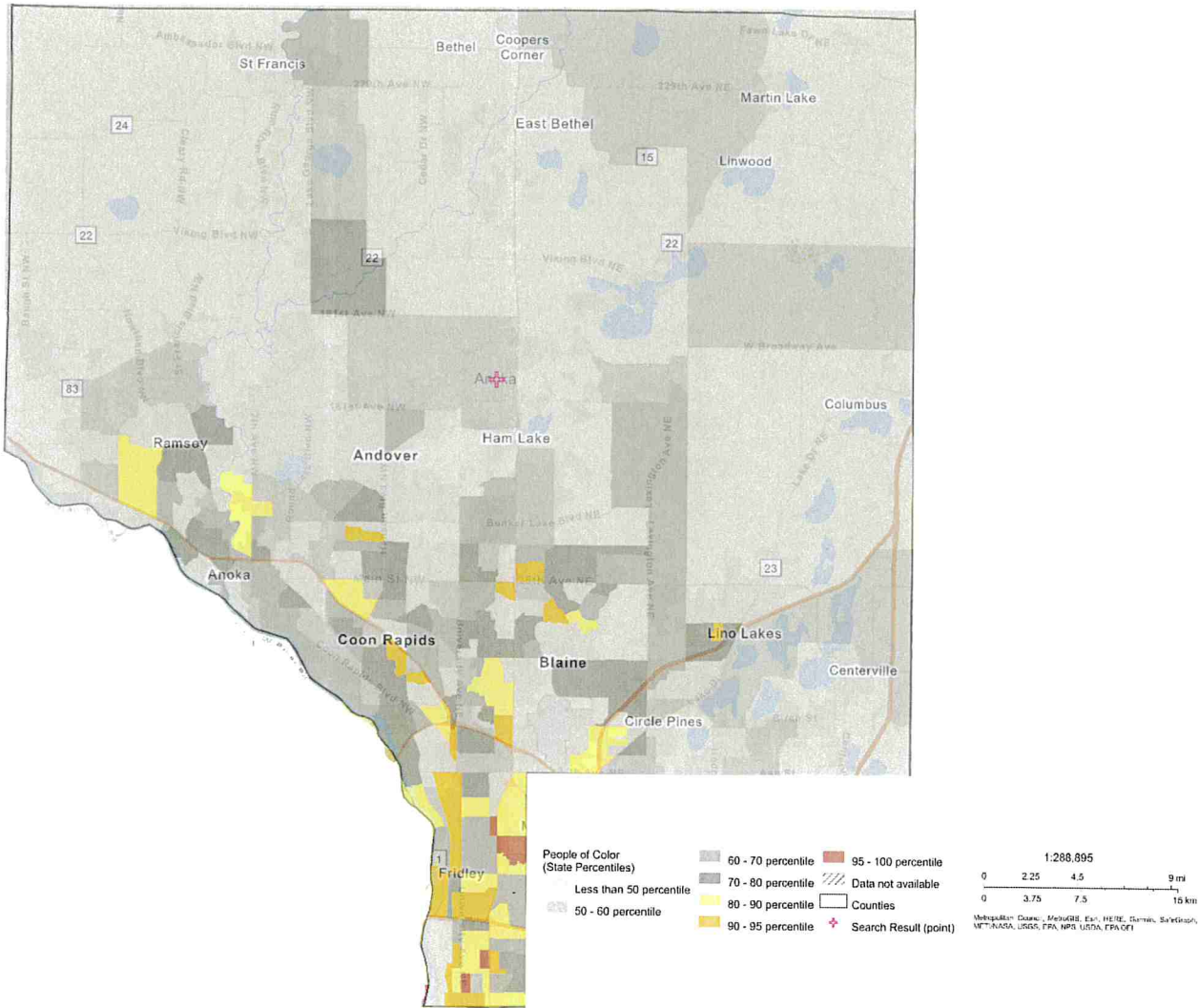
To ensure public engagement, the Anoka County Highway Department conducts outreach through a wide variety of channels. A weekly publication detailing the status of current construction projects across the county is maintained on the Anoka County Highway Department's public website. Community members can subscribe to receive updates through email notifications. The website also provides copies of the Anoka County Highway Department's transportation studies and a list of all highway projects planned for the upcoming five-year period. The department provides additional notice about planned projects through public hearings, direct mailing to affected communities and landowners, and public service announcements. The department holds an open house meeting with the public about proposed projects to ensure that affected communities have input early in the project-design phase. Public participation at open meetings and community-outreach events is encouraged throughout the planning, design, and construction process.

Public comments received at outreach events are recorded or logged to ensure that they are available for consideration as decisions are made about the Anoka County Highway Department's projects.

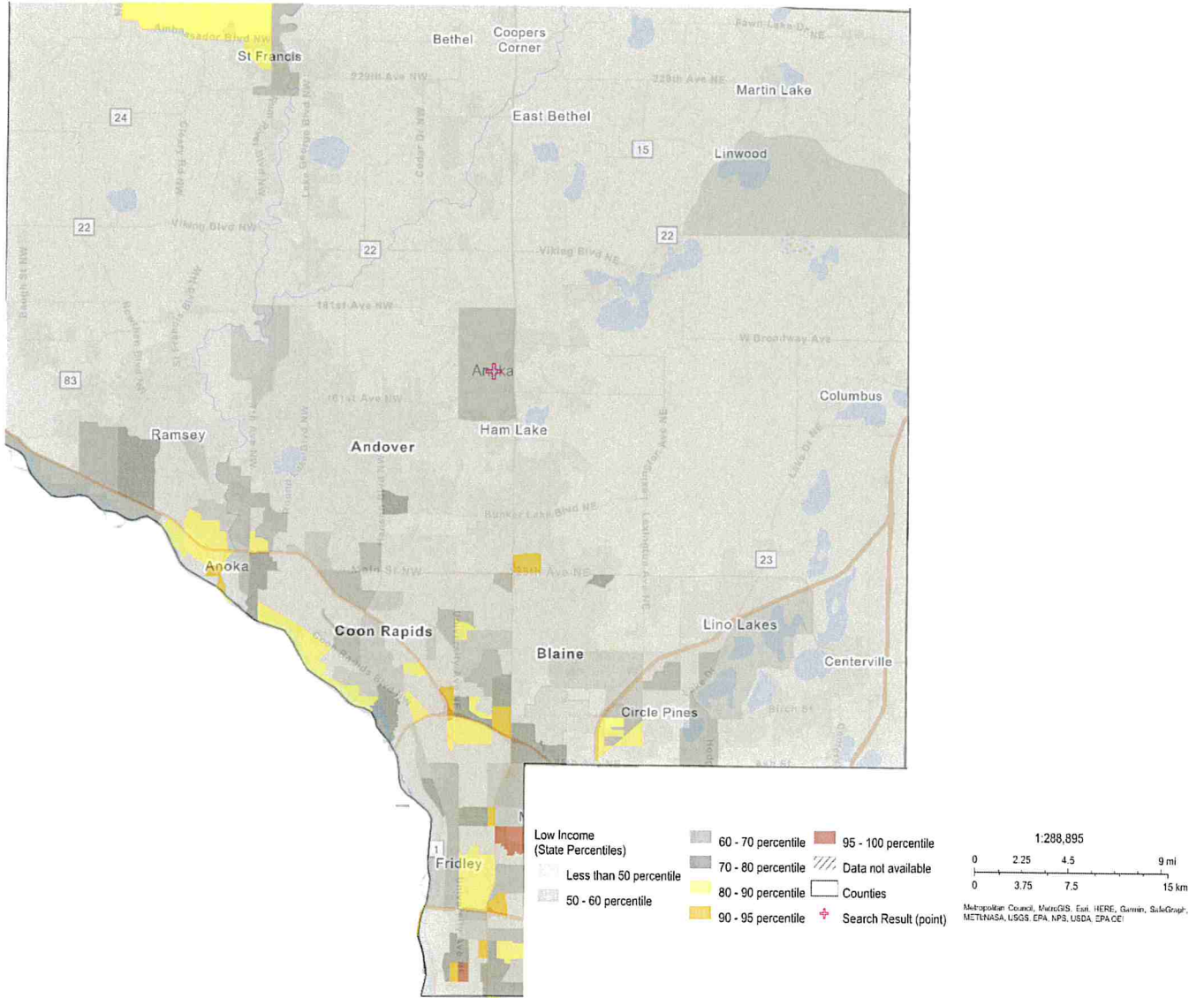
The Anoka County Highway Department is committed to assessing the impact of county transportation projects on minority and low-income populations. A key part of this commitment is to ensure that these communities are involved at all stages of projects that affect them.

The Anoka County Highway Department reviews demographic data from reliable sources, including the EPA's Environmental Justice Screening and Mapping Tool (EJScreen), U.S. Census data, and state-specific compilations of data (e.g., Minnesota Compass), to understand the communities affected by its projects. A sample of maps illustrating the geographic distribution of communities of color, low- to moderate-income, and limited English proficiency within the county are provided below. This information informs project-specific outreach efforts and provides a background against which the department can analyze the impact of projects on minority and low-income communities.

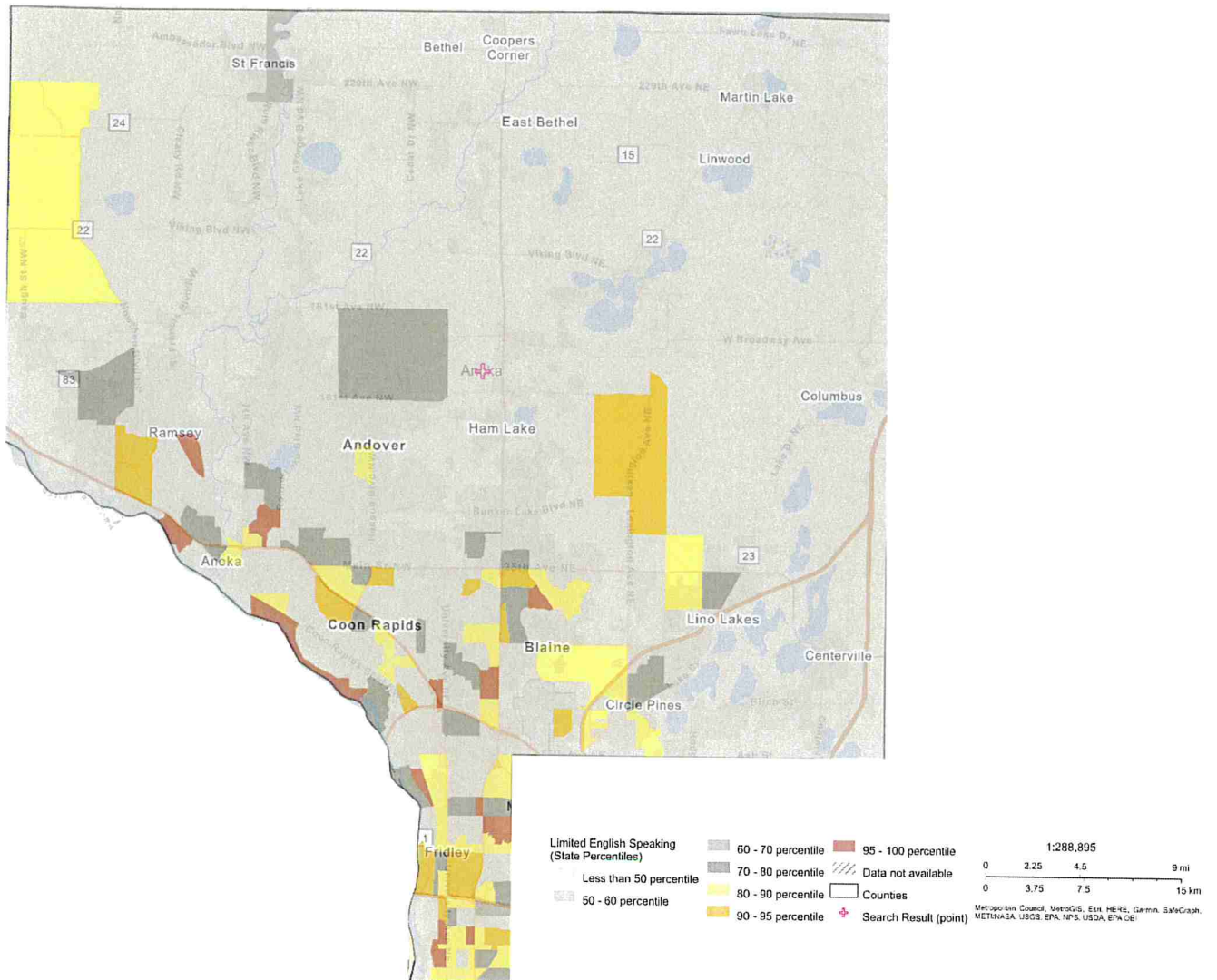
To assess the success of its outreach efforts, the Anoka County Highway Department is developing a short, anonymous, and voluntary public participation survey distributed to those attending meetings and open house sessions. The survey is attached as Appendix C. Data is used to identify which demographic groups are engaging with the department and which channels of communication are reaching specific communities. This data is not collected for one-on-one meetings with community members to ensure that it cannot be tied to a particular individual.



ESJ Anoka County MN People of Color map



ESJ Anoka County MN Low Income map



ESJ Anoka County MN Limited English Speaking map

XII. Limited English Proficiency (LEP) & Language Access

Legal Background

[Executive Order 13166](#), “Improving Access to Services for Persons with Limited English Proficiency,” reprinted at 65 FR 50121, August 16, 2000, directs each Federal agency to examine the services it provides and to develop and implement a system by which LEP individuals can meaningfully access those services. Federal agencies were instructed to publish guidance to assist states and local governments who receive federal funds with their obligations to LEP individuals under Title VI. The Executive Order states that federal fund recipients, like the Anoka County Highway Department, must take reasonable steps to ensure meaningful access to their programs and activities for LEP individuals.

Section 601 of Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, provides that no person shall “on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” Courts have interpreted Title VI’s prohibition of discrimination on the basis of national origin to include discrimination based on English proficiency. Under Title VI, recipients of federal financial assistance are required to provide LEP individuals with meaningful access to their programs and services.

The U.S. Department of Transportation (DOT) published [revised guidance](#) for its recipients on December 14, 2005. This document states that Title VI and its implementing regulations require that U.S. DOT recipients take reasonable steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for LEP individuals. Recipients use the DOT LEP Guidance to determine how best to comply with statutory and regulatory LEP obligations.

Identifying Limited English Proficient Populations (Four-Factor Analysis)

Title VI and its regulations require the Anoka County Highway Department to take reasonable steps to ensure meaningful access to its information and services. What constitutes reasonable steps to ensure meaningful access is flexible, fact-dependent, and contingent on a four-factor analysis established by the U.S. Department of Justice. The four-factor analysis is an individualized assessment that should be applied to determine what reasonable steps must be taken to ensure meaningful access for LEP individuals. **The analysis below is updated at least once every five years.**

FACTOR #1: THE NUMBER OR PROPORTION OF LEP INDIVIDUALS ELIGIBLE TO BE SERVED OR LIKELY TO BE ENCOUNTERED

The greater the number or proportion of LEP individuals from a particular language group served or encountered in the eligible service population, the more likely language assistance services are

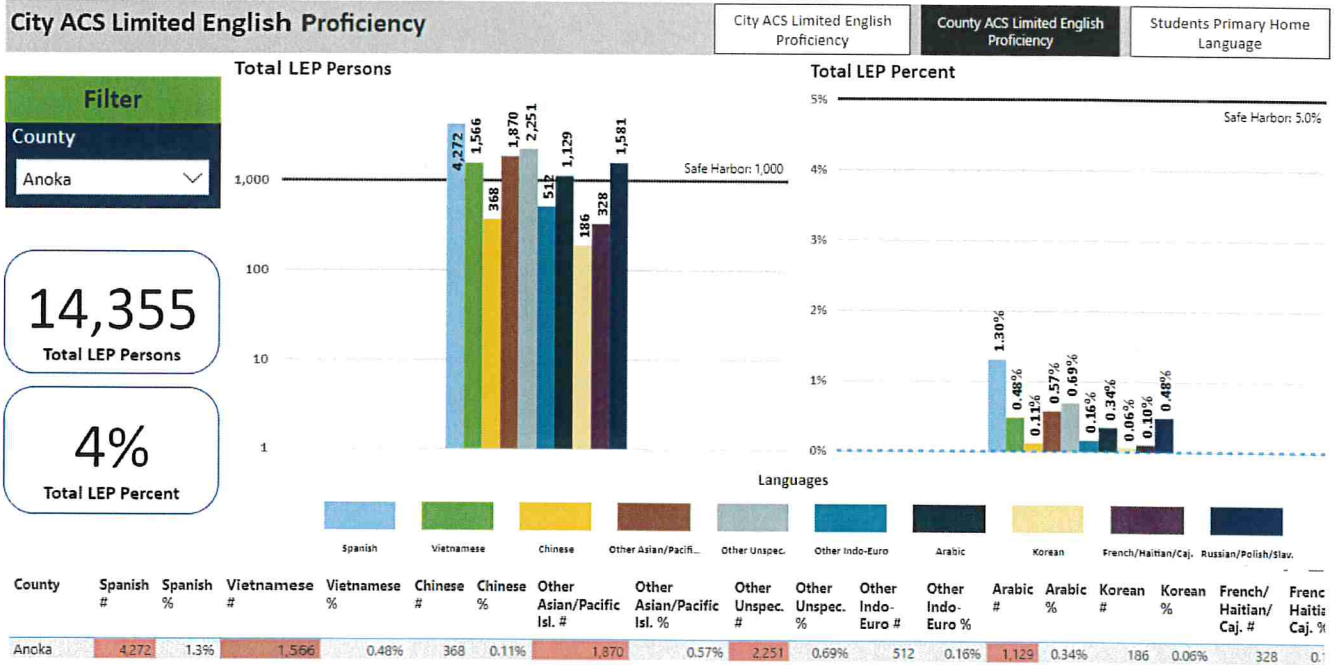
necessary. Ordinarily, “individuals eligible to be served or likely to be encountered” by a program or activity are those who are in fact, served or encountered in the eligible service population. This population will be program-specific and includes people who are in the program’s geographic area.

The Anoka County Highway Department should first examine their prior experiences with LEP individuals and determine the breadth and scope of language assistance services needed. It is also important to include LEP populations that are eligible beneficiaries of programs, activities, or services but may be underserved because of existing language barriers.

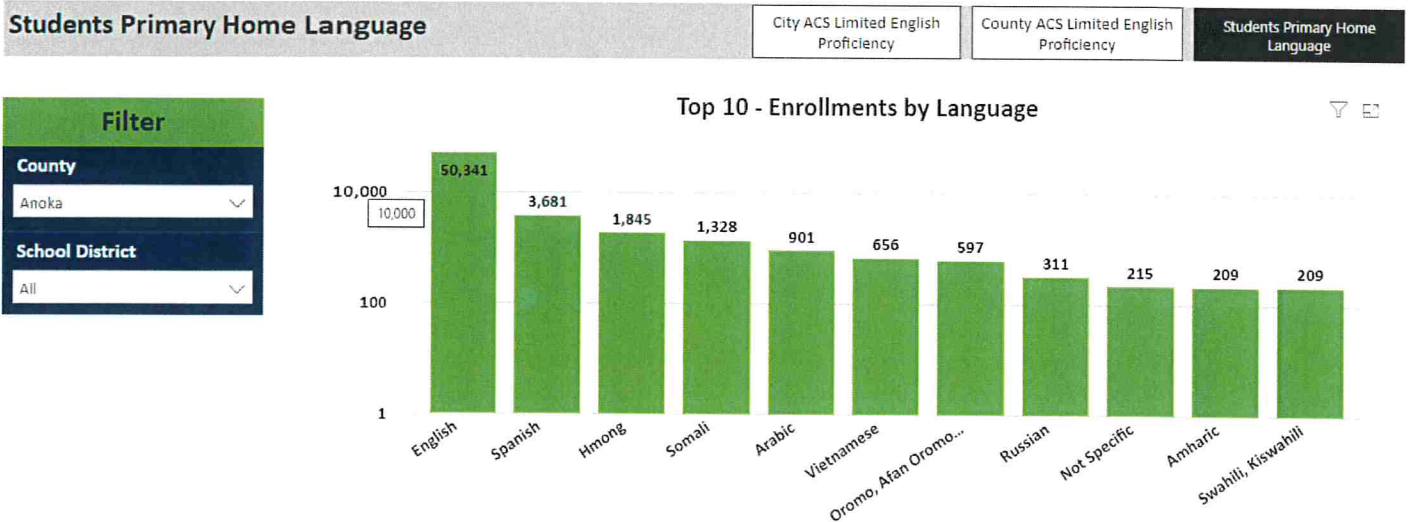
Generally, the Anoka County Highway Department will use reliable external data sources to determine the number or proportion of LEP individuals likely to be served or encountered.

The Anoka County Highway Department relies on [MnDOT’s LEP Data Tool](#) to provide the necessary data. **In the most recent analysis conducted in May 2023, the findings on the next page were documented.**

Limited English Proficiency Data Tool



Minnesota Department of Education: Primary Home Language for Students



**LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION
5 YEARS AND OVER**



Note: The table shown may have been modified by user selections. Some information may be missing.

Anoka County, Minnesota		
Label	Estimate	Margin of Error
Total:	317,224	±18
Speak only English	284,111	±1,191
Spanish or Spanish Creole:	9,242	±613
Speak English "very well"	5,315	±496
Speak English less than "very well"	3,927	±431
French (incl. Patois, Cajun):	1,004	±237
Speak English "very well"	723	±180
Speak English less than "very well"	281	±135
German:	1,307	±249
Speak English "very well"	1,191	±244
Speak English less than "very well"	116	±76
Russian:	1,421	±421
Speak English "very well"	643	±223
Speak English less than "very well"	778	±269
Serbo-Croatian:	1,101	±316
Speak English "very well"	637	±239
Speak English less than "very well"	464	±174
Hmong:	3,334	±618
Speak English "very well"	2,176	±481
Speak English less than "very well"	1,158	±328
Vietnamese:	2,219	±494
Speak English "very well"	1,073	±304
Speak English less than "very well"	1,146	±315
African languages:	4,484	±609
Speak English "very well"	2,905	±466
Speak English less than "very well"	35	±35
Arabic:	1,565	±420
Speak English "very well"	890	±321
Speak English less than "very well"	675	±220

Safe Harbor Provision (Written Documents)

U.S. DOT LEP Guidance provides a “safe harbor” to help ensure greater clarity regarding whether the Anoka County Highway Department is meeting its obligation to provide written translations. These safe harbor provisions only apply to the translation of written documents and do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language assistance services are needed and reasonable.

The following actions are considered strong evidence of compliance with the Department’s written-translation obligations:

- (a) Providing written translations of vital documents for **each eligible LEP language group that constitutes 5% or 1,000 people** of the population of individuals eligible to be served or likely to be affected or encountered. Translation of non-vital documents, if needed, can be provided orally; or
- (b) If there are fewer than 50 individuals in a language group that reaches the 5% trigger in (a), the vital written materials are not translated, but written notice of the right to receive free, competent oral interpretation of those vital written materials in the primary language of the LEP language group of is provided.

The above findings from the graphs on the preceding pages indicate the following LEP language group(s) meet(s) or are close to meeting the safe harbor threshold: **English, Spanish, Hmong, Somali**. Therefore, Anoka County Highway Department will prioritize written document translation of vital information into those language(s).

For those languages that do not meet the safe harbor threshold, efforts will be made to reasonably accommodate any language access requests that arise.

FACTOR #2: THE FREQUENCY WITH WHICH LEP INDIVIDUALS COME IN CONTACT WITH THE PROGRAM, ACTIVITY, OR SERVICE

Anoka County Highway Department should assess, as accurately as possible, the frequency with which they have or should have contact with LEP individuals from different language groups seeking assistance. If LEP individuals access a program or service on a regular, consistent basis, then that program or service provider has greater language access duties than a program or service whose contact with LEP individuals is unpredictable or infrequent.

However, even if there are infrequent or unpredictable interactions with LEP individuals, Anoka County Highway Department must be prepared to provide language assistance services to LEP individuals.

In applying this factor Anoka County Highway Department should also consider whether outreach to LEP individuals could increase the frequency of contact with LEP language groups and remain

mindful of the data analysis conducted under Factor #1 to identify the proportion of LEP population present in the service area.

LEP persons may interact in several ways with Anoka County Highway Department , including but not limited to:

- Public meetings
- Community events
- Project-specific meetings, events, and discussions
- Online engagement
- Walk-in requests for information
- Phone communications
- Customer service interactions
- Surveys for information
- Requests for permits, licenses, or materials
- Real estate transactions (i.e., right of way)

Anoka County Highway Department will assess, as accurately as possible over the next 5-year period, the frequency with which LEP persons from different language groups come into contact with Anoka County Highway Department programs and activities.

FACTOR #3: THE NATURE AND IMPORTANCE OF THE PROGRAM, ACTIVITY, OR SERVICE TO PEOPLE'S LIVES

The more important the activity, information, service, or program, or the greater the possible consequences of the contact to the LEP individuals, the greater the need for language assistance services. Anoka County Highway Department must determine whether denial or delay of access to services or information could have serious implications for the LEP individual. Generally, programs providing information and services related to accessing benefits, opportunities, or rights are considered high importance.

Vital Documents

As part of its analysis, a district, office, or program may determine that necessary language assistance measures include the translation of vital documents into the language of each LEP group that is frequently encountered, eligible to be served, or likely to be affected. Vital documents are paper or electronic written material containing information that is (1) critical for accessing programs, services, benefits, or activities, (2) directly and substantially related to public safety, or (3) required by law. Whether a document (or the information it solicits) is “vital” may depend upon the importance of the program, information, encounter, or service involved, and the consequence to the LEP person if the information in question is neither accurate nor timely.

Examples of vital documents in the U.S. DOT LEP Guidance include:

- Emergency transportation information
- Notices of public hearings regarding proposed transportation plans or projects
- Notices advising LEP individuals of free language assistance
- Applications or instructions on how to participate in a program or activity or receive benefits or services
- Consent forms

Sometimes a large document may include both vital and non-vital information. For these documents, vital information may include providing notice in the necessary non-English languages explaining where an LEP individual can obtain an interpretation or translation of the document.

Below is a LEP notice that can be placed on the cover of large documents in English, Spanish, Hmong, and Somali.

To request this document in another language, please send e-mail and attach document to
Email: RS-HwyDept-Support@co.anoka.mn.us.

Para pedir este documento en otro idioma, envíe un correo electrónico y adjunte el documento a **Email:** RS-HwyDept-Support@co.anoka.mn.us.

Yog xav kom muab daim ntawv no sau ua lwm hom lwm, thov sau ntawv nrog daim ntawv tuaj rau ntawm **Email:** RS-HwyDept-Support@co.anoka.mn.us.

Si aad u codsato dukumeentigan oo ku qoran luqad kale, fadlan e-mail u soo dir oo ku soo lifaaq dukumiintiga **Email:** RS-HwyDept-Support@co.anoka.mn.us.

Should future analysis indicate another or different LEP group meeting the safe harbor threshold, Anoka County Highway Department will evaluate its vital documents and provide translations in accordance with the analysis and federal guidance.

The following document types have been identified as vital and subject to translation in accordance with this analysis and federal guidance:

- Public Notice of Rights Under Title VI
- Language assistance notice on public engagement invitations
- Language assistance notice on large public-facing documents
- Other Vital Documents as determined by Anoka County Highway Department

FACTOR #4: THE RESOURCES AVAILABLE TO ANOKA COUNTY HIGHWAY DEPARTMENT AND THE COST OF LANGUAGE ASSISTANCE

The resources available to Anoka County Highway Department and the costs of providing language assistance services may impact the steps taken to provide meaningful access to LEP individuals. Additionally, reasonable steps may cease to be reasonable where the costs imposed substantially exceed the benefits. Anoka County Highway Department will determine on a case-by-case basis whether language assistance costs outweigh the benefits.

The four-factor analysis necessarily implicates a spectrum of language assistance measures. For instance, written translations can range from translation of an entire document to translation of a short description of the document, and interpretation services may range from using telephone-based interpretation services to providing in-person interpretation at a public event. Language assistance measures should be based on what is necessary and reasonable after considering the four-factor analysis. Anoka County Highway Department will proactively identify how to provide language assistance services efficiently and cost-effectively while ensuring meaningful access to LEP individuals.

Language Services

There are two types of language services:

- *Translation* is the replacement of a word, phrase, or text in one language (source language) with an equivalent-meaning word, phrase, or text in another language (target language). This is written language assistance.
- *Interpretation* is the act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning. This is oral language assistance.

Currently, Anoka County Highway Department has the following language services available:

- Primary use will be made of the state and county contracts with interpreter agencies, including Language Line Services.
- Language Line: Provides telephone-based, on-demand access to language interpreters 24 hours a day, 7 days a week, year-round. The service assists staff in communicating effectively with LEP individuals.

XIII. Notice of Rights

Your Rights Against Discrimination under Title VI of the Civil Rights Act of 1964

The Anoka County Highway Department is committed to ensuring that no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination on the basis of race, color, national origin, sex, age, disability, limited English proficiency or low-income status in any and all programs, activities, or services administered by the department in accordance with Title VI of the Civil Rights Act of 1964 and related nondiscrimination legal authorities.

If you believe you have been aggrieved by an unlawful discriminatory practice, or wish to request more information about the department's obligations under Title VI, please contact us at the following address and telephone number:

The Anoka County Highway Department
Attn: Title VI Coordinator
1440 Bunker Lake Boulevard
Andover, MN 55304
Email: RS-HwyDept-Support@co.anoka.mn.us
Fax: 763-324-3020
Phone: 763-324-3100

A Title VI complaint may also be submitted to MnDOT online at <https://www.dot.state.mn.us/civilrights/nondiscrimination-complaint-form.html> or using the contact information:

Minnesota Department of Transportation
Office of Civil Rights
395 John Ireland Blvd, Mail Stop 170
St. Paul, MN 55155
Phone: (651)-366-3073
Fax: (651)-366-3129

Appendix A

The United States Department of Transportation (USDOT)

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The Anoka County Highway Department (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 *Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

Modal Operating Administration may include additional Statutory/Regulatory Authorities here.

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 the FHWA.

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

Modal Operating Administration may include additional General Assurances in this section, or reference an addendum here.

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 FHWA Program:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "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 FHWA Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

“The Anoka County Highway Department, 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 ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.”
3. The Recipient will insert the clauses of **Appendix A and E** of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of **Appendix B** of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to 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, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance

under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

Modal Operating Administration may include additional Specific Assurances in this section.

By signing this ASSURANCE, Anoka County Highway Department also agrees to comply (and require any sub-recipients, 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 the FHWA. You must keep records, reports, and submit the material for review upon request to FHWA, or its designee 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.

Anoka County Highway Department gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the FHWA. This ASSURANCE is binding on

Anoka County Highway Department, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in its programs. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Anoka County Highway Department
(Name of Recipient)
by Joseph MacPherson
(Signature of Authorized Official)

Digitally Signed by Joseph
MacPherson
Date: 2022.10.31 14:14:29 -05'00'



DATED _____

APPENDIX A

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

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, **Federal Highway Administration (FHWA)**, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21. *[Include Modal Operating Administration specific program requirements.]*
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin. *[Include Modal Operating Administration specific program requirements.]*
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the FHWA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

A

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

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

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

(HABENDUM CLAUSE)

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

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

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

B

APPENDIX C

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

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

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, _____ Anoka County Highway Department _____ will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the _____ Anoka County Highway Department _____ will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the _____ Anoka County Highway Department _____ 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.)

C

APPENDIX D

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

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

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

D

APPENDIX E

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

Pertinent Non-Discrimination Authorities:

- 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 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 – 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).

E

Where did the discrimination occur?

When did the discrimination occur?

Were there any other witnesses to the discrimination?

Name	Organization/Title	Work Telephone	Home Telephone

How would you like to see this situation resolved?

Have you filed your complaint, grievance, or lawsuit with any other agency or court?

Who _____ When _____
 Status (pending, resolved, etc.) _____ Result, if known _____
 Complaint or case number, if known _____

If you have an attorney in this matter, please provide their contact information:

Name _____ Phone _____
 Address _____ City _____ Zip _____

Privacy notice: the Anoka County Highway Department is asking you to provide information in this complaint form which includes private and/or confidential information under the Minnesota Government Data Practices Act. This private/confidential information is being requested so that all allegations of discrimination can be investigated and addressed properly. You are not legally required to provide this information. However, if you do not provide sufficient information, your complaint may not be able to be adequately investigated. The information you provide will be used by the Anoka County Highway Department, Minnesota Department of Transportation and Federal Highway Administration employees whose job assignments reasonably require access to the information. The following also have a legal right to access the information: exclusive representative for any MnDOT or Anoka County Highway Department employee who becomes the subject of investigation in connection with your complaint; the arbitrator if discipline imposed on any such employee is appealed to arbitration; the MN Attorney General's Office; the MN Legislative Auditor's Office; law enforcement agencies and prosecutorial authorities; persons/entities named pursuant to court order; persons/entities whom you authorize; and any other person or entity authorized by state or federal law.

Signed _____ Date _____

Appendix C

Public Participation Survey:

PUBLIC PARTICIPATION SURVEY

WHY IS MNDOT COLLECTING THIS DATA?

Our goal is to get input from a wide range of individuals that reflect Minnesota. In order to understand who is participating in Anoka Cty HwyDept. engagement opportunities, we are asking you to provide demographic information about yourself.

HOW DOES MNDOT PLAN TO USE THIS DATA?

The data from this survey will be used by Anoka Cty HwyDept. staff to better understand who is (and isn't) engaging with Anoka Cty HwyDept. on transportation projects, plans and programs. By having this information, staff can adjust outreach efforts to ensure it is reaching all of the diverse communities that Mndot serves. Your responses will be compiled collectively with other participants and will not be associated with you, personally.

ARE YOU REQUIRED TO PROVIDE THIS INFORMATION?

You are not obligated to respond to these questions about yourself, and there are no consequences if you do not respond. However, if you do not respond, Anoka Cty HwyDept. will not fully understand who is informing the transportation projects, plans and programs for which it is seeking public input.

WHO WILL HAVE ACCESS TO THIS DATA?

Data will be accessible to Anoka Cty HwyDept. employees whose job reasonably requires access to the information, to anyone you specifically authorize to receive the information, pursuant to a court order, and by any other person or entity authorized by state or federal law. To the extent information submitted in connection with this registration form identifies an individual or business, the information may be protected from disclosure under the Minnesota Government Data Practices Act (MGDPA). Minor individuals who have provided information on this site have the right to request that parental access to the private data on the minor, be denied.

PUBLIC PARTICIPATION SURVEY

WHY IS MNDOT COLLECTING THIS DATA?

Our goal is to get input from a wide range of individuals that reflect Minnesota. In order to understand who is participating in Anoka Cty HwyDept. engagement opportunities, we are asking you to provide demographic information about yourself.

HOW DOES MNDOT PLAN TO USE THIS DATA?

The data from this survey will be used by Anoka Cty HwyDept. staff to better understand who is (and isn't) engaging with Anoka Cty HwyDept. on transportation projects, plans and programs. By having this information, staff can adjust outreach efforts to ensure it is reaching all of the diverse communities that Mndot serves. Your responses will be compiled collectively with other participants and will not be associated with you, personally.

ARE YOU REQUIRED TO PROVIDE THIS INFORMATION?

You are not obligated to respond to these questions about yourself, and there are no consequences if you do not respond. However, if you do not respond, Anoka Cty HwyDept. will not fully understand who is informing the transportation projects, plans and programs for which it is seeking public input.

WHO WILL HAVE ACCESS TO THIS DATA?

Data will be accessible to Anoka Cty HwyDept. employees whose job reasonably requires access to the information, to anyone you specifically authorize to receive the information, pursuant to a court order, and by any other person or entity authorized by state or federal law. To the extent information submitted in connection with this registration form identifies an individual or business, the information may be protected from disclosure under the Minnesota Government Data Practices Act (MGDPA). Minor individuals who have provided information on this site have the right to request that parental access to the private data on the minor, be denied.

Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Non-Binary <input type="checkbox"/> Transgender <input type="checkbox"/> Prefer not to answer		
Age: <input type="checkbox"/> Under 18 <input type="checkbox"/> 18-24 <input type="checkbox"/> 25-34 <input type="checkbox"/> 35-44 <input type="checkbox"/> 45-54 <input type="checkbox"/> 55-64 <input type="checkbox"/> 65-74 <input type="checkbox"/> 75+ <input type="checkbox"/> Prefer not to answer	Disability: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Prefer not to answer Are you of Hispanic descent? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Prefer not to answer	Race: <input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African-American <input type="checkbox"/> Native Hawaiian/Pacific Islander <input type="checkbox"/> White <input type="checkbox"/> Some other race/More than one race (please specify) _____ <input type="checkbox"/> Prefer not to answer
Language (most frequently spoken): <input type="checkbox"/> English <input type="checkbox"/> Russian <input type="checkbox"/> Spanish <input type="checkbox"/> Vietnamese <input type="checkbox"/> Somali <input type="checkbox"/> Chinese <input type="checkbox"/> Hmong <input type="checkbox"/> Arabic <input type="checkbox"/> Amharic <input type="checkbox"/> Other (please specify) _____ <input type="checkbox"/> Oromo <input type="checkbox"/> Karen <input type="checkbox"/> Prefer not to answer	Education Level: <input type="checkbox"/> High school or less <input type="checkbox"/> Technical or vocational school <input type="checkbox"/> Some college <input type="checkbox"/> College graduate <input type="checkbox"/> Post graduate work or advanced degree <input type="checkbox"/> Prefer not to answer	
Which county do you live in? _____ Which zip code do you live in? _____	How you heard about the event: <input type="checkbox"/> Newspaper <input type="checkbox"/> Television <input type="checkbox"/> Social Media <input type="checkbox"/> Radio <input type="checkbox"/> Mailing <input type="checkbox"/> Other: _____ <input type="checkbox"/> Email <input type="checkbox"/> Word of mouth <input type="checkbox"/> Website - please specify: _____	
FOR STAFF USE ONLY		
Date of event: _____ Event name: _____ SP #: _____		

!: biological, an indication of the heritage with which you were born

Thank you for your participation!

Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Non-Binary <input type="checkbox"/> Transgender <input type="checkbox"/> Prefer not to answer		
Age: <input type="checkbox"/> Under 18 <input type="checkbox"/> 18-24 <input type="checkbox"/> 25-34 <input type="checkbox"/> 35-44 <input type="checkbox"/> 45-54 <input type="checkbox"/> 55-64 <input type="checkbox"/> 65-74 <input type="checkbox"/> 75+ <input type="checkbox"/> Prefer not to answer	Disability: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Prefer not to answer Are you of Hispanic descent? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Prefer not to answer	Race: <input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African-American <input type="checkbox"/> Native Hawaiian/Pacific Islander <input type="checkbox"/> White <input type="checkbox"/> Some other race/More than one race (please specify) _____ <input type="checkbox"/> Prefer not to answer
Language (most frequently spoken): <input type="checkbox"/> English <input type="checkbox"/> Russian <input type="checkbox"/> Spanish <input type="checkbox"/> Vietnamese <input type="checkbox"/> Somali <input type="checkbox"/> Chinese <input type="checkbox"/> Hmong <input type="checkbox"/> Arabic <input type="checkbox"/> Amharic <input type="checkbox"/> Other (please specify) _____ <input type="checkbox"/> Oromo <input type="checkbox"/> Karen <input type="checkbox"/> Prefer not to answer	Education Level: <input type="checkbox"/> High school or less <input type="checkbox"/> Technical or vocational school <input type="checkbox"/> Some college <input type="checkbox"/> College graduate <input type="checkbox"/> Post graduate work or advanced degree <input type="checkbox"/> Prefer not to answer	
Which county do you live in? _____ Which zip code do you live in? _____	How you heard about the event: <input type="checkbox"/> Newspaper <input type="checkbox"/> Television <input type="checkbox"/> Social Media <input type="checkbox"/> Radio <input type="checkbox"/> Mailing <input type="checkbox"/> Other: _____ <input type="checkbox"/> Email <input type="checkbox"/> Word of mouth <input type="checkbox"/> Website - please specify: _____	
FOR STAFF USE ONLY		
Date of event: _____ Event name: _____ SP #: _____		

!: biological, an indication of the heritage with which you were born

Thank you for your participation!

BOARD OF COUNTY COMMISSIONERS

Anoka County, Minnesota

DATE: September 12, 2023

RESOLUTION #2023-101

OFFERED BY COMMISSIONER: Schulte

**RESOLUTION TO APPROVE AND ADOPT
ANOKA COUNTY HIGHWAY DEPARTMENT
TITLE VI PLAN**

WHEREAS, Title VI of the Civil Rights Act of 1964 states that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance (42 U.S.C. Section 200d); and,

WHEREAS, additionally, the Civil Rights Restoration Act of 1987 clarified Title VI enforcement by mandating that Title VI requirements apply to *all* programs and activities of federal-aid recipients regardless of whether any particular program or activity involves federal funds; and,

WHEREAS, the Anoka County Highway Department, as a subrecipient of federal financial assistance, has developed a Title VI plan specific to transportation and highway activities, to ensure full compliance with Title VI laws, related statutes, and regulations:

NOW, THEREFORE, BE IT RESOLVED that Anoka County, by and through its Board of Commissioners, hereby approves and adopts the Anoka County Highway Department Title VI Plan (the "Plan"), subject to review as to form by the Anoka County Attorney's Office.

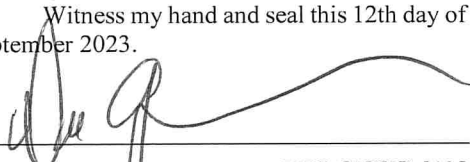
BE IT FURTHER RESOLVED that the chair of the Anoka County Board of Commissioners and county administrator are authorized to sign all documents necessary to approve and adopt the Plan, which will remain on file at the Highway Department, County Administration Department, and will be publicly posted and available upon adoption.

BE IT FINALLY RESOLVED that the Chief Officer of the Transportation Division/Anoka County Engineer, or his designee(s), are hereby authorized to establish procedures to ensure Title VI compliance, appoint a Title VI Coordinator, update the Plan as needed, and to execute the U.S. DOT Assurances associated with Title VI, or other compliance documents, for as long as the Plan remains in effect.

**STATE OF MINNESOTA)
COUNTY OF ANOKA) ^{SS}**

I, Dee Guthman, Deputy County Administrator, Anoka County, Minnesota, hereby certify that I have compared the foregoing copy of the resolution of the county board of said county with the original record thereof on file in the Administration Office, Anoka County, Minnesota, as stated in the minutes of the proceedings of said board at a meeting duly held on September 12, 2023, and that the same is a true and correct copy of said original record and of the whole thereof, and that said resolution was duly passed by said board at said meeting.

Witness my hand and seal this 12th day of September 2023.


DEE GUTHMAN
DEPUTY COUNTY ADMINISTRATOR

	<u>YES</u>	<u>NO</u>
DISTRICT #1 – LOOK	X	
DISTRICT #2 – BRAASTAD	X	
DISTRICT #3 – REINERT	X	
DISTRICT #4 – SCHULTE	X	
DISTRICT #5 – GAMACHE	X	
DISTRICT #6 – JEPSON	X	
DISTRICT #7 – MEISNER	X	