

LAP Title VI Sub-Recipient Compliance Assessment Tool (SCAT) Training Course (No. BT-05-0153)  
Questions and Answers

- Q Why isn't there a requirement to have the Construction Engineering Inspection (CEI) measure slopes during forming?  
A You can require this in your contracts!
- Q How does Title VI apply to employment?  
A Employment is Title VII (7) which is different than Title VI (6). Title VII is directly related to employment. Same basic protective classes but a different chapter of the law.
- Q Seminole County uses the social media app, Next Door, to notify neighborhoods that may be impacted by a project.  
A Great comment! Next Door has caught on quick. Tallahassee is doing the same!
- Q Does Title VI cover the LGBT community?  
A Title VI covers race, color, and national origin. Additional nondiscrimination authorities at the federal and state levels also cover age, sex, disability, religion, and family status. I am not sure if you are asking regarding sexual orientation or transgender since LGBT casts a wide net. While sexual orientation may not be covered as a protected class at the state or federal levels currently, many local governments that have local laws or ordinances that do extend protections to sexual orientation. Transgender issues can be covered under "sex" and may also be provided at the local level as an additional protected class.
- Q Where on the FDOT website is the Sub-Recipient Compliance Assessment Tool (SCAT)?  
A <https://www.fdot.gov/programmanagement/LAP/TitleVI.shtm>
- Q We have been directed to upload our transition plan onto our website.  
A Americans with Disabilities Act (ADA) Transition Plans are required to be publicly posted. We recommend posting to your agency's website to ensure the information is available to the public.
- Q If this is wrong, why are we not allowed to do "local preference" on Local Agency Program (LAP) projects?  
A Local preference is not allowed under federal regulations related to competition on federally funded projects and is not tied to Title VI. Effective July 1, 2018, local preference is no longer allowed under Florida Statutes for construction projects and the related activities that are 50% or more funded by the state.
- Q What about not allowing local preference on bidding construction LAP projects?  
A Both federal regulations and Florida Statutes disallow this practice.

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- Q Is the location for the Civil Rights 10-page handbook listed in the handouts?  
A Yes and you may also find it posted here:  
<https://www.fdot.gov/programmanagement/LAP/TitleVI.shtm>
- Q Regarding the issue of milling and upgrading ADA ramps within limits, is this for federally funded projects and locally funded as well?  
A ADA compliance is not tied to funding sources. The city will need to comply with all projects that meet the criteria in the Department of Justice (DOJ) memo.
- Q Back to the ADA ramp question. Can you point me to the DOJ Memo? I just want to make sure our annual local resurfacing plan is complying.  
A The link is on the SCAT form and LAP Title VI webpage.  
<https://www.fdot.gov/docs/default-source/programmanagement/lap/pdfs/ADAResurfQ-A.pdf>
- Q Are agencies required to report trip and fall / ADA issues with construction projects that are under the control of contractors?  
A Document and be ready to report as needed. Usually, these are tied to Maintenance of Traffic (MOT) deficiencies and can be corrected quickly by the contractor. MOT is required to be compliant with the ADA.
- Q Can you please spell out MPO?  
A Metropolitan Planning Organization
- Q Can you explain how Title VI applies to some of our other departments such as public works?  
A They will further expand on this question during this section of the presentation. In general, the key to remember is that Title VI is implemented at the agency level. Title VI programs and policies would not vary by department within your agency.
- Q If a citizen receives a notice of violation from code enforcement and complains that they received that notice/fine due to race, would that need to be logged with Title VI?  
A Yes! Allow your Title VI process to investigate and decide to make sure you are covered.
- Q What does it mean "ADA compliance is not tied to funding"?  
A Compliance with the ADA is required whether or not you receive funding from federal or state sources. It is not tied to whether you receive funds from FDOT/FHWA.
- Q Don't we risk FDOT funding if we're not ADA compliant?  
A Yes. We would not be able to grant funds to your agency if compliance is not achieved.

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- Q So, you're saying it's required to be compliant - that being compliant isn't based on funding  
A Yes!
- Q What is the website for the demographics?  
A <https://www.census.gov/programs-surveys/acs/about/acs-and-census.html>
- Q Wouldn't churches exclude people of other religions?  
A While churches may have limited data regarding religion as a classification, churches could be a good source of data for national origin or race of the congregants.
- Q If churches are used as an information source, wouldn't houses of worship of other faiths need to be solicited for information as well?  
A Some religions or denominations are associated with a national origin or ethnicity. You would not have information on people of a specific ethnicity, national origin, or race because many of the churches are effectively segregated along these lines. Churches may not be a good source of information for your needs. Churches are an option depending on the project location, public outreach goals, and the data you need to conduct a thorough analysis. It is a possible answer depending on the situation but in no means a requirement or always relevant.
- Q We struggle to make our website and documents themselves ADA compliant - any suggestions to do this cost-effectively?  
A There are informational resources available for assisting state and local governments with compliance. US DOJ has a fact sheet on communication requirements, including contact information for those needing additional information. Further, Chapter 5 of the ADA Best Practice Toolkit, specifically addresses website accessibility for state and local governments and includes a compliance checklist. Finally, the US Access Board (USAB) is a wealth of information for entities adopting 508 for IT and communication compliance. In addition to online information, USAB is available to answer specific questions by calling 800-872-2253 or emailing 508@access-board.gov.
- Q Can Lorraine speak to staff LAP training requirements?  
A LAP training requirements for certification are listed in Chapter 2 of the LAP Manual.
- Q The link to Department of Transportation (DOT) map does not work.  
A Here is the correct link: <https://demographics.coopercenter.org/racial-dot-map>