IOWA DOT

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Title VI/Non-Discrimination Program Plan FMCSA FFY 2020

Ensuring Justice

August 1, 2019

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SECTION 1

PROGRAM OVERVIEW

Introduction

The Iowa Department of Transportation (Iowa DOT) is a recipient of Federal Financial Assistance. All recipients are required to comply with various nondiscrimination laws and regulations, including Title VI of the Civil Rights Act of 1964 which forbids discrimination against anyone in the United States because of race, color, or national origin by any agency receiving Federal Funds. The Federal-Aid Highway Act of 1973 added the requirement that there be no discrimination on the grounds of sex.

Additionally, the Civil Rights Restoration Act of 1987 defined the word "program" to make clear that discrimination is prohibited throughout an entire agency if any part of the agency receives Federal Financial Assistance.

The Iowa DOT is to ensure that none of its activities or programs treat any part of the community any differently than another. The Iowa DOT expects every manager, supervisor, employee, and sub-recipient of Federal-Aid Funds administered by the Iowa DOT to be aware of and apply the intent of Title VI of the Civil Rights Act of 1964 in performing assigned duties.

The Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Federal Motor Carrier Safety Administration (FMCSA) require recipients of Federal-Aid Funds to prepare a plan to clarify roles, responsibilities, and procedures established to ensure compliance with Title VI of the Civil Rights Act of 1964.

The Iowa DOT's Title VI Program Plan focuses on functional areas with significant public contact responsibilities and provides the policy direction necessary to ensure compliance with Title VI of the Civil Rights Act of 1964.

Policy statement of nondiscrimination

The Iowa Department of Transportation, hereinafter referred to as the Iowa DOT, through enactment of this program, hereby assures that no person shall on the grounds of race, color, national origin, sex, age, disability, low-income or LEP (see also: *Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, and the Civil Rights Restoration Act of 1987, Pub. L. No. 100-259, 102 Stat. 28*) be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance. The Iowa DOT further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, regardless of whether those programs and activities are federally funded.

It is the policy of the Iowa DOT to comply with: *49 CFR Part 21*; *49 CFR Part 303*; Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e; Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107; Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. §§4601-4655; 1973 Federal Aid Highway Act, 23 U.S.C. § 324; Title IX of the Education Amendments of 1972, Pub. L. No. 92-318, 86 Stat. 235; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §§ 701 et seq; Civil Rights Restoration Act of 1987, Pub. L. No. 100-259, 102 Stat. 28; Americans with Disabilities Act of

Restoration Act of 1987, Pub. L. No. 100-259, 102 Stat. 28; Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq.; Title VIII of the Civil Rights Act 1968, 42 U.S.C. §§ 3601-3631; Exec. Order No. 12898, 59 Fed. Reg. 7629 (1994) (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations); and Exec. Order No. 13166, 65 Fed. Reg. 50121 (2000) (Improving Access to Services for Persons with Limited English Proficiency) and the FMSCA Title VI Program Assurance (see: page 28)

The Civil Rights Restoration Act of 1987, Pub. L. No. 100-259, 102 Stat. 28, broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of federal-aid recipients, subrecipients and contractors/consultants, regardless of whether such programs and activities are federally assisted.

Pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112, 87 Stat. 355, the Iowa DOT hereby gives assurance that no qualified disabled person shall, solely by reason of disability, be excluded from participation in, be denied the benefits of or otherwise be subjected to discrimination, including discrimination in employment, under any program or activity that receives or benefits from this federal financial assistance.

The Iowa DOT also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies and activities on minority and low-income populations. In addition, the Iowa DOT will take reasonable steps to provide meaningful access to services for persons with limited-English proficiency. The Iowa DOT will, where necessary and appropriate, revise, update and incorporate nondiscrimination requirements into appropriate manuals, directives and regulations.

In the event the Iowa DOT distributes federal-aid funds to a second-tier subrecipient, the Iowa DOT will include Title VI language in all written agreements.

The Iowa DOT's Civil Rights Bureau Director, is responsible for initiating and monitoring Title VI activities, preparing reports and performing other responsibilities, as required by 23 C.F.R. § 200 and 49 C.F.R. § 21.

Mark Lowe
Director, Iowa Department of Transportation

7/30/2019
Date

Authorities

Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d, provides that no person in the United States shall on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance.
The Civil Rights Restoration Act of 1987, Pub. L. No. 100-259 102 Stat. 28, broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of federal-aid recipients, sub-recipients and contractors, whether such programs and activities are federally assisted or not.
Environmental justice (EJ): Executive Order 12898 addresses disproportionate adverse environmental, social and economic impacts that may exist in communities, specifically minority and low-income populations.

Limited English Proficiency (LEP): Executive Order 13166 addresses access to services for persons whose primary language is not English and who have a limited ability to read, write, speak or understand English.

Americans with Disabilities Act of 1990 (ADA): The Act prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, state and local government services, public accommodations, commercial facilities and transportation.

Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112, 87 Stat. 355, prohibits discrimination based on disability.

Additional citations

Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d to 2000d-4; 42 U.S.C. §§ 4601 to 4655; 23 U.S.C. §109(h); 23 U.S.C. §324; DOT Order 1050.2; Executive Order 12250; Executive Order 12898; 28 C.F.R. § 50.3.

Standard Assurances
49 C.F.R. § 21.7

Pursuant to 49 C.F.R. § 21.7, every application for federal financial assistance or continuing federal financial assistance must provide a statement of assurance and give reasonable guarantee that the program is (or, in the case of a new program, will be) conducted in compliance with all requirements imposed by or pursuant to Part 21 (Nondiscrimination in Federally Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964). Fully executed standard DOT assurances (including Appendices A, B, C, D and E) are attached to this plan. (Attachment A)

SECTION 2

ORGANIZATION AND STAFFING

Organizational Chart

The Iowa DOT's organizational chart showing the Civil Rights Bureau, as of May 1, 2019 (Attachment B). Previously, Civil Rights had been within the Employee Services Bureau.

Staffing

The responsibility for the direction and implementation of the Iowa DOT's Title VI Program is assigned to the Director of the Iowa DOT.

The Civil Rights Bureau Director (hereafter referred to as "Bureau Director"), on behalf of the Iowa DOT Director, is responsible for the department-wide management of the Title VI program and the Civil Rights Bureau (hereafter referred to as "CRB") and has direct access to the Iowa DOT's Director on Title VI/Nondiscrimination issues. The Bureau Director is under the direct supervision of the Director of the Administrative Services Division. Motor Vehicle Enforcement has a Title VI program area coordinator.

Civil Rights Bureau Director Responsibilities

The Bureau Director is responsible for implementing, monitoring, and ensuring Iowa DOT compliance with Title VI regulations. The Title VI responsibilities are as follows:

- Consult with and inform the Director of the Iowa DOT on nondiscrimination program activities.
- Process the disposition of Title VI complaints received by the Iowa DOT, with assistance from program area coordinators.
- Collect statistical data (race, color, sex, and national origin) of participants in, and beneficiaries of state highway and enforcement programs.
- Conduct Title VI reviews of cities, counties, consultants, contractors, universities, colleges, planning agencies, and other recipients of federal aid highway funds.
- Review state program directives in coordination with Civil Rights Committee liaisons for special emphasis program areas and, where applicable, include Title VI language and related requirements.
- Conduct training programs on Title VI and related statutes for state program officers, civil rights officials, and Iowa DOT sub-recipients of federal funds.
- Prepare the annual Title VI update report reflecting accomplishments of the past year and establishing goals for the next year.

- Develop Title VI information for dissemination to the general public, including translation into languages other than English when appropriate.
- Conduct post-grant approval reviews of state programs, sub-recipients and applicants for compliance with Title VI requirements.
- Identify, investigate, and eliminate discrimination when found to exist within our programs.
- Establish procedures for promptly resolving deficiency status and develop a written remedial action plan as necessary, all within a period not to exceed 90 days.
- Provide technical assistance to sub-recipients in the development of their Title VI Plan and assurances.

External Civil Rights Administrator Responsibilities

The External Civil Rights Administrator, under the direct supervision of the Civil Rights Bureau Director, is responsible for ensuring the Iowa DOT's compliance with the federal Civil Rights programs that highway contractors, consultants and sub-recipients must comply with. The Title VI responsibilities are as follows:

- Log, track and investigate external civil rights complaints (Title VI, Title II, ADA and 504) as assigned.
- Implement the Title VI Plan.
- Implement the Disadvantaged Business Enterprise (DBE) Program on USDOT-assisted contracts and procurements.
- Set annual overall DBE goals and DBE goals on individual projects in coordination with internal Iowa DOT divisions.
- Implement the Equal Employment Opportunity (EEO) Contract Compliance Program.
- Implement the On-the-Job Training (OJT) programs under the Training Special Provisions (TSP) of USDOT-assisted construction contracts.
- Establish and monitor the DBE, Emerging Small Business (ESB) and Small Business Development Contracts (SBDC) Supportive Services Programs.
- Ensure proper DBE and SBDC Certification processes and documents are utilized.

- Provide training and technical assistance to the Iowa DOT and its sub-recipients, contractors and consultants.

- Implement the Minority and Women Business Enterprise (MWBE) program on state-funded contracts and procurements.

Title VI Specialist Responsibilities

The Title VI Specialist, under the direct supervision of the Civil Rights Bureau Director, work in collaboration with the Civil Rights Bureau Director and External Civil Rights Administrator. They are responsible for coordinating and providing technical assistance on all Title VI and Title II Programs and preparing required reports. Duties include:

- Coordinate Title VI Program development and implementation with affected program areas.

- Provide technical assistance and advice on Title VI matters to Civil Rights Committee Liaisons and Program Area Officials.

- Conduct internal Title VI reviews of Iowa DOT Program Office activities when necessary to cover aspects beyond those included in routine monitoring.

- Participate with program area staff to review section program activities that include Title VI issues.

- Conduct Title VI reviews of consultants, universities, regional planning affiliations (RPAs) and other sub-recipients to ensure Title VI compliance.

- Review Iowa DOT program manuals, contracts, and policy statements to determine whether Title VI is appropriately addressed.

- Work with program areas to correct identified Title VI problems including discriminatory practices or policies.

- Conduct Title VI training for Civil Rights Liaisons, Iowa DOT staff and subrecipients.

- Assist in the preparation of annual reports of Title VI activities and accomplishments.

- Assist in updating the Title VI Plan as necessary to reflect organizational, policy or implementation changes.

SECTION 3

IMPLEMENTATION PROCEDURES

Program Administration — General

As authorized by the Iowa DOT Director, under the direct supervision of the Director of the Administrative Services Division, the Bureau Director is responsible for initiating, monitoring, and ensuring Iowa DOT's compliance with Title VI requirements as follows.

A. Complaints and Disposition

If any individual believes that he/she or any other program beneficiaries have been subjected to unequal treatment or discrimination in their receipt of benefits and/or services, on the grounds of race, color, national origin, income, sex, or disability, he/she may exercise their right to file a complaint with the Iowa DOT. Every effort will be made to resolve complaints informally at the district/division, sub-recipient, and contractor level. Complaint forms, instructions and general information about the complaint process is available on the DOT's website or upon request.

The Iowa DOT's CRB maintains the complaint log and a file that includes at minimum the following: investigative plan, investigation report, investigative findings and remedial action taken (Attachment C).

B. Data Collection

Statistical data on race, color, national origin, age, disability, income level, language spoken, and gender of participants in, and beneficiaries of, Iowa DOT programs will be gathered and maintained for the Iowa DOT by the CRB. The data gathering process will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of the Title VI program administration.

C. Title VI Reviews of Sub-recipients

It is the responsibility of the CRB to conduct compliance reviews of sub-recipients of federal financial assistance. A process for reviewing and monitoring sub-recipient(s) awarded FMCSA funds by the Iowa DOT will be developed and implemented on or before October 1, 2019.

Sub-recipient(s) will be required to provide signed Title VI Assurances, updated annually and a signed Policy Statement, also updated annually. Sub-recipient(s) will develop a Title VI Program/Plan to include, at minimum, a:

- description of the program for which they are receiving funds;
- description or copy of the notification of Title VI rights provided to their beneficiaries/participants;
- description of their complaint disposition process;
- disclosure of any corrective action required to address previously identified deficiencies, and status of those actions (if any);

- summary of Title VI training provided by the sub-recipient, frequency with which such training is provided, to whom the training is provided, and a description of the content of the training;
- commitment to provide access to all records related to effective implementation of the Title VI program to the Iowa DOT.

An on-site Title VI Compliance Review will be conducted on a triennial basis, beginning in federal fiscal year 2020. The Iowa DOT Civil Rights Bureau will develop an appropriate monitoring tool and conduct the on-site review.

D. Training Programs

Title VI Training:

Title VI training is currently provided to all new employees of the Iowa DOT through our New Employee Orientation program. Title VI specific training (Attachment D) was developed and presented to Iowa DOT special emphasis program areas and employees in Federal Fiscal Year 2018. These training components were developed utilizing job specific considerations and will continue to be provided in alternating years.

Supplemental Title VI refresher course training will be administered during the odd numbered years. The CRB is responsible for development and presentation of training, or may delegate delivery of the training, if appropriate. The content will utilize the Title VI Program Policy Statement as a foundation and will be delivered in person, utilizing PowerPoint, small group discussion points and/or other modalities that encourage participation by trainees. The refresher training may be offered in person or via online modules that include a testing component.

Motor Vehicle Enforcement New Officer Training includes:

- Achieving Effective Communication
- Valuing Diversity
- ADA/EEO-AA
- Iowa Law Enforcement Academy Curriculum

Annual In-Service Training for all Officers includes:

- Face 2 Face Communication
- Adapting to Change
- Incident Command System
- Behavior Based Safety

Motor Vehicle Division Training for all Staff includes:

- Valuing Diversity
- ADA/EEO-AA
- Achieving Effective Communication
- Adapting to Change
- Behavior Based Safety
- Face 2 Face Communication

Driver & Identification Services/Motor Carrier Services Bureaus Management Training:

- Diversity for Managers
- Business and Organizational Ethics
- Supervisor Diversity Summit (DIS only)
- Leadership for Change
- Leadership/Management: Understanding Generational Differences

E. Access to Records

Motor Vehicle Enforcement Bureau, Vehicle & Motor Carrier Services Bureau, and Driver & Identification Services Bureau provide quarterly and annual activity reports to FMCSA, as required. Additionally, all other records and documentation are available to FMCSA staff upon request.

F. Notification to Beneficiaries and/or Participants

https://iowadot.gov/civilrights/Title-VI/What-is-Title-VI-Program

Motor Vehicle Enforcement, Vehicle and Motor Carrier Services Bureau, and Driver & Identification Services Bureau will provide written documents including, but not limited to: plans, reports, pamphlets, brochures via printed materials available on site and on the Iowa DOT's website. Information provided to the public will include notification of the Department's obligations under Title VI as well the protections against discrimination afforded to the Public pursuant to these Title VI Program requirements.

Notification to the Public shall include the following at a minimum:

- A statement that the Iowa Department of Transportation operates its programs without regard to: race, color, national origin, sex, age, disability, income-level or Limited English Proficiency (LEP);

- Procedures to be followed by the public to request additional information regarding the Iowa Department of Transportation's Non-Discrimination obligations;

- Procedures for the public to file a discrimination complaint, including the name of the current contact representative; with mailing address, telephone number and email address.

G. Status of Corrective Actions:

There were no federal Title VI reviews conducted during FFY 2019.

SECTION 4

PROGRAM ADMINISTRATION

Description of Federal Aid Programs

A. Motor Vehicle Enforcement Bureau

Motor Vehicle Enforcement Bureau, known as MVE, is a dynamic, progressive, and professional statewide law enforcement organization dedicated to highway safety. MVE officers serve and protect the public by patrolling Iowa's highways and operating state-of-the-art weigh station facilities. They are Iowa Law Enforcement Academy (ILEA) certified peace officers. While all state laws (traffic and criminal) are enforced, MVE's core mission is in the enforcement of the Federal Motor Carrier Safety Regulations (FMCSR), vehicle size, weight, registration, and travel authority of commercial motor vehicles.

Assurance Activities

- Enforcement and investigative functions must be carried out in an equitable fashion;

- Efforts will be made to accommodate persons with limited English proficiency.

Administration

In addition to the program mission as described above, there are a number of administrative areas which have Title VI implications. These include agency staff composition by race and gender, policies, procedures and directives; contracts, agreements, other legal instruments and proposed legislation; Title VI training; dissemination of information to the public and public involvement programs.

Assurance Activities

- Monitor continued progress on agency-wide Affirmative Action goals and encourage diversity with respect to protected classes in each of the pertinent program areas;

- Review policies, procedures, Iowa DOT directives and proposed legislation for Title VI issues;

- Ensure publications and other information disseminated to the public includes Title VI policy reference.

Driver & Identification Services Bureau

Driver & Identification Services Bureau, commonly referred to as DIS, is comprised of several groups that handle driver's licensing, records, and identification credentials for Iowans as well as driver safety education. In addition to the 17 Iowa DOT driver's license service centers managed by DIS, it supports 81 county treasurer locations that also issue driver's licenses and identification cards.

DIS currently has a 2016 FMCSA grant to assist with technical writing for the commercial driver's license manual. There are no sub-recipients or pass-thru associated with this grant. All funds are to be used by the Iowa DOT (DIS).

Vehicle & Motor Carrier Services Bureau

The Vehicle & Motor Carrier Services Bureau, known as VMCS, oversees a wide range of regulations related to vehicle titling and registration, dealer licensing, salvage theft, personalized and specialty license plates, oversize/overweight permitting, transit fuel, intrastate travel authority, commercial vehicle registration, and the commercial fuel tax. VMCS also manages international agreements that allow carriers to operate in other member jurisdictions without contacting each jurisdiction individually. Many other government agencies, as well as private companies, work closely with VMCS.

VMCS is eligible to receive High Priority – Innovative Technology Deployment funding (HP-ITD) and is a current recipient of an HP-ITD grant. There are no sub-recipients or pass-thru associated with this grant. All funding is used by the Iowa DOT (VMCS).

DIS & VMCS Assurances

- Enforcement and investigative functions must be carried out in an equitable fashion;

- Efforts will be made to accommodate persons with limited English proficiency.

DIS & VMCS Administration

In addition to the program mission as described above, there are a number of administrative areas which have Title VI implications. These include agency staff composition by race and gender, policies, procedures and directives; contracts, agreements, other legal instruments and proposed legislation; Title VI training; dissemination of information to the public and public involvement programs.

Assurance Activities

- Monitor continued progress on agency-wide Affirmative Action goals and encourage diversity with respect to protected classes in each of the pertinent program areas;

- Review policies, procedures, Iowa DOT directives and proposed legislation for Title VI issues;

- Ensure publications and other information disseminated to the public includes Title VI policy reference.

B. Limited English Proficiency (LEP)

MVD utilizes a Four-Factor Analysis as suggested by FHWA to asses:

- the number of LEP persons eligible to be served by our staff, services, and programs within DIS and VMCS;
- the frequency with which LEP individuals come in contact with DIS and VMCS staff, services, and programs;
- the nature and importance of the program, activity, or service provided by the program to people's lives; and
- the resources available to LEP populations and costs.

Data Collection (Quantitative)

A conscious and holistic approach for collecting data and qualitative information is applied to determine which MVD resources, services, and information are made available in languages other than English. The analysis provides a path for the development of a MVD specific LEP plan, and subsequent funding for translation and interpretation services.

Quantitative data and information are gathered from the U.S. Census Bureau's American Community Survey. The 2018 survey estimated that Iowa and its 99 counties had a total estimated population of over 3.15 million, with minority populations accounting for 9.3 percent of the population:

Table 1: Race and Hispanic Latino Origin in Iowa (2018)

Race and Hispanic/Latino Origin	Percentage
White alone	90.7%
Hispanic or Latino	6.2%
Black or African American alone	4.0%
Asian alone	2.7%
American Indian and Alaska Native alone	0.5%
Native Hawaiian and Other Pacific Islander alone	0.1%
Two or More Races	1.9%
White alone, not Hispanic or Latino	85.3%

Additionally, the report identified that an estimated 5% of Iowa's population were foreign born from 2013 – 2017. This equates to over 22,000 households reporting limited-English proficiency: Spanish (10,940), Other Indo-European languages (2,925), Asian and Pacific Islander language (6,411), and other languages (2,008).

Internally, we collect data on the number of individuals who request language translation and/or interpretation services within DIS and VMCS. This data is collected with reports made available by the Iowa DOT's current contracted vendor, CTS Language Link (Attachment E: Appendix A). Of importance, we recognize that this data is skewed, as it only accounts for individuals who utilize the language line services. This

data does not account for individuals who utilized a friend or family member to provide translation for DIS and VMCS transactions.

Data Collection (Qualitative)

To provide a more complete understanding for the level of language needs within our specific communities, as well as recognizing the importance of socio-cultural factors, we partner with public, private, and non-profit entities who assist immigrant and refugee populations within Iowa. Through attending and participating in community forums, meetings, working groups, and targeted surveys (Attachment E: Appendix F), we gain a better understanding for:

1) the needs of LEP community members, both broadly and for specific immigrant and refugee communities;

2) tracking on secondary migration populations and their language needs (Census data does not effectively track secondary migration for reporting);

3) socio-cultural awareness, education, and training for our agency and staff; and

4) help in identifying factors like which populations have a high-volume (population), high- literacy needs for translation and interpretation versus high-volume (population), low-literacy needs.

Having this information helps us more effectively and proactively identify which services and information needs should be created for the appropriate intended audiences. For example, this four-factor analysis may indicate that there are specific language needs within an Iowa LEP community; however, this community may have low literacy rates. This would indicate the need to plan for both infographic and audio services as a delivery solution of our products, services, and information. This also identifies a need to partner with entities that work specifically with this community, and that can provide socio-cultural relevance for the work we are doing, how we communicate, and how information is delivered to this community (Appendix G: community survey).

MVD also participates in national and international agencies and organizations (i.e. American Association for Motor Vehicle Administrators) dedicated to advancing transportation, identity, safety, and mobility. MVD staff are members of multiple working groups, participate in community surveys, and assist with drafting white papers and best practices on a number of topics, including engaging LEP populations for driver-related services.

MVD recognizes that identification and driver's licenses serve as the main form for proving one's identity within the U.S., and that identity serves as the gateway to accessing societal and cultural norms (i.e. opening a bank account, making purchases, accessing government services, etc.). Mobility serves as a focal point for being successful in life (getting to work, medical appointments, school, etc.). MVD services

and products provide identity, mobility, and safety related information justifying the need for a four-factor analysis, to determine how we can best serve our LEP communities.

Current resources made available for LEP customers include:

- translation and interpretation services made available in over 240 languages and dialects through our contracted vendor, CTS Language Link;
- infographic resources targeting documentation requirements and credential usage information (partner with LEP community agencies who provide translation and interpretation to specific LEP communities, Appendix H);
- licensing information (brochures, operator's study manuals, and testing resources, Appendix I);
- point of contact with MVD Community Outreach Coordinator for issues, concerns, and suggestions, and questions;
- Bi-annual Community Service Providers meeting to meet with MVD staff for awareness, education, and training opportunities specific to LEP populations (Appendix J).

C. Low Income Status (LIS)

MVD is networking to develop relationships with organizations who serve Iowa's diverse LIS communities. This includes fostering relationships with the Iowa Department of Corrections, Iowa's Workforce Development, Iowa's Economic Development Authority, and other identified entities.

Discussions on how to best serve this community and what accommodations can be made are a top priority. The placement of the Kiosks took LIS communities into consideration, specifically their placement in accessible public locations (e.g. the library). MVD has also used our DOT2GO RV to be stationed in or near LIS communities for DL issuance which includes LIS and senior adult communities. Discussion and plans to implement further resources to the LIS community is a FFY 2020 goal.

D. Human Trafficking Campaign

MVE continues to be involved with multiple organizations to help combat Child/Adult Commercial Sexual Exploitation in Iowa. Educational materials are provided to the community by Trucks Against Trafficking at state and county driver's license issuance stations, all rest areas, and major truck stops throughout Iowa. Educational presentations are provided throughout the country. Additionally, MVE provides annual training to MVD staff as well as other agencies.

Community Participation Process

MVD (DIS and MCS) creates annual goals, in part based on their community participation, specifically with underserved community groups.

As MCS's business is with commercial registration (IRP), overweight and oversized permits (OS/OW permits), and international fuel taxes (IFTA), they are developing a community outreach plan with an impetus on education and outreach. The intent is to develop and host training sessions that cover topics of interest for commercial motor carriers. Educational and discussion topics will include IRP, IFTA, and OS/OW permitting. These quarterly sessions are planned to commence in FFY 2020.

MVD FFY 2019 ACCOMPLISHMENTS (MVD)

The following were identified as FFY 2019 goals as a result of the community participation process.

GOAL	OBJECTIVES	OUTCOME
MVD participation in the development and implementation of Civil Rights specific training by end of FY 2020 (Civil Rights Team initiative).	MVD Civil Rights Liaison will be an active member of the Agency's Civil Rights Committee and assist in creating work-area specific training/administering of training within MVD, in collaboration with the Civil Rights Bureau.	MVD staff completed the online Title VI Training distributed by the Civil Rights Bureau, and administered online at the end of 2018.
Increase MVD participation in outreach events	Community Outreach Coordinator to actively work with the public to identify needs. This includes seeking out opportunities in rural areas and outside of the greater Des Moines metro; to continue to include MVD work areas for education and advocacy efforts; and divisional participation in public and private engagement efforts.	Identified and established outreach for immigrant and refugee, re-entry, low-income status, aging, and persons with a disability communities.
Strategic Plan for updating non-commercial driver's license study manual into identified languages (written and audio)	Plan and allocated budget ($50,000) for updating non-commercial operator's manual into identified languages for FFY 2019.	Plan was developed in FFY 2019. Revision and updates are being completed in FFY 2020 and languages will be identified (with community experts and participation) for translation in FFY 2020 or 2021 via RFP process.

		FFY 2020 or 2021 via RFP process.
Partnership with the Public Transit Bureau	Transit and DIS will work collaboratively to create online and printed resources which discuss transportation equity and the role of mobility. Resources to provide information on area- specific and state public and private transit resources; Will work with external agencies, private, and public entities to engage the public and advocate for its awareness; Ongoing project expected to be completed, in phases, with final phase completed in FFY 20.	Project is underway. Named 'Get There Your Way' is scheduled to be completed and rolled out internally and with the public in FFY 2020
Partnership with Department of Corrections	Strategize to simplify process and reduce barriers for those re-entering society, and specifically look at streamlining process for issuing identification cards to returning citizens.	Established relationship and continue to work with them on re-entry equity opportunities.
Partnership with Refugee Alliance of Central Iowa (RACI)	Strategize to simplify process and reduce barriers for New Iowans and existing refugee populations, especially those who are LEP, in need of obtaining a driver's license or identification card.	Established relationship and continue to work with them on equity opportunities. This includes the creation of materials targeted for this community.
Audit Kiosk locations	Review current placement of kiosk locations and audit if these are the best locations to serve broad public, as well as underserved populations (LIS).	Locations have been audited and LIS populations have been identified as considerations for Kiosk locations when contracts expire at current locations.
Develop Title VI general training for all MVD and county treasurer staff	To be implemented by end of FFY 19.	Completed and distributed by the Civil Rights Bureau in FFY 2019.

External Partnerships & Participation (MVD)

As no individual or community fits neatly into one description, there is the expectation and acknowledgment of diversity within these identified, underserved communities.

MVD partnerships and external participation may have overlap, serving multiple audiences and needs. Participation includes membership, attendance meetings, providing information, and requests for presentation.

The MVD, Bureau(s), or team(s) participate in the following:

New Iowan: Immigrant & Refugee Populations

- United Way (New Iowan) Committee – OpportUNITY
- Des Moines Latino Festival
- International Business Social at Iowa State University (foreign national students)
- Refugee Alliance of Central Iowa
- Iowa Transportation Coordination Council
- American Association for Motor Vehicle Administrators (AAMVA)
- Iowa Identity Theft & Victim Assistance Coalition (IITVAC)
- Iowa Department of Human Rights
  - Office of Latino Affairs
  - Office of Asian and Pacific Islander Affairs
  - Office of African American Affairs
  - Office of Native American Affairs
  - Office of Hearing Impaired
- Iowa Bureau for Refugee Services
- Monsoon (Asian populations)
- Embarc (Burmese ethnic minorities)
- Asian Alliance of Central Iowa
- United We March (Immigrant & Refugee communities in Cedar Rapids)
- Iowa Donor Network
- Catholic Charities Diocese of Des Moines
- USCRI (U.S. Committee for Refugees & Immigrants)
- Lutheran Services of Iowa
- Iowa Public Transit Bureau
- Goodwill of Central Iowa
- Iowa Economic Development Authority

Re-entry Populations

- United Way (Correctional) Committee – OpportUNITY
- Iowa Transportation Coordination Council
- Life Skills Courses at Iowa's Correctional Facilities (Mitchellville, Newton, Mt. Pleasant, Anamosa) – impetus on discussing driving records and eligibility,

- Iowa Public Transit Bureau
- Iowa Economic Development Authority

Aging Iowans

- Senior Fests throughout Iowa
- Senior and Veterans Wellness Fairs throughout Iowa
- Iowa Transportation Coordination Council
- AARP
- Lifesavers Conference
- Governor's Traffic Safety Bureau
- American Association for Motor Vehicle Administrators (AAMVA)
- Iowa Identity Theft & Victim Assistance Coalition (IITVAC)
- Iowa Public Transit Bureau
- Iowa Department of Veteran's Affairs
- Car Fit

Low Income Status

This serves a diverse group of community members which may include immigrant and refugee, re-entry, aging, those with a disability, rural, and other populations. Much of the work we do serving on committees crosses into multiple underserved statuses.

- Iowa Identity Theft & Victim Assistance Coalition
- Community Services Providers Meeting for Immigrants and Refugees (hosted by the Iowa DOT and the Iowa Department for Human Rights)
- Iowa Public Transit Bureau
- Goodwill of Central Iowa
- Evelyn K. Davis Center for Working Families
- United Way
- Iowa Department of Veteran's Affairs
- Iowa Economic Development Authority

Individuals with a Disability

- Iowa Transportation Coordination Council
- Iowa Department for the Blind
- Iowa Department of Human Services
  - Disability Services
- Iowa Disability Resources and Advocacy Organization
- Iowa Department of Veteran's Affairs
- Future Ready Iowa (occupational rehab)
- Car Fit
- Lifesavers
- American Association for Motor Vehicle Administrators (AAMVA)

FFY 2020 GOALS (MVD)

MVD will continue to foster and grow partnerships with agencies and non-profits who support underserved communities: re-entry, individuals with a disability, New Iowans (immigrant and refugee), Limited-English-Proficient (LEP), Low-Income Status (LIS), rural, and aging.

Additionally, MVD will continue to foster awareness surrounding not only identity and all of the services associated with identity, but also mobility.

Below are specific goals, some to be continued from SFY 2019.

Goal	Projected Outcome
Go-live with 'Get There Your Way' internally and externally	Mobility and Identity collaboration with focus on underserved communities
Identify top 'high literacy and high needs' languages in collaboration with census data and community partners, to prepare RFP to have non-commercial driver's license study manual translated into the top 3 or 4 language needs in Iowa, for translation in FFY 2020 or 2021 via RFP process.	Meeting LEP needs of current and forecasted communities in Iowa. Continue to plan for additional translations or audio versions for 'high need, low literacy' communities
Establish a four-factor analysis for all underserved community groups (identified)	Communication plan
Host regular meetings for all underserved community groups (identified)	Serves as qualitative and quantitative collection of data for analysis
Develop Community Outreach Plan for VMCS	Allows VMCS to identify community needs as VMCS is business-focused
Create and hire Customer Experience Manager for DIS	Serve to identify community needs within DIS
Expand outreach efforts to additional Iowa communities and counties	Identify areas for opportunity
Create and distribute internal policy to reiterate MVD process for awareness in assisting customers with Civil Rights Complaints	Training need
Audit Iowa DOT public-facing website to identify MVD pages for revision	Identify areas for opportunity and revisions to improve customer experience
Draft outreach plan for rural Iowans in collaboration with Public Transit Bureau	Aligns with Governor's Empower Rural Iowa Initiative

SECTION 5

ATTACHMENTS

Attachment A

The United States Department of Transportation

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The Iowa Department of Transportation (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the United States Department of Transportation (DOT), through the **Federal Motor Carrier Safety Administration (FMCSA)**, 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);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Title IX of the Education Amendments of 1972, as amended, (20 U.S.C. § 1681 *et seq.*), (prohibits discrimination on the basis of sex in education programs or activities);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability);
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 *et seq.*), (prohibits discrimination on the basis of disability);
- 49 C.F.R. part 21 (entitled *Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 49 C.F.R. part 27 (entitled *Nondiscrimination On The Basis Of Disability In Programs Or Activities Receiving Federal Financial Assistance*);
- 49 C.F.R. part 28 (entitled *Enforcement Of Nondiscrimination On The Basis Of Handicap In Programs Or Activities Conducted By The Department Of Transportation*);
- 49 C.F.R. part 37 (entitled *Transportation Services For Individuals With Disabilities (ADA)*);
- 49 C.F.R. part 303 (FMCSA's Title VI/Nondiscrimination Regulation);
- 28 C.F.R. part 35 (entitled *Discrimination On The Basis Of Disability In State And Local Government Services*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

Although not applicable to Recipients directly, there are certain Executive Orders and relevant guidance that direct action by Federal agencies regarding their federally assisted programs and activities to which compliance is required by Recipients to ensure Federal agencies carry out their responsibilities. Executive Order 12898 (1995), entitled "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" emphasizes that Federal agencies should use existing laws to achieve Environmental Justice, in particular Title VI, to ensure nondiscrimination against minority populations.

Recipients should be aware that certain Title VI matters raise Environmental Justice concerns and FMCSA intends that all Recipients evaluate and revise existing procedures (as appropriate) to address and implement Environmental Justice considerations. See the following FHWA website for more information and facts about Environmental Justice:
http://www.fhwa.dot.gov/environment/environmental_justice/index.cfm

Additionally, Executive Order 13166 (2001) on Limited English Proficiency, according to the U.S. Department of Justice in its Policy Guidance Document dated August 16, 2000 (65 Fed. Reg. at 50123), clarifies the responsibilities associated with the "*application of Title VI's prohibition on national origin discrimination when information is provided only in English to persons with limited English proficiency.*" When receiving Federal funds Recipients are expected to conduct a Four- Factor Analysis to prevent discrimination based on National Origin. (See also U.S. DOT's "*Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons,*" dated December 14, 2005, (70 Fed. Reg. at 74087 to 74100); the Guidance is a useful resource when performing a Four-Factor Analysis).

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, national origin, sex, age, disability, low-income, or LEP 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 FMCSA."*

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.

Specific Assurances

More specifically, and without limiting the above general Assurances, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted **FMCSA Program**:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in 49 C.F.R. §§ 21.23 (b) and 21.23 I 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 the FMCSA Program and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

   > "*The Iowa Department of Transportation, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract*

entered into pursuant to this advertisement, all contractors will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of the owner's race, color, national origin, sex, age, disability, income-level, or LEP 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.

By signing this ASSURANCE, the Iowa Department of Transportation 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 **FMCSA** 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 **FMCSA**. You must keep records, reports, and submit the material for review upon request to **FMCSA**, 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.

Iowa Department of Transportation gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the Department of Transportation under the **FMCSA Program**. This ASSURANCE is binding on [insert State], other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the **FMCSA Program**. The person (s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Iowa Department of Transportation

by_____

Mark Lowe, Director

DATED 7/30/2017

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 Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Motor Carrier Safety Administration (FMCSA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP 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 as set forth in Appendix E, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 C.F.R. part 21.

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, national origin, sex, age, disability, income-level, or LEP.

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 FMCSA 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 FMCSA, 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 FMCSA 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 FMCSA 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.

CLAUSES FOR DEEDS TRANSFERING UNITED STATES PROPERTY

APPENDIX B

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 Department of Transportation as authorized by law and upon the condition that the (***Title of Recipient***) will accept title to the lands and maintain the project constructed thereon in accordance with (***Name of Appropriate Legislative Authority***), the Regulations for the Administration of **Federal Motor Carrier Safety Administration (FMCSA) Program,** and the policies and procedures prescribed by the **FMCSA** of the Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, Department of Transportation, subtitle A, Office of the Secretary, part 21, Non- discrimination in Federally-assisted programs of the 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 (***Title of Recipient***) all the right, title and interest of the 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 (***Title of Recipient***) 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 (***Title of Recipient***), its successors and assigns.

The (***Title of Recipient***), 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, national origin, sex, age, disability, income- level, or LEP 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 (***Title of Recipient***) 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, Department of Transportation, subtitle A, Office of the Secretary, part 21, Non-discrimination in Federally-assisted programs of the 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 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 effectuate the purpose of Title VI.)

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

APPENDIX C

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the (***Title of Recipient***) 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 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, national origin, sex, age, disability, income-level, or LEP 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, (***Title of Recipient***) 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 (***Title of Recipient***) 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 (***Title of Recipient***) and its assigns.*

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

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

APPENDIX D

The following clauses will be included in deeds, licenses, permits, or similar instruments/ agreements entered into by (***Title of Recipient***) 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, national origin, sex, age, disability, income-level, or LEP 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, national origin, sex, age, disability, income-level, or LEP 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, (***Title of Recipient***) 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, (***Title of Recipient***) will there upon revert to and vest in and become the absolute property of (***Title of Recipient***) and its assigns.*

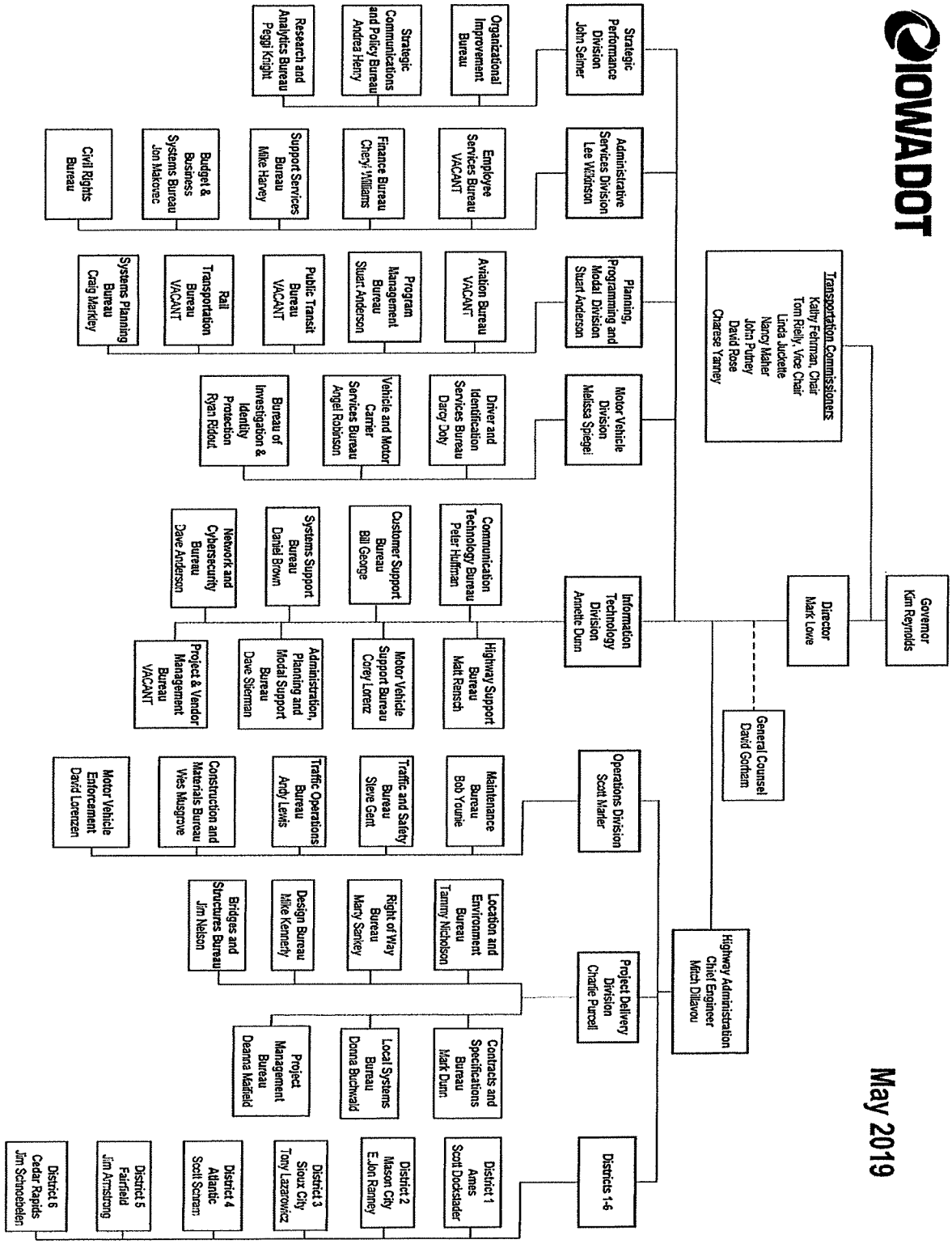
(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to effectuate the purpose of Title VI.)

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:

- Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. § 2000d *et seq.*), (prohibits discrimination on the basis of race, color, national origin), as implemented by 49 C.F.R. § 21.1 *et seq.* and 49 C.F.R. part 303;
- 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, as amended (29 U.S.C. § 794 *et seq.*) (prohibits discrimination on the basis of disability); and 49 C.F.R. 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 (Pub. L. 97-248 (1982)), as amended (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987 (102 Stat. 28) ("*....which restore[d] the broad scope of coverage and to clarify the application of title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and title VI of the Civil Rights Act of 1964.*");
- 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 Justice regulations at 28 C.F.R. parts 35 and 36, and 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 non-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*).

Attachment B



Attachment C

Discrimination Complaint Process

Introduction

The Title VI (and related statutes) discrimination complaint procedures are intended to provide aggrieved persons an avenue to raise complaints of discrimination regarding the Iowa DOT's programs, activities and services as required by statute.

Purpose

The purpose of the discrimination complaint procedures is to describe the process used by the Iowa DOT. These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 (Title VI), including Section 504 of the Rehabilitation Act of 1973 (Section 504), the Age Discrimination in Employment Act of 1967 (ADEA), Civil Rights Restoration Act of 1987 (CRRA), the Americans with Disabilities Act of 1990 (ADA), Executive Order 12898 Environmental Justice, Executive Order 13166 Limited English Proficiency, Disadvantaged Business Enterprises (DBE), Equal Employment Opportunity (EEO), and On-the Job Training (OJT) Program components and applicable Department policies, regarding any program or activity administered by the Iowa DOT as they relate to local agencies, contractors and other sub-recipients of United States Department of Transportation funds. These procedures apply to complaints filed against a program or activity funded by the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration or Federal Motor Carrier Safety Administration.

Intimidation or retaliation is prohibited per Title 49, CFR 21.11I.

These procedures do not deny or limit the right of a complainant to file a formal complaint with an outside enforcement agency (Iowa Labor Services, Iowa Civil Rights Commission (ICRC), Equal Employment Opportunity Commission (EEOC), U.S. Dept. of Transportation (USDOT), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), or U.S. Dept. of Justice (DOJ) or to seek private counsel for complaints alleging discrimination.

Title VI procedures are part of an administrative process, which do not provide for remedies that include punitive damages or compensatory remuneration for the complainant.

Every effort will be made to obtain early resolution of complaints at the lowest level possible and with guidance of the USDOT modality (FMCSA, FTA, FAA) with jurisdiction over the matter per 49 CFR 21.11 (d)(1). The option of formal mediation meeting(s) between the affected parties may be utilized for resolution at any stage of the process. The investigator will make every effort to pursue a resolution of the complaint. Initial interviews with the complainant and the respondent will request information regarding specifically requested relief and settlement opportunities.

Any person who feels that he or she has been subjected to discrimination on the basis of race, color, national origin, sex, age, disability, low income status, or limited English proficiency, has the right to file a complaint with the Iowa DOT's Civil Rights Bureau. Title VI complaints must be filed within 180 days of the alleged discriminatory event or practice. Complaints must be filed in person or in writing. They should be directed to:

Iowa Department of Transportation
Civil Rights Bureau
800 Lincoln Way
Ames, Iowa 50010
(515) 239-1399

Roles and Responsibilities

- The Administrative Services Division Director, Civil Rights Bureau Director, and External Civil Rights Administrator have overall responsibility for the discrimination complaint process and procedures;

- The Administrative Services Director, Civil Rights Bureau Director, and External Civil Rights Administrator, Title VI Specialists and Civil Rights Committee Members serve as points of contact statewide for the public to initiate complaints of discrimination;

- The Civil Rights Bureau Director, External Civil Rights Administrator, and/or Title VI Specialists are responsible for conducting an impartial and objective investigation, collecting factual information and preparing a fact-finding report based upon the information obtained from the investigation. In cases where the complainant is unable or incapable of providing a written statement, the complainant will be assisted in converting the verbal complaint into a written complaint. All complaints, however, must be signed by the complainant.

Filing of Formal Complaints

APPLICABILITY

The complaint procedures apply to the beneficiaries of the Iowa DOT's programs, activities, and services, including but not limited to the public and other sub-recipients of Federal transportation funds.

ELIGIBILITY

Any person who believes that he/she has been excluded from participation in or denied benefits or services of any program or activity administered by the Iowa DOT or its sub-recipients, consultants, and contractors on the basis of race, color, national origin, sex, age, disability, low income status or limited English proficiency may bring forth a discrimination complaint under Title VI, Title II and related statutes.

TIME LIMITATIONS AND FILING OPTIONS

- Title VI complaints of discrimination may be filed with:
  - The Iowa DOT – Administrative Services Division – Civil Rights Bureau
  - Federal Highway Administration
  - Federal Transit Administration
  - U.S. Department of Transportation
  - Iowa Labor Services Division
  - Federal Motor Carrier Safety Administration
  - U.S. Department of Justice

In all situations, Iowa Department of Transportation Civil Rights Bureau staff must immediately forward Title VI discrimination complaints to either the FHWA or the FTA.

- Complaints must be filed no later than 180 days after:
  - The date of the alleged act of discrimination; or
  - The date when the person(s) became aware of the alleged discrimination; or
  - The date on which conduct was discontinued if there's been a continuing course of conduct.

TYPE OF COMPLAINTS

Protected Group Categories	**Definition**	**Examples**
Race	An individual belonging to one of the accepted anthropological racial groups; or the perception, based on physical characteristics, that a person is a member of a racial group.	Black, White, Hispanic, Asian, Native American Indian, Filipino, or Pacific Islander
Color	Color of skin, including shade of skin within a racial group.	Black, white, light brown, dark brown, etc.
National Origin	National birth site. Citizenship is not a factor. Discrimination based on language or person's accent is covered by national origin.	Mexican, Cuban, Japanese, Vietnamese, Chinese
Sex	Male or Female	Women and men
Age	Persons of any age	21-year-old person
Disability	Physical or mental impairment, permanent or temporary or perceived.	Visual impairment, hearing impairment, mobility limitations

Socio-economic	Individuals and segments of communities (neighborhoods) that are below the HHS Poverty line index that are subject to provisions contained in Executive Order 12898 – Environmental Justice.	Low-income individuals and members of communities that may be subjected to adverse impacts or denied the benefits of transportation decision-making because of their socio-economic status.

All Title VI and related statute complaints are considered formal as there is no informal process. Complaints must be in writing and signed by the complainant. Complaints must include the complainant's name, address and phone number and must be sufficiently detailed to specify all issues and circumstances of the alleged discrimination.

COMPLAINT BASIS

Allegations must be based on issues involving race, color, national origin, sex, age, disability, low income status, or limited English proficiency. The term "basis" refers to the complainant's protected group status.

Complaint Procedures

1. INITIAL CONTACT

   The Administrative Services Director, Civil Rights Bureau Director, External Civil Rights Administrator, Title VI Specialists, and Civil Rights Committee members will provide complainants with:

   - An explanation of their filing options;
   - The discrimination complaint procedures;
   - The Title VI Discrimination Complaint Form (107009);
   - The Title II Discrimination Complaint Form (131103);
   - The brochures, titled "Title VI and You" and/or "Title VI sub-recipient guide to implementing Title VI of the Civil Rights Act of 1964."

2. THE COMPLAINT REVIEW PROCESS – Title VI

   The Civil Rights Bureau Director reviews the complaint upon receipt to ensure that relevant information is provided, the complaint is timely, and is appropriate for investigation.

   A. If the complaint is not appropriate for investigation, the complainant will be notified in writing and is provided with his/her rights under Title VI.

   B. The complaint shall be investigated unless:

a. The complaint is withdrawn;
b. The complainant fails to provide required information after numerous requests;
c. The complaint is not timely filed;
d. Any issues that do not involve discrimination, or are not based on a protected category, will be directed to the appropriate entity. Under no circumstances is the complainant to be discouraged from filing a complaint.

C. Upon determination that the complaint warrants an investigation:

The complainant is sent a letter, acknowledging receipt of the complaint, the name of the investigator, and is provided with his/her rights under Title VI and related statutes.

D. The respondent is notified by mail that he/she has been named in a complaint and is provided with his/her rights under Title VI and related statutes. The letter also reveals the investigator's name and informs the respondent that he/she will be contacted for an interview.

E. A letter is sent to the appropriate District Engineer, Division, or Bureau Director when the complainant(s) or respondent(s) are located in their district or bureau. The letter will inform them that a complaint was filed and will list the names of the parties involved, the basis of the complaint and the assigned investigator.

F. The Civil Rights Bureau Director is responsible for the overall Title VI program implementation. The Civil Rights Bureau Director is appointed by the Director of the Administrative Services Division who reports directly to the Director of the Iowa DOT.

Investigation Process

1. INVESTIGATION PLAN

The investigator shall prepare a written plan which includes but is not limited to the following:

- Names of the complainant(s) and respondent(s);
- Basis for the complaint;
- Issues, events or circumstances that caused the person to believe that he/she has been discriminated against;
- Information needed to address the issue;
- Sources necessary to obtain the information;
- Identification of key people;
- Estimated investigation time line;
- Remedy sought by complainant(s)

2. CONDUCTING THE INVESTIGATION

A. The investigation shall address only those issues relevant to the allegations in the complaint.

B. Confidentiality shall be maintained.

C. Interviews will be conducted to obtain facts and evidence regarding the allegations in the complaint.

D. Interviews may be tape recorded with the interviewee's consent.

E. A chronological contact sheet is maintained in the case file throughout the investigation.

3. INVESTIGATION REPORTING PROGRESS – Title VI

A. Within 40 days of receiving the complaint, the investigator prepares an Investigative Report and submits the report and supporting documentation to the Administrative Services Division Director for review.

B. The Administrative Services Division Director reviews the file and investigative report. Subsequent to the review, the Civil Rights Bureau Director makes a recommendation and prepares a final decision letter for review and signature for the Administrative Services Division Director.

C. The Civil Rights Bureau Director shall prepare and submit a written report outlining the following complaint details:

a. Date of written complaint;
b. Complaint basis (race, color, national origin, etc.);
c. Complaint disposition.

D. T he Civil Rights Bureau maintains a master complaint log.

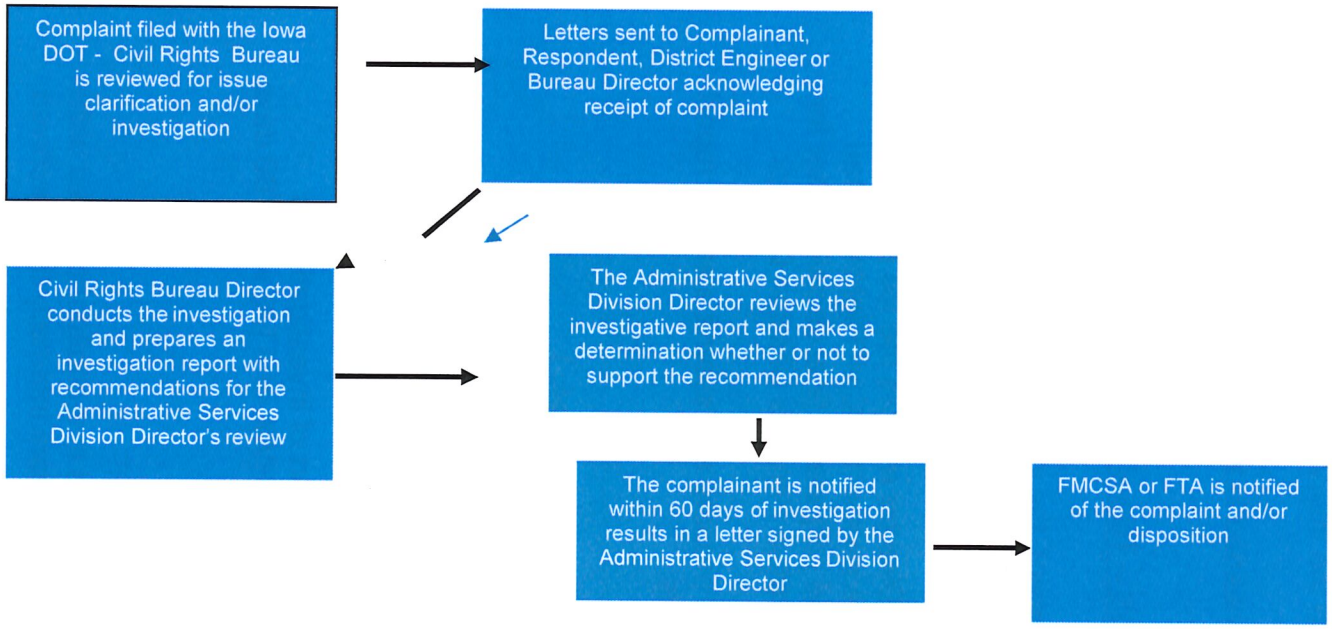
Reporting Requirements

A copy of the complaint, together with a copy of the report of investigation, is forwarded to the appropriate federal agency (FMCSA, FHWA or FTA) within 60 days of the date the complaint was received.

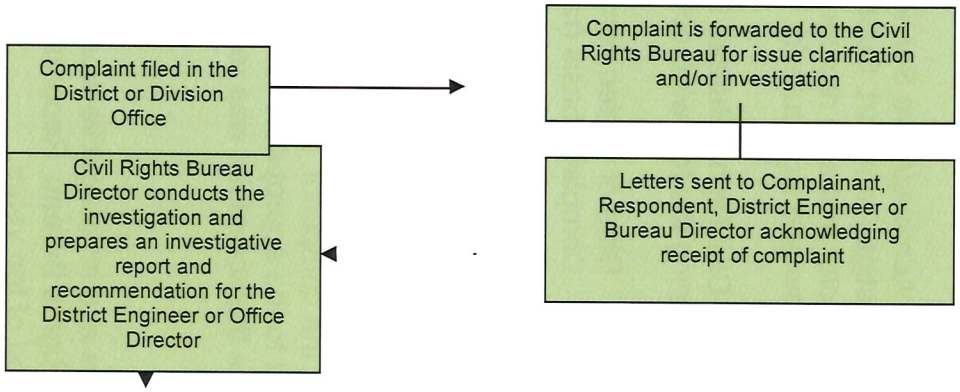
Records

All records and investigative working files are maintained in a confidential area within the Civil Rights Bureau. Records will be kept for three years internally then archived for a period of ten years.

Complaint Process Flow Chart – Complaints filed with the Civil Rights Bureau



Complaint Process Flow Chart – Complaints filed with Districts/Program Offices



Distributed & Completed in FFY 2019

Last Name	First Name	Facility	Course Name	Course Status	Score
Abben	Gina	Motor Vehicle	Title VI and You	Completed	100
Adams	Reeanna	Motor Vehicle	Title VI and You	Completed	100
Adrian	Tammy	Motor Vehicle	Title VI and You	Completed	100
Albrecht	Tracy	Motor Vehicle	Title VI and You	Completed	100
Aldrich	Cynthia	Motor Vehicle	Title VI and You	Completed	100
Anderson	David	Motor Vehicle	Title VI and You	Completed	100
Anderson	Josie	Motor Vehicle	Title VI and You	Completed	100
Baccam	Phoumine	Motor Vehicle	Title VI and You	Completed	100
Ballard	Karen	Motor Vehicle	Title VI and You	Completed	100
Ballard	Nicholas	Motor Vehicle	Title VI and You	Completed	100
Banker	John	Motor Vehicle	Title VI and You	Completed	100
Barnes	Angela	Motor Vehicle	Title VI and You	Completed	100
Bartelson	William	Motor Vehicle	Title VI and You	Completed	100
Beichley	Kevin	Motor Vehicle	Title VI and You	Completed	100
Bishop	Tonya	Motor Vehicle	Title VI and You	Completed	100
Bohlke	Brenda	Motor Vehicle	Title VI and You	Completed	100
Bormann	Raquel	Motor Vehicle	Title VI and You	Completed	100
Boss	Katie	Motor Vehicle	Title VI and You	Completed	100
Boyer	Thad	Motor Vehicle	Title VI and You	Completed	100
Bracelin	Sharon	Motor Vehicle	Title VI and You	Completed	100
Bradford	Brenda	Motor Vehicle	Title VI and You	Completed	100
Bragg	Shanna	Motor Vehicle	Title VI and You	Completed	100
Brass	Debra	Motor Vehicle	Title VI and You	Completed	100
Bremer	Lorrain	Motor Vehicle	Title VI and You	Completed	100
Bryant	Stacie	Motor Vehicle	Title VI and You	Completed	100
Burkett	Kayla	Motor Vehicle	Title VI and You	Completed	100
Burrows	Desiree	Motor Vehicle	Title VI and You	Completed	100
Carney	Debra	Motor Vehicle	Title VI and You	Completed	100
Case	Brandon	Motor Vehicle	Title VI and You	Completed	100
Clark	Andrea	Motor Vehicle	Title VI and You	Completed	100
Cockerham	Carol	Motor Vehicle	Title VI and You	Completed	100
Collins	Adam	Motor Vehicle	Title VI and You	Completed	100
Collins	Jodie	Motor Vehicle	Title VI and You	Completed	100
Collins	Kelly	Motor Vehicle	Title VI and You	Completed	100
Cook	Pamela	Motor Vehicle	Title VI and You	Completed	100
Cooper	Michaele	Motor Vehicle	Title VI and You	Completed	100
Cox	Chi	Motor Vehicle	Title VI and You	Completed	100
Cox	Debbie	Motor Vehicle	Title VI and You	Completed	100
Cox	Julie	Motor Vehicle	Title VI and You	Completed	100
Cunningham	Charles	Motor Vehicle	Title VI and You	Completed	100
Daughenbaugh	Amanda	Motor Vehicle	Title VI and You	Completed	100
Davenport	Alexandria	Motor Vehicle	Title VI and You	Completed	100
Davis	Debra	Motor Vehicle	Title VI and You	Completed	100
Davis	Michael	Motor Vehicle	Title VI and You	Completed	100
Delp	Cynthia	Motor Vehicle	Title VI and You	Completed	100
Differding	Brenda	Motor Vehicle	Title VI and You	Completed	100
Dingbaum	Matthew	Motor Vehicle	Title VI and You	Completed	100
Dirksen	Kristopher	Motor Vehicle	Title VI and You	Completed	100

Dobson	Sandra	Motor Vehicle	Title VI and You	Completed	100
Donscheski	Drew	Motor Vehicle	Title VI and You	Completed	100
Doty	Darcy	Motor Vehicle	Title VI and You	Enrolled	
Duffey	Nicole	Motor Vehicle	Title VI and You	Completed	100
Eastridge	Christina	Motor Vehicle	Title VI and You	Completed	100
Eckstein	Erika	Motor Vehicle	Title VI and You	Completed	100
Eitter	Kelly	Motor Vehicle	Title VI and You	Completed	100
Espinoza	Dalila	Motor Vehicle	Title VI and You	Completed	100
Eylers	Kimberly	Motor Vehicle	Title VI and You	Completed	100
Ferguson	Rodney	Motor Vehicle	Title VI and You	Completed	100
Ferreris-vazquez	Julio	Motor Vehicle	Title VI and You	Completed	100
Fiala	Elizabeth	Motor Vehicle	Title VI and You	Completed	100
Fields	Katherine	Motor Vehicle	Title VI and You	Completed	100
Fitch	Robin	Motor Vehicle	Title VI and You	Completed	100
Ford	Mary	Motor Vehicle	Title VI and You	Completed	100
Fox	Ashley	Motor Vehicle	Title VI and You	Completed	100
Franks	Angela	Motor Vehicle	Title VI and You	Completed	100
Ginther	Yvonne	Motor Vehicle	Title VI and You	Completed	100
Gordon	Penny	Motor Vehicle	Title VI and You	Completed	100
Govi	Diane	Motor Vehicle	Title VI and You	Completed	100
Graham	Karla	Motor Vehicle	Title VI and You	Completed	100
Grant	Deborah	Motor Vehicle	Title VI and You	Completed	100
Grosjean	Shawn	Motor Vehicle	Title VI and You	Completed	100
Guillaume	Mary	Motor Vehicle	Title VI and You	Completed	100
Hall	Dunlap	Motor Vehicle	Title VI and You	Completed	100
Halverson	Lori	Motor Vehicle	Title VI and You	Completed	100
Hartman	Duane	Motor Vehicle	Title VI and You	Completed	100
Hemmen	Cheryl	Motor Vehicle	Title VI and You	Completed	100
Henderson	Marilyn	Motor Vehicle	Title VI and You	Completed	100
Hennessy	Jason	Motor Vehicle	Title VI and You	Completed	100
Herrington	Angela	Motor Vehicle	Title VI and You	Completed	100
Hills	Trista	Motor Vehicle	Title VI and You	Completed	100
Hines	Mark	Motor Vehicle	Title VI and You	Completed	100
Hoch	Billie	Motor Vehicle	Title VI and You	Completed	100
Horsley	Brandy	Motor Vehicle	Title VI and You	Completed	100
Houseman	Pamela	Motor Vehicle	Title VI and You	Completed	100
Huffman	Katrina	Motor Vehicle	Title VI and You	Completed	100
Humphrey	Michele	Motor Vehicle	Title VI and You	Completed	100
Hunt	Isaac	Motor Vehicle	Title VI and You	Completed	100
Hunter	Mallory	Administrative Services	Title VI and You	Completed	100
Irish	Mary	Motor Vehicle	Title VI and You	Completed	100
Iske	Carol	Motor Vehicle	Title VI and You	Completed	100
Isley	Sylvia	Motor Vehicle	Title VI and You	Completed	100
Jansen	Alexander	Motor Vehicle	Title VI and You	Completed	100
Jewell	Lisa	Motor Vehicle	Title VI and You	Completed	100
Johnson	Cheryl	Motor Vehicle	Title VI and You	Completed	100
Johnson	Danean	Motor Vehicle	Title VI and You	Completed	100
Johnson	Delores	Motor Vehicle	Title VI and You	Completed	100
Johnson	Julia	Motor Vehicle	Title VI and You	Completed	100
Juhl	Kari	Motor Vehicle	Title VI and You	Completed	100
Kaczinski	Teri	Motor Vehicle	Title VI and You	Completed	100
Keel	Traci	Motor Vehicle	Title VI and You	Completed	100
Kelley	Julie	Motor Vehicle	Title VI and You	Completed	100
Kendrick	Pamela	Motor Vehicle	Title VI and You	Completed	100

Kenkel	Colleen	Motor Vehicle	Title VI and You	Completed	100
Ketelsen	Sherri	Motor Vehicle	Title VI and You	Completed	100
Kleen	Dennis	Motor Vehicle	Title VI and You	Completed	100
Kober	Michelle	Motor Vehicle	Title VI and You	Completed	100
Koppenhaver	Amy	Motor Vehicle	Title VI and You	Completed	100
Kraayenbrink	Mark	Motor Vehicle	Title VI and You	Completed	100
Kreger	Benjamin	Motor Vehicle	Title VI and You	Completed	100
Lane	Rianna	Motor Vehicle	Title VI and You	Completed	100
Lathrop	Jill	Motor Vehicle	Title VI and You	Completed	100
Lawrence	Lacy	Motor Vehicle	Title VI and You	Completed	100
Leclair	Jacquie	Motor Vehicle	Title VI and You	Enrolled	
Lee	Doreen	Motor Vehicle	Title VI and You	Completed	100
Lee	Kasey	Motor Vehicle	Title VI and You	Completed	100
Leeman	Christopher	Motor Vehicle	Title VI and You	Completed	100
Lefleur-ostrum	Shelly	Motor Vehicle	Title VI and You	Completed	100
Leftridge	Lisa	Motor Vehicle	Title VI and You	Completed	100
Leib	Debbie	Motor Vehicle	Title VI and You	Completed	100
Letze	Gary	Motor Vehicle	Title VI and You	Completed	100
Lewerke	Natasha	Motor Vehicle	Title VI and You	Completed	100
Lewis	Tina	Motor Vehicle	Title VI and You	Completed	100
Liebe	Aron	Motor Vehicle	Title VI and You	Completed	100
Maahs	Jason	Motor Vehicle	Title VI and You	Completed	100
Maldonado	Jose	Motor Vehicle	Title VI and You	Completed	100
Mally	Amber	Motor Vehicle	Title VI and You	Completed	100
Marchesano	Michelle	Motor Vehicle	Title VI and You	Completed	100
Martens	Nichole	Motor Vehicle	Title VI and You	Completed	100
Maxwell	Angela	Motor Vehicle	Title VI and You	Completed	100
Mcclannahan	Marcus	Motor Vehicle	Title VI and You	Completed	100
Mccuen	Brandie	Motor Vehicle	Title VI and You	Completed	100
Mccuen	Brenda	Motor Vehicle	Title VI and You	Completed	100
Mcdowell	Christine	Motor Vehicle	Title VI and You	Completed	100
Meeks	Karen	Motor Vehicle	Title VI and You	Completed	100
Meier	Elizabeth	Motor Vehicle	Title VI and You	Completed	100
Meradith-eyers	Kathleen	Motor Vehicle	Title VI and You	Completed	100
Messerole	Thomas	Motor Vehicle	Title VI and You	Completed	100
Metcalfe	Amy	Motor Vehicle	Title VI and You	Completed	100
Meyer	Cheryl	Motor Vehicle	Title VI and You	Completed	100
Miene	Kristi	Motor Vehicle	Title VI and You	Completed	100
Miller	David	Motor Vehicle	Title VI and You	Completed	100
Miller	Debra	Motor Vehicle	Title VI and You	Completed	100
Miller	Kimberly	Motor Vehicle	Title VI and You	Completed	100
Miller	Lisa	Motor Vehicle	Title VI and You	Completed	100
Miller	Quinta	Motor Vehicle	Title VI and You	Completed	100
Miller	Rene'	Motor Vehicle	Title VI and You	Completed	100
Misel-Parks	Annette	Motor Vehicle	Title VI and You	Completed	100
Mitchell	Jenny	Motor Vehicle	Title VI and You	Completed	100
Morgan	Susanne	Motor Vehicle	Title VI and You	Completed	100
Moritz	Rebecca	Motor Vehicle	Title VI and You	Completed	100
Muell	Deborah	Motor Vehicle	Title VI and You	Completed	100
Mullen	Tamra	Motor Vehicle	Title VI and You	Completed	100
Murillo	Holly	Motor Vehicle	Title VI and You	Completed	100
Nelson	Bradley	Motor Vehicle	Title VI and You	Completed	100
Nepereny	Angela	Motor Vehicle	Title VI and You	Completed	100
Neuhaus	Pamela	Motor Vehicle	Title VI and You	Completed	100
Nguyen	Bryan	Motor Vehicle	Title VI and You	Completed	100
Nguyen	Mindi	Motor Vehicle	Title VI and You	Completed	100

Nisius	Amanda	Motor Vehicle	Title VI and You	Completed	100
Nusbaum	Jason	Motor Vehicle	Title VI and You	Completed	100
Omtvedt	Jill	Motor Vehicle	Title VI and You	Completed	100
Opheim	Mary	Motor Vehicle	Title VI and You	Completed	100
Ott	Debra	Motor Vehicle	Title VI and You	Completed	100
Owen	Angela	Motor Vehicle	Title VI and You	Completed	100
Pauley	Cindy	Motor Vehicle	Title VI and You	Completed	100
Payne	Carol	Motor Vehicle	Title VI and You	Completed	100
Peters	Mellisa	Motor Vehicle	Title VI and You	Completed	100
Petersen	Matthew	Administrative Services	Title VI and You	Cancelled By User	
Peterson	Amanda	Motor Vehicle	Title VI and You	Completed	100
Peterson	Courtney	Motor Vehicle	Title VI and You	Completed	100
Platt	Lori	Motor Vehicle	Title VI and You	Completed	100
Powelson	Rachelle	Motor Vehicle	Title VI and You	Completed	100
Praska	Bryan	Motor Vehicle	Title VI and You	Completed	100
Queener	Kelly	Motor Vehicle	Title VI and You	Completed	100
Rains	Christina	Motor Vehicle	Title VI and You	Completed	100
Rasing	Nancy	Motor Vehicle	Title VI and You	Completed	100
Rauch	Eric	Motor Vehicle	Title VI and You	Completed	100
Redig	Constance	Motor Vehicle	Title VI and You	Completed	100
Ridout	Ryan	Motor Vehicle	Title VI and You	Completed	100
Ries	Darlene	Motor Vehicle	Title VI and You	Completed	100
Riesenberg	Becky	Motor Vehicle	Title VI and You	Completed	100
Robbins	Wendy	Motor Vehicle	Title VI and You	Completed	100
Robinson	Angel	Motor Vehicle	Title VI and You	Enrolled	
Robinson	Ty	Motor Vehicle	Title VI and You	Completed	100
Rockingham	Karen	Motor Vehicle	Title VI and You	Completed	100
Rockwell	Stacey	Motor Vehicle	Title VI and You	Completed	100
Roecker	Linda	Motor Vehicle	Title VI and You	Completed	100
Roeder	Deborah	Motor Vehicle	Title VI and You	Completed	100
Rogers	Miranda	Motor Vehicle	Title VI and You	Completed	100
Rolf	Nicole	Motor Vehicle	Title VI and You	Completed	100
Roundy	Christopher	Motor Vehicle	Title VI and You	Completed	100
Said	Denise	Motor Vehicle	Title VI and You	Completed	100
Sawatzky	Rebecca	Motor Vehicle	Title VI and You	Completed	100
Schooley	Karen	Motor Vehicle	Title VI and You	Completed	100
Schooling	Dorothy	Motor Vehicle	Title VI and You	Completed	100
Schott Goeke	Mari	Motor Vehicle	Title VI and You	Completed	100
Schroeder	Margaret	Motor Vehicle	Title VI and You	Completed	100
Schultz	Ashley	Motor Vehicle	Title VI and You	Completed	100
Schultz	Kathleen	Motor Vehicle	Title VI and You	Completed	100
Schwery	Lisa	Motor Vehicle	Title VI and You	Completed	100
Scott	Catherine	Motor Vehicle	Title VI and You	Completed	100
Sharp	Kelly	Motor Vehicle	Title VI and You	Completed	100
Sharr	Donald	Motor Vehicle	Title VI and You	Completed	100
Sharr	Traci	Motor Vehicle	Title VI and You	Completed	100
Siebels-paulsen	Teresa	Motor Vehicle	Title VI and You	Completed	100
Siedsma	Sara	Motor Vehicle	Title VI and You	Completed	100
Siems	Roberta	Motor Vehicle	Title VI and You	Completed	100
Sievers	Amy	Motor Vehicle	Title VI and You	Completed	100
Simbro	Georgette	Motor Vehicle	Title VI and You	Completed	100
Simenson	Kathi	Motor Vehicle	Title VI and You	Completed	100
Smalley	Nicole	Motor Vehicle	Title VI and You	Completed	100
Smith	Cynthia	Motor Vehicle	Title VI and You	Completed	100
Smith	John	Motor Vehicle	Title VI and You	Completed	100

Sparr	Nancy	Motor Vehicle	Title VI and You	Completed	100
Spiegel	Melissa	Motor Vehicle	Title VI and You	Enrolled	
Steffen	Barbara	Motor Vehicle	Title VI and You	Completed	100
Still	Marybeth	Motor Vehicle	Title VI and You	Completed	100
Stone	Georgnia	Motor Vehicle	Title VI and You	Completed	100
Stonehocker	Steven	Motor Vehicle	Title VI and You	Completed	100
Teel	Michelle	Motor Vehicle	Title VI and You	Completed	100
Thiede	Luann	Motor Vehicle	Title VI and You	Completed	100
Thompson	David	Motor Vehicle	Title VI and You	Completed	100
Ticknor	John	Motor Vehicle	Title VI and You	Completed	100
Tietz	Carrie	Motor Vehicle	Title VI and You	Completed	100
Torres-cacho	Hector	Highway District 5	Title VI and You	Enrolled	
Turner	Stuart	Motor Vehicle	Title VI and You	Completed	100
Venables	Cynthia	Motor Vehicle	Title VI and You	Completed	100
Vest	Nicolas	Motor Vehicle	Title VI and You	Completed	100
Vitiritto	Michelle	Motor Vehicle	Title VI and You	Completed	100
Voss	Jodi	Motor Vehicle	Title VI and You	Completed	100
Voss	Mark	Motor Vehicle	Title VI and You	Completed	100
Walker	Angela	Motor Vehicle	Title VI and You	Completed	100
Waller	Charlene	Motor Vehicle	Title VI and You	Completed	100
Waters	Luann	Motor Vehicle	Title VI and You	Completed	100
Weston	Cindy	Motor Vehicle	Title VI and You	Completed	100
White	Chad	Motor Vehicle	Title VI and You	Completed	100
White	Nanette	Motor Vehicle	Title VI and You	Completed	100
Whitman	Christine	Motor Vehicle	Title VI and You	Completed	100
Willenborg	Julie	Motor Vehicle	Title VI and You	Completed	100
Willis-hollister	Michael	Motor Vehicle	Title VI and You	Completed	100
Wolff	Daymond	Motor Vehicle	Title VI and You	Completed	100
Wood	Michael	Motor Vehicle	Title VI and You	Completed	100
Wright	Tammy	Motor Vehicle	Title VI and You	Completed	100
Yeager	Roquel	Motor Vehicle	Title VI and You	Completed	100
York	Stacy	Motor Vehicle	Title VI and You	Completed	100
# Of Enrollments:	5	239			

Appendix A
Table 1- 3: CTS LANGUAGELINK USAGE FOR INTERPRETATION SERVICES

TABLE 1: *STATE DOT DRIVER'S LICENSE SERVICE CENTERS*

YEAR	LANGUAGE	MINUTES	CALLS	AVG CALL LENGTH (MINS)	AVE CONNECT (SEC)	% OF TOTAL CALLS
2018	Spanish	1,562.90	145	10.78	11	40.39%
	Tigrinya	966.30	39	24.78	40	10.86%
	Kirundi (Rundi)	1,029.00	39	26.38	43	10.86%
	Swahili	1,039.40	35	29.7	48	9.75%
	Somali	579.80	18	32.21	30	5.01%
	Nepali	460.50	16	28.78	24	4.46%
	Haitian Creole	416.2	15	27.75	22	4.18%
	Karen	195.1	8	24.39	38	2.23%
	Kinyarwanda	621.3	8	77.66	50	2.23%
	Amharic	145.9	7	20.84	40	1.95%
	Urdu	97.6	4	24.4	46	1.11%
	Arabic	60	3	20	20	0.84%
	Burmese	42.9	3	14.3	20	0.84%
	MaayMaay	100.6	3	33.53	184	0.84%
	Kunama	35.1	2	17.55	15	0.56%
	Oromo (Oromifa)	90.2	2	45.1	17	0.56%
	Romanian	44.8	1	44.8	23	0.28%
	Nuer	60.4	1	60.4	268	0.28%
	Lingala	46.5	1	46.5	15	0.28%
	Moroccan	35.7	1	35.7	196	0.28%
	Chin-Hahka	1.6	1	1.6	23	0.28%
	Filipino	1	1	1	48	0.28%
	French	5.1	1	5.1	13	0.28%
	German	79.5	1	79.5	30	0.28%
	Karenni	4.2	1	4.2	148	0.28%
	Japanese	6.7	1	6.7	10	0.28%
	Wolof	36.1	1	36.1	32	0.28%
	Tagalog	6.8	1	6.8	36	0.28%

TABLE 2: *COUNTY TREASURER DRIVER'S LICENSE SERVICE CENTERS*

YEAR	LANGUAGE	MINUTES	CALLS	AVG CALL LENGTH (MINS)	AVE CONNECT (SEC)	PERCENT OF TOTAL CALLS
2018	Spanish	185.2	18	10.29	8	69.23%
	Chin-Hahka	31.8	3	10.6	35	11.54%

	French	16.5	2	8.25	5	7.69%
	Russian	14.3	2	7.15	17	7.69%
	Burmese	4	1	4	16	3.85%

TABLE 3: *VEHICLE & MOTOR CARRIER SERVICES*

YEAR	LANGUAGE	MINUTES	CALLS	AVG CALL LENGTH (MINS)	AVE CONNECT (SEC)	PERCENT OF TOTAL CALLS
2018	Spanish	345	22	15.68	8	75.86%
	Swahili	80.6	4	20.15	31	13.79%
	Burmese	2.7	1	2.7	15	3.45%
	Kinyarwanda	29.9	1	29.9	23	3.45%
	Nepali	9.6	1	9.6	15	3.45%

Appendix B
Resources Available in Languages other than English

	DIVISION/OFFICE (DEVELOPED)	TRANSLATION (PROVIDER)	LANGUAGE (OTHER THAN ENGLISH)	POINT OF CONTACT
IDENTITY THEFT BROCHURE	Bureau of Investigation & Identity Protection, MVD	CTS Language Link (Certified Court Translator)	Latin American Spanish	Mindi Nguyen
IMPLIED CONSENT ADVISORY (WRITTEN TRANSLATION & AUDIO INTERPRETATION)	Driver & Identification Services Bureau, MVD	CTS Language Link (Certified Court Translator)	Latin American Spanish	Mindi Nguyen
GRADUATED DRIVER'S LICENSE RACK CARDS (1) PERMIT (2) MINOR SCHOOL LICENSE (3) INTERMEDIATE LICENSE	Driver & Identification Services Bureau, MVD	Unable to verify but we have always used a certified court translator for published informational documents	Latin American Spanish	Mindi Nguyen
NON-COMMERCIAL STUDY GUIDES	Driver & Identification Services Bureau, MVD	Unable to verify but we have always used a certified court translator for published informational documents	Albanian (Print & Online) Bosnian (Print & Online) Korean (Print & Online) Laotion (Print Only) Russian (Print & Online) Latin American Spanish (Print & Online) Vietnamese (Print & Online)	Mindi Nguyen
PRE-CLERKING QUESTIONNAIRE	Driver & Identification Services Bureau, MVD	Native, bi-lingual (Spanish speaking) staff member	Latin American Spanish	Mindi Nguyen
REAL-ID ID/DL BROCHURE	Driver & Identification Services Bureau, MVD	Unable to verify but we have always used a certified court translator for published informational documents	Latin American Spanish	Mindi Nguyen
NON-COMMERCIAL DRIVER'S LICENSE KNOWLEDGE TEST (IOWA DOT/COMPUTER BASED TEST)	Driver & Identification Services Bureau, MVD	IDEMIA (Vendor)	Albanian Arabic Bosnian Burmese Cambodian Chinese French German Greek Hebrew Hmong Italian Korean Laotian Polish Portuguese Russian Somali Spanish Vietnamese	Mindi Nguyen
COMMERCIAL DRIVER'S LICENSE GENERAL KNOWLEDGE EXAM, AIR BRAKE, COMBINATION, TANK, PASSSENGER, SCHOOL BUSE, DOUBLES/TRIPELES (IOWA DOT/COMPUTER BASED TEST)	Driver & Identification Services Bureau, MVD	IDEMIA (Vendor)	Spanish	Mindi Nguyen
MOTORCYCLE KNOWLEDGE TEST (IOWA DOT/COMPUTER BASED TEST)	Driver & Identification Services Bureau, MVD	IDEMIA (Vendor)	Spanish	Mindi Nguyen

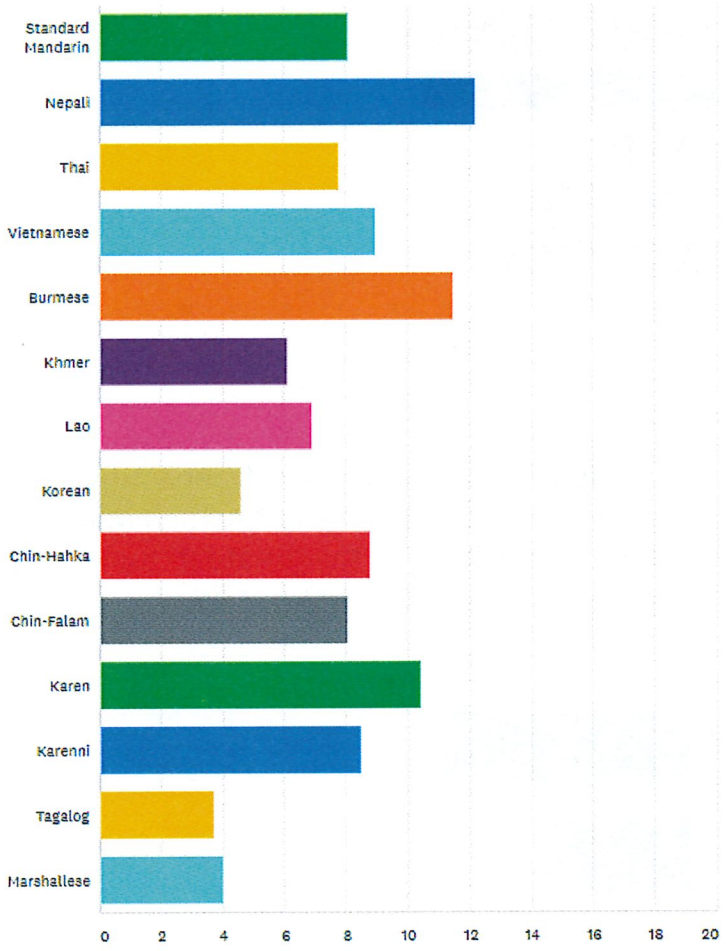
Appendix C
Community Survey to gauge language needs (surveyed August 2018)

Q1

Customize | Save As

Acknowledging Iowa population demographics, forecasting, and the current language/dialect needs of our shared customers, which Asian and Pacific Islander languages are most critically needed and will serve the greatest number of individuals? (Please rank in order of most needed to least needed)

Answered: 28 Skipped: 4

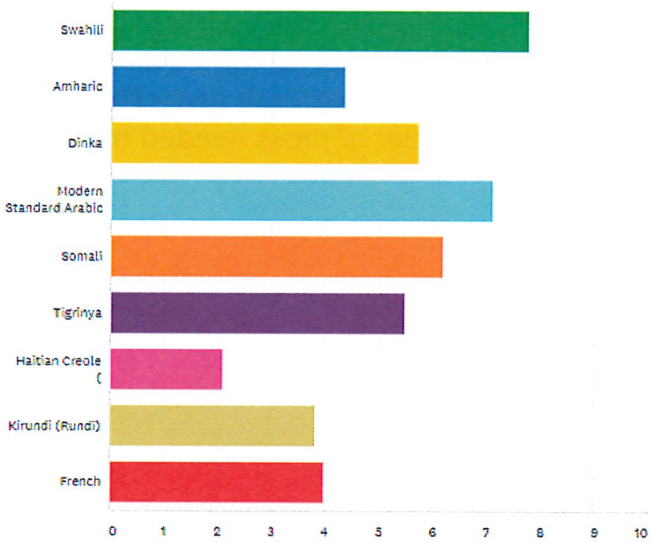


Q2

Customize Save As

Acknowledging Iowa population demographics, forecasting, and the current language/dialect needs of our shared customers, which African languages are most critically needed and will serve the greatest number of individuals? (Please rank in order of most needed to least needed)

Answered: 30 Skipped: 2

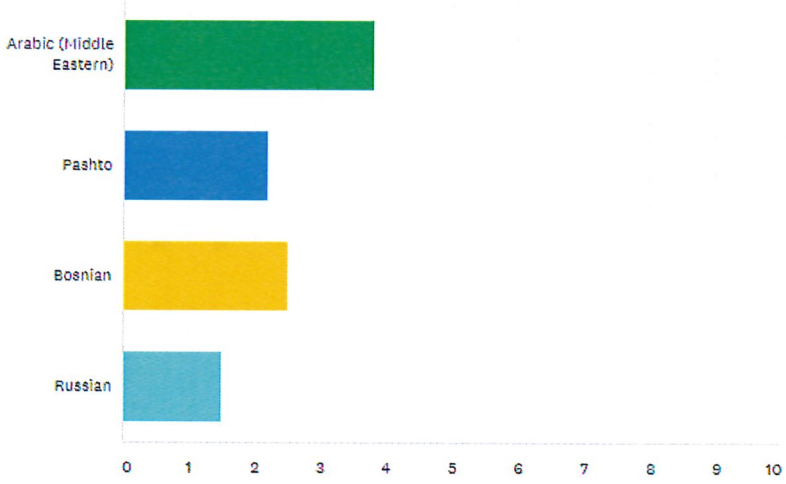


Q3

Customize Save As

Acknowledging Iowa population demographics, forecasting, and the current language/dialect needs of our shared customers, which additional languages are most critically needed and will serve the greatest number of individuals? (Please rank in order of most needed to least needed)

Answered: 29 Skipped: 3



Q4

Save As

If we are only able to translate the driver's license study manual into three (3) additional languages/dialects (excluding English and Spanish), please identify the top three (3) languages/dialects of most need and that will benefit the most individuals within our communities.

Answered: 25 Skipped: 7

RESPONSES (25) TEXT ANALYSIS TAGS (0)

Apply to Selected Filter by tag Search responses

Showing **25** responses

Swahili, Arabic, Burmese

9/11/2018 7:49 AM View respondent's answers

Arabic cause there's so many Arabs in Iowa and the still coming, and there's some people start make money by translating CDL book to them, and the translation could be wrong, thank you

9/10/2018 3:49 PM View respondent's answers

Arabic - both dialects, Kirundi

9/10/2018 1:56 PM View respondent's answers

Hakha Chin Arabic Burmese

9/10/2018 1:29 PM View respondent's answers

Arabic, Somali, Burmese

9/10/2018 12:07 PM View respondent's answers

Arabic, Swahili, Somali

9/10/2018 11:36 AM View respondent's answers

Arabic, Burmese, Nepali

9/10/2018 11:14 AM View respondent's answers

Swahili, Burmese, Nepali

9/4/2018 3:31 PM View respondent's answers

Arabic, Burmese, Swahili

9/4/2018 12:10 PM View respondent's answers

Somali, Pashto, Swahili

9/4/2018 6:22 AM View respondent's answers

swahili, arabic, karen

9/2/2018 9:11 PM View respondent's answers

Swahili

8/31/2018 1:33 PM View respondent's answers

Vietnamese, Arabic, Chinese

8/30/2018 4:34 PM View respondent's answers

Nepali, Karen, Karenni

8/30/2018 4:23 PM View respondent's answers

Karen - Burmese

8/30/2018 3:50 PM View respondent's answers

Karen, Tigrinya, Swahili

8/30/2018 3:37 PM View respondent's answers

Karen, Burmese, Karenni

8/30/2018 3:28 PM View respondent's answers

Mandarin, Nepali and Bosnian

8/30/2018 3:18 PM View respondent's answers

Nepali, Arabic, French

8/30/2018 3:07 PM View respondent's answers

Nepali,Swahili,Tigrinya, Eritrean and Kunama

8/30/2018 3:01 PM View respondent's answers

Nepali, Swahili, Arabic

8/30/2018 2:58 PM View respondent's answers

Swahili, Nepali, Tigrinya

8/30/2018 2:15 PM View respondent's answers

Burmese, Swahili, Arabic

8/30/2018 1:47 PM View respondent's answers

1. Nepali 2. Burmese 3. Kunama

8/30/2018 1:41 PM View respondent's answers

Arabic, Chin, Napali

8/30/2018 1:30 PM View respondent's answers

Q5

Save As

Please provide any additional comments or suggestions that will help us with this conversation and decision. Thank you!

Answered: 13 Skipped: 19

RESPONSES (13) TEXT ANALYSIS TAGS (0)

Apply to Selected Filter by tag Search responses

Showing 13 responses

I think we need in Iowa to translating the CDL clas A so we could have more drever in the state, and stop the people who take advantage of Arabs they don't speak English by translating the book for 100 dollars.

9/10/2018 3:49 PM View respondent's answers

Kunama, Kurundi, Tigrynia, Bhutanese, Karen, Chin

9/10/2018 11:36 AM View respondent's answers

Discuss this matter with the Refugee Alliance of Central Iowa

9/10/2018 11:14 AM View respondent's answers

Numbers of incoming refugee resettlements to Iowa from UNHCR may be of assistance in this context.

9/4/2018 3:31 PM View respondent's answers

Thank you. This is much needed!

9/4/2018 12:10 PM View respondent's answers

translation of driver's manual are available in other states

9/2/2018 9:11 PM View respondent's answers

N/A

8/31/2018 9:18 AM View respondent's answers

Thank you for this survey!

8/30/2018 4:34 PM View respondent's answers

I like the idea to add basic needed language in to mainstream languages.

8/30/2018 3:01 PM View respondent's answers

I am a case manager working exclusively with immigrant and refugee communities. My answers to this survey reflect years of experience and knowledge of Iowan immigrants.

8/30/2018 2:58 PM View respondent's answers

Somali and Karen are high need but low literacy. Swahili and Nepali are high need an high literacy.

8/30/2018 2:15 PM View respondent's answers

None

8/30/2018 1:47 PM View respondent's answers

Fourth language - Russian

8/30/2018 1:30 PM View respondent's answers

Appendix D
Infographic Resources for Immigrant and Refugee Populations

IOWA DOT
GETTING YOU THERE

IS THIS YOUR **FIRST TIME** GETTING AN IOWA LICENSE OR ID? OR ARE YOU REQUESTING A **REAL ID**?

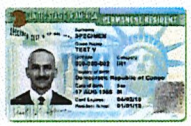
BRING THE FOLLOWING ITEMS:

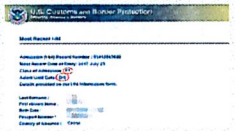
STEP 1

PROOF OF IDENTITY

Bring your most recent U.S. Citizenship and Immigration Services (USCIS) immigration or refugee document. If your current legal name is different from the name listed on your USCIS document, you must also bring the legal name change document.

Examples: *Temporary I-551 in passport, Permanent I-551, Temporary visa (with passport), I-94 card (with (temporary) or without (Refugee D/S) passport) OR electronic I-94, Employment Authorization card (I-766)*





STEP 2

SOCIAL SECURITY NUMBER

If you have been issued a social security number (SSN), bring a document that contains your current name and SSN.

Examples: *Social Security Card, W-2 tax form*

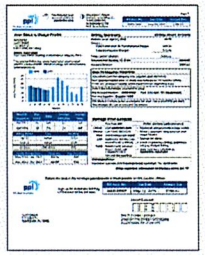
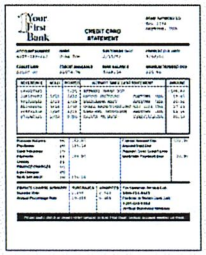
*If you don't have a SSN, skip this step.

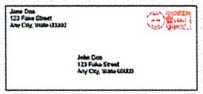
STEP 3

IOWA RESIDENCY & ADDRESS

Bring **two (2)** documents that show your current name and the Iowa address where you live.

Examples: *Utility bill, bank statement, credit card statement, mortgage, lease or rental agreement, valid insurance card or certificate of coverage, mail with your address (envelope, box, postcard, or magazine that includes a postmark or stamped date)*



For a complete list of acceptable documents, visit **iowadot.gov/mvd/realid/success.aspx**

HELPFUL QUESTIONS & ANSWERS

Q: WHAT IF I HAVE MORE THAN ONE DOCUMENT? WHICH DOCUMENT DO I BRING?

A: Both! It is better to provide us with more information than less. We can determine which document is needed to obtain a driver's license or identification card.

EXAMPLE
I am a refugee who has an unexpired I-766 and a permanent I-94. Provide both documents to our staff to determine which document is needed.

Q: WHAT IF MY CURRENT USCIS DOCUMENT IS EXPIRED AND I SENT MY PAPERWORK IN FOR EXTENSION RENEWAL?

A: Bring your expired USCIS document (i.e. I-766, employment authorization card) and any paperwork used to file for your renewal with USCIS. We can create a necessary SAVE case requesting USCIS verify your current eligibility.

**If you are applying for an Iowa license or ID for the first time, the Iowa DOT will not issue a driver's license or ID card if your immigration document shows your remaining status is less than 30 days. For those with existing Iowa credentials, you may be eligible for a 60-day extension while awaiting USCIS renewal response. Contact us for further information.*

NEED HELP?

515-244-8725 DIS@iowadot.us iowadot.gov/mvd/driverslicense

MM1048 09/20/2018

IOWADOT
GETTING YOU THERE

WHAT CAN YOUR CARD DO?

	ID CARD	INSTRUCTION PERMIT	DRIVER'S LICENSE
BANKING/FINANCIAL PURPOSES	✓	✓	✓
RETAIL PURPOSES **Must be 21 to purchase alcohol*	✓	✓	✓
BUYING/RENTING A HOME	✓	✓	✓
MEDICAL APPOINTMENTS	✓	✓	✓
STATE OR FEDERAL GOVERNMENT APPOINTMENTS *(see REAL ID for more information)*	✓	✓	✓
BOARDING A PLANE *(see REAL ID for more information)* **USCIS document required for commercial travel*	✓	✓	✓
DRIVING	✗	✓ **You cannot drive alone. You can drive with a licensed family member over 21 or any licensed driver over 25.*	✓ **Make sure you have your driver's license along with your vehicle registration and insurance card in the vehicle with you.*

MM1045 09/12/2018

Appendix E
Policy Memo 18-01

Motor Vehicle Division Policy Memo # 18-01 (Revision)

SAVE Case Exceptions: A Guide for Initiating SAVE cases for Customers with Expired or No Documentation, Pending Renewal

DATE: May 13, 2019 (originally published on February 15, 2018)
FROM: Darcy Doty, Director, Driver & Identification Services
TO: All Driver and Identification Services (DIS) Staff, Iowa County Treasurers and County Treasurers' staff that issue driver's licenses and non-operator's identification cards.

EFFECTIVE DATE: *This procedure is effective immediately.*

SUBJECT

This memo explains the process for verifying a customer's lawful status when it doesn't verify through VLS. Specifically, this examines the process for initiating additional verification cases for customers requesting renewal of their Iowa issued credential (driver's license or identification card) presenting expired proof of identity documents (pending renewal by the United States Citizenship & Immigration Services - USCIS) or no documentation.

EXPLANATION

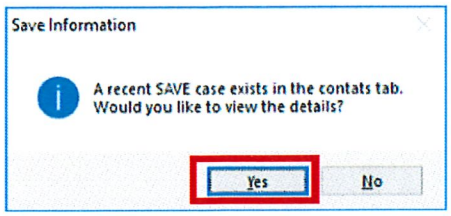
Federal REAL ID regulations in 6 C.F.R. §37.11 require all foreign national customers provide proof of their legal status documents issued by USCIS to be considered for issuance of an Iowa credential. The customer will be considered a permanent or temporary resident based upon the documents presented. Iowa credentials may only be issued for the length of time returned through VLS (Verification of Legal Status), SAVE, or as determined by the non-immigrant class of admission.

SAVE Case Exceptions – Pending Document Renewal (USCIS): In cases where customers are requesting a renewal extension because their current Iowa credential is set to expire or expired, and their proof of identity document (i.e. I-766, H1B, etc.) is expired and/or pending USCIS renewal, there are options available to the customer including a possible 60-day extension. To utilize these exceptions, follow the procedure outlined below.

PROCEDURE

When a customer applies for a renewal or extension of their credential (set to expire or expired) at a state or county issuance service center and they present an expired legal status document or no documentation, take the following steps:

When pulling up the customer's record in ARTs, do you see this pop-up box?



If yes, 'click yes' to view the details and continue the customer transaction.

If no, ask the customer, **"HAVE YOU STARTED YOUR DOCUMENT RENEWAL PROCESS WITH USCIS?"**
If the answer is:

> **Yes.** Scan the customer's renewal documentation paperwork into ERMS and attempt to verify their lawful status through VLS using their most current USCIS document. If the customer doesn't have their USCIS document with them use their most recent USCIS document on file in ERMS. If VLS doesn't verify, initiate additional verification. Let the customer know that sometimes USCIS doesn't automatically validate lawful status. This could be for a variety of reasons but shouldn't cause immediate concern. Rather, we have to initiate what is called additional verification, a SAVE case for USCIS to manually verify their lawful status. Print the SAVE Case Number Notification, provide it to the customer, advise they can follow-up on the SAVE website provided on the notification to track the response, and provide them with your service center number for follow-up by phone if they have questions.
>
> **No.** Let the customer know that they need to initiate their document renewal process with USCIS. Attempt to verify their lawful status through VLS using their most current USCIS document. If the customer doesn't have their USCIS document with them use their most current renewal document on file in ERMS. If VLS doesn't verify, initiate additional verification. Let the customer know that sometimes USCIS doesn't automatically validate lawful status. This could be for a variety of reasons but shouldn't cause immediate concern. Rather, we have to initiate what is called additional verification, a SAVE case for USCIS to manually verify their lawful status. Print the SAVE Case Number Notification, provide it to the customer, advise they can follow-up on the website provided on the notification to track the response, and provide them with your service center number for follow-up by phone if they have questions.

INITIATING VLS & THE SAVE CASE PROCESS: As described above, we should always attempt to verify a customer's lawful status regardless of if they have their documentation or no documentation at time of renewal. Using the logic above, we should always attempt to verify through VLS first and initiate additional verification, if necessary.

Your Supervisor, Hearing Officer, or AAII will create and submit the case to SAVE/WEB3 in one of two ways:

1) There are no current documents in ERMS (customer doesn't have current documents). Your Supervisor, County Liaison, or AAII will create the SAVE case and notate within the Arts contacts tab *"IAV w/o docs-mv"* which stands for "institute additional verification without documents – (insert initials of team member who submitted the SAVE case)."

2) There are current documents in ERMS (customer may have provided same day). Your Supervisor, County Liaison, or AAII will send the case in SAVE with documents and notate "IAV with docs-mv" which stands for "institute additional verification with documents – (insert initials of team member who submitted the SAVE case).

This sends a request to USCIS for review; once reviewed, USCIS will enter a response into SAVE/WEB3. Your Supervisor, County Liaison, or AAII will regularly check SAVE and once they receive the USCIS response they will enter that response from SAVE into the contacts tab in ARTS. The following are examples of responses that SAVE will return:

VALID/ABLE TO BE ISSUED.

- U.S. Citizen
- Lawful Permanent Resident
- Admitted until MM/DD/YYYY
- Application Pending (team member entering data will determine if eligible for 60-day extension)
- Application pending, admitted until MM/DD/YYYY NOT VALID/NOT ABLE TO BE ISSUED.
- Documents Appear to be Expired
- Documents Appear Altered
- Documents Appear to be Counterfeit

USCIS UNABLE TO MAKE A DETERMINATION/NOT ABLE TO BE ISSUED.

- Unable to determine eligibility, 'Submit Current Documents'

SAVE CASE RESULTS. The SAVE case will generally return one of the following responses:

A valid response from SAVE. Varied response such as: U.S. Citizen, Lawful permanent resident, F1 until MM/DD/YYYY, H1B until MM/DD/YYYY, or B2 until MM/DD/YYYY.

Application pending with a date. In these instances, the customer can be issued for the time indicated on the returned SAVE case. *A common example* is someone pending H1B status. Customers pending H1B approval are allowed to work for 240 days if they have applied for H1B renewal. The expected SAVE response here would be application pending-employment through with a specific *month/date/year.*

Application pending with NO date. In these instances, we can issue a renewal (extension) for 60 days for those who have a previous Iowa license or Iowa ID card (only allowed for existing Iowa customers). The reason for allowing 60 days is that most pending applications are approved within this time frame by USCIS, allowing a customer sufficient time to receive their renewed documentation and return to us for renewal.

Appears to be expired. This response indicates the customer has not initiated their document renewal process. By having this information, we're better prepared to have the conversation with the customer and provide them with information which will ultimately help them reach their goal of renewing their Iowa credential.

Example: At this time, you are not eligible to renew your Iowa credential. You must contact USCIS to initiate your document extension renewal prior to being eligible to renew your Iowa credential (Print the SAVE Case Notification and give to the customer and provide them with your service center number to follow- up by phone if they have further questions.)

HELPFUL QUESTIONS AND ANSWERS:

IS IT OK TO ISSUE THE CREDENTIAL FOR AN ESTABLISHED IOWA CUSTOMER WHEN THE CUSTOMER PRESENTS AN EXPIRED IDENTITY DOCUMENT, BUT VLS OR THE SAVE/WEB3 CASE RETURNS AN APPROVED RESPONSE?

Yes, this is permitted as the VLS or SAVE/WEB3 response from USCIS is the method of verification of the validity of the underlying identity document. We know there can be delays in the processing of renewals with USCIS and in some cases, USCIS will not renew the identity document at all if the person's lawful status is extended automatically via Federal Register or Memorandum notice. Further explanation below.

HOW CAN WE ACCEPT EXPIRED DOCUMENTATION WHEN,

- **Iowa Administrative Rules 601.5(4) and 601.5(1)** state that a customer's documentation must be, "A valid, unexpired...?"

- **Federal REAL ID regulations in 6 C.F.R. §37.11** require all foreign national customers provide proof of their USCIS-issued legal status documents to be considered for issuance of an Iowa credential. **6 C.F.R. §37.11(c)(1)** states that a customer's documentation must be, "A valid, unexpired...?"

This is a valid concern. Our **Agency interpretation** in this scenario with customers that have their original document confirming lawful status that has expired (either in hand or in their ERMS file), however their lawful status is extended via the Federal Register or Memorandum notice, and is confirmed by either VLS or the SAVE/WEB3 case response, counts as them having a "valid, unexpired" document. In these circumstances, we must consider the totality of the circumstances for these customers and that if we have all 3 of these pieces, we can feel confident in issuing them with an approved VLS or SAVE/WEB3 response.

We completely understand the hesitancy that would go along with being presented with an expired identity document at the front counter or being told they don't have their identity document. We want to make sure that everyone understands that in these situations we aren't asking anyone to take a risk making the wrong decision or to feel like they have to make a judgment call based on the expired document (whether in hand or in ERMS) alone. We are only asking for you to run the VLS or Initiate Additional Verification, every time. If the SAVE case returns an approved response, this is the backup for why we are OK to issue the customer and be in accordance with REAL ID requirements.

The reason why we have established these procedures around REAL ID requirements for a customer having a "valid, unexpired" document is that if we didn't, it would leave whole groups of people stuck, which is not the intent of extending their legal status as evidenced by the numerous contacts we receive from the legal staff of advocacy groups and state agencies when a group's lawful status has been extended by the federal process, yet we still refuse to issue them a credential.

It is also contrary to the guidance published by USCIS, see for example the notice they published when extending the status for certain eligible Liberians. It actually directly states that the EAD has been auto-extended and that the Federal Register may be relied on by employers and government agencies as evidence of the continuing validity of the EAD. Knowing this information can make us feel even more comfortable that we are following both state and federal policy, because we have access to VLS or SAVE/WEB3 which will return an approved issuance response.

An example of this is when the Deferred Enforced Departure for certain eligible Liberians was extended for an additional 12 months. That temporary extension was published in the Federal Register and USCIS issued

guidance specifically directing employers and government agencies that they could rely on the federal register notice for continuing validity of an expired employment authorization document (EAD). Our method of confirming the validity of the extension is to run the SAVE case. Because customers can sometimes wait months to receive their renewed documents, or may not receive a renewed document at all, we can feel confident in issuing the credential based on the expired identity document in conjunction with the approved SAVE case response, as this is the approved method of verifying the validity of the identity document with the source agency. For a customer whose legal status has been extended temporarily as part of a Federal Register notice, that notice is a third piece of evidence we can rely on to know we are issuing the customer a credential correctly under REAL ID requirements.

We do not expect you to make a judgment call based on being presented with an expired identity document, all we are asking you to do is run the SAVE case every time so that we do not turn customers away unnecessarily.

Keep in mind, this is *only allowable when the customer is an existing Iowa customer* and does not apply to a customer who is new to the State of Iowa, as we must only extend this option to customers we have been able to verify before.

As always, do not hesitate to contact your County Liaison, Supervisor, AAII, or management if you have questions or concerns.

IS IT REALLY THAT IMPORTANT TO SCAN DOCUMENTS INTO ERMS EVEN IF NOT ISSUING?

Yes. Always scan documents as it increases the chance of receiving a valid response for the customer.

IS THERE EVER A SITUATION WITH A FOREIGN NATIONAL (TEMPORARY OR PERMANENT STATUS) REQUESTING RENEWAL WITH EXPIRED DOCUMENTATION WHERE WE SHOULDN'T INITIATE THE SAVE CASE?

No. Always initiate the SAVE case (if a current one hasn't already been initiated), even if the customer says they haven't started the document renewal process, as USCIS has the most up-to-date information regarding a customer's status. Sometimes USCIS grants extensions and the customer may not be aware of the extension available to them. In those instances when we create the SAVE case, USCIS will return notice allowing us to extend the license expiration date.

In instances where the customer hasn't started their renewal process, SAVE may return a response of "Documents appear to be Expired," which helps us have the appropriate conversations and provide useful information on what steps they need to take to reach their goal of renewing their credential.

WHAT CRITERIA MUST BE MET TO ISSUE A 60-DAY EXTENSION?

In most instances, the SAVE case must return an 'application pending' response. Where the customer expresses special and extenuating circumstances, or we are aware of and have addressed specific hardships, like the recent delays in TPS extensions for Honduras and El Salvador, AAIIs, County Liaisons, and Supervisors will exercise their best judgment in granting 60-day extensions in collaboration with information and guidance provided by DIS and E&I management (i.e. TPS announcement for providing service to delayed TPS customers).

This will be on a case by case basis. If you, (AAII, County Liaison, or Supervisor), have questions about the ability to grant a 60-day extension please work with Mark Voss, Carrie Tietz, Mary Ford, and Sara Siedsma. They will assist with reviewing individual cases to determine if a 60-day extension is warranted.

An example of a special circumstance requiring Mary, Mark, Carrie, and Sara's review and approval includes a customer who is a CAP GAP, meaning their graduation is in the spring of the year they start employment and are to be issued their H1B (10/01/Year), of that year. In this instance as the customer is transitioning from one INS document type to another (H1B), Mark, Carrie, or Mary would grant a 60-day extension if they had a previous Iowa

credential.

WHAT IS THE COST FOR A 60-DAY EXTENSION?

A driver's license is $4.00, an instruction permit is $6.00, and an identification card is $8.00.

ARE NEW CUSTOMERS TO THE STATE OF IOWA ELIGIBLE FOR A 60-DAY EXTENSION?

No. Customers who have an out-of-state credential and that are a new customer to the state of Iowa (no previous ID/DL), can only be issued if their VLS or SAVE case verifies and returns an approved response by USCIS with a valid date or application pending with a date status.

If a SAVE case is initiated and the response returns as application pending with no date, documents appear expired, or further information required, these customers are not eligible to be issued an Iowa credential for the 60-day extension. Let the customer know that to transfer their out-of-state credential or be issued an Iowa credential for the first time, we must receive an approved or pending response with a valid date by USCIS. Print the SAVE Case Notification and provide to the customer and give them your station number to follow-up if they have further questions.

HOW LONG DOES IT TAKE TO GET A RESPONSE FROM SAVE?

Normally we get responses in one to three days. If the SAVE case goes to "continuance" it may take two to three weeks or longer (typically older documents such as certificate of citizenship's or older I-551 cards). After thirty working days, not calendar days, the hearing officer, AAII, or supervisor may contact USCIS about the status of the case. The phone number is
listed on the SAVE homepage.

WHAT IS THE DIFFERENCE BETWEEN 2ND & 3RD LEVEL VERIFICATION?

A 2nd level verification is a case when documents are not included with the case. If USCIS is unable to make a determination, they will request you to submit current documents. A 3rd level verification are cases where the documents have been attached to the case and the final determination is made by USCIS.

WILL THE CONTACTS TAB IN ARTS CONTAIN THE INFORMATION I NEED TO ISSUE A 60-DAY EXTENSION OR FULL ISSUANCE?

Yes. The Supervisor, County Liaison, or AAII who created the SAVE case will include the USCIS response, their initials, the USCIS response received date, and further information into the contacts tab which will guide you on the issuance process.

For example, Mark Voss created a customer SAVE case on 1/13/2018 and received the USCIS response on 1/17/2018. Mark then enters his initials, the USCIS received response date, and the response from USCIS along with information, "Application Pending – Okay for 60-day extension, MV, 1/17/2018." Likewise, if USCIS returns a response where we cannot issue the customer, the Supervisor, Hearing Officer, or AAII will include this information (Documents appear to be expired – Please advise the customer to initiate their renewal process with USCIS and to bring documentation for renewal consideration, MV, 1/05/2018).

Appendix F
Policy Memo 19-01

Motor Vehicle Division Policy Memo # 19-01
REAL ID Act Modification for Freely Associated States Act

DATE: January 23, 2019
FROM: Darcy Doty, Director, Driver & Identification Services
TO: All Driver and Identification Services (DIS) Staff, Iowa County Treasurers and County Treasurers' staff that issue driver's licenses and non-operator's identification cards.
EFFECTIVE DATE: *This procedure is effective immediately.*

SUBJECT
This clarification serves to provide information about and explain the issuance process for a recent Federal law amendment to the REAL ID Act affecting citizens connected with the Freely Associated States Act.

EXPLANATION
Federal law (No. 115-323), effective 12/17/18, amends the Real ID Act of 2005 to make a citizen of the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau who has been admitted to the United States as a non-immigrant pursuant to a Compact of Free Association (COFA) between the United States and the Republic or Federated States eligible for a driver's license or personal identification card.

The amendment recognizes citizens of these countries as non-immigrants, eligible for a temporary driver's license or personal identification card with maximum duration of two-years pursuant to sections 321.196 and 321.190 of the Iowa Code. (Independent of the REAL ID Act, section 321.196 provides that a license issued to a temporary foreign national shall be valid for no more than two years, and this is applied to identification cards by section 321.190).

This is a change from prior practice where a citizen of those countries was eligible for a temporary driver's license or personal identification card with maximum duration of one-year pursuant to Federal REAL ID regulations 6 C.F.R. §37.21(b)(1) which specifically provides that a state,

> "shall not issue a temporary or limited-term driver's license or identification card pursuant to this section . . .[f]or a time period longer than the expiration of the applicant's authorized stay in the United States, or, *if there is no expiration date*, for a period longer than one year." (*See* 6 C.F.R. §37.21(b)(1) (emphasis added); *see also* 6 C.F.R. §37.11 and §37.21; we have adopted this requirement at Iowa Administrative Code 761 IAC 605.6.)

PROCEDURE
The process for verifying a customer's eligibility in application for issuance of an Iowa credential remains unchanged. For purposes of issuance, we are still required per Federal REAL ID regulations in 6 C.F.R. §37.11 that all foreign national customers provide proof of their legal status documents as issued by USCIS to be considered for issuance of an Iowa credential.

The only change is the maximum duration of credential for DHS responses returning no expiration date, updating from one-year maximum duration to two-years maximum duration for temporary status.

For example, a customer presents an employment authorization card (I-766). Upon verifying lawful status in VLS or SAVE (if necessary), DHS returns a response of employment authorized with a specific admitted date. In this situation, issue the customer based on the admitted date, not to exceed two-years from issuance date.

In instances where the customer's information (common examples: I-766 or passport with I-94) returns a DHS response as exampled below, issue the customer the two-year maximum duration.

- Employment authorized, indefinitely
- Duration of Stay (D/S)
- Indefinite
- A response without a specific "admitted to date" or "no expiration"

*if a customer returns a DHS response of permanent resident, issue according to current practice. The two-year maximum duration for issuance of a credential does not apply to citizens who return a DHS response of permanent resident.

Case Verification Number [redacted]	**Full Name** [redacted]
COA Code FSM	**Date of Birth** 08/29/[redacted]
Admitted to Date Duration of Status	**Document Expiration Date** 09/06/2021
DHS Comments Employment authorized, indefinitely.	**I-94 Number** [redacted]
Response Date 12/29[redacted]	**Passport Number** [redacted]

HELPFUL QUESTIONS AND ANSWERS:

WHAT HAS CHANGED WITH THIS NEW LAW?

The amendment defines citizens associated with COFA as non-immigrants. This change in acknowledgement of status allows those citizens who are non-immigrants and when DHS returns a response as exampled above (i.e. D/S, employment authorized indefinitely, indefinite) to be issued a credential with maximum duration of two-years.

IF A DHS RESPONSE RETURNS A SPECIFC "ADMITTED TO DATE," HOW DO WE ISSUE THE CUSTOMER?

If DHS returns a response of "Admitted to XX-XX-XXXX" or an "Expiration date of XX-XX-XXXX," issue the customer accordingly, not to exceed two-years from the maximum issuance date.

WHAT IF DHS ISSUES A RESPONSE OF PERMANENT RESIDENT?

If the customer is determined to be a permanent resident, follow current procedure and issue up to 8-years in accordance with age requirements.

Title		Policy No.
Title VI Program		**300.05**
Responsible Office	Related Policies and Procedures	
Office of Employee Services	230.03, 300.18	
Effective/Revision Dates	Approval(s)	
5-24-1976/12-29-2015	***Paul Trombino* III**	

Authority: Director of Transportation.

Contents: This policy establishes responsibilities for monitoring and reporting compliance with Title VI to ensure that no person is denied benefits of programs administered by the Department due to discrimination. Title VI also prohibits national origin discrimination as it affects limited English proficient persons. An appendix is included to provide guidance to Department staff in assisting persons with limited English proficiency.

Affected Offices: All districts and offices that provide any services or programs to the public.

Who to Contact for Policy Questions: Title VI Program Administrator in the Office of Employee Services, telephone 515-233-7970.

Definitions:

FHWA – Federal Highway Administration.

FMCSA- Federal Motor Carrier Safety Administration.

Limited English Proficiency (LEP) – Individuals are considered to have limited English proficiency if they do not speak English as their primary language and if they have limited ability to read, speak, write or understand English. Applicable regulations and executive orders include, but are not limited to, the following:

- Executive Order 13166 dated August 11, 2000 by President Clinton
- 23 CFR Part 200
- U.S. DOT LEP Policy Guidance, Federal Register, Volume 70, No. 239, Pages 74087- 74100

Title VI – Title VI of the federal Civil Rights Act of 1964. The term includes related federal statutes and regulations that prohibit discrimination on the basis of race, color, sex or national origin in programs or activities receiving federal financial assistance. Applicable statutes and regulations include, but are not limited to, the following:

- 42 U.S.C. 2000d to 2000d-4 {Title VI of the Civil Rights Act of 1964}
- 42 U.S.C. 3601-3619 {Title VIII (Fair Housing) of the Civil Rights Act of 1968}

- 42 U.S.C. 4601 to 4655 {Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970}

- 23 U.S.C. 109(h) {Consideration of Adverse Economic, Social and Environmental Effects}

- 23 U.S.C. 324 {Prohibition of Discrimination of the Basis of Sex}

- 49 CFR Part 21 {Nondiscrimination in Federally Assisted Programs of the Department of Transportation}

- 23 CFR Part 200 {Title VI Program and Related Statutes—Implementation and Review Procedures}

Forms: None

Policy and Procedure:

I. Program Administrator

A. The Civil Rights Coordinator in the Office of Employee Services shall serve as the Department's Title VI Program Administrator.

B. The Title VI Program Administrator is responsible for the administration, coordination and control of Title VI compliance procedures throughout the Department and shall also:

1. Initiate and monitor Title VI activities by establishing goals and objectives to be accomplished within specific time limits.

2. Advise, consult and provide training for district engineers, office directors and their Title VI program area coordinators concerning the accomplishment of Title VI program objectives.

3. Assist the district engineers, office directors and Title VI program area coordinators in investigating and resolving Title VI and related discrimination complaints.

4. Prepare and submit to the FHWA and/or FMCSA the required annual report and the supporting documentation.

II. Implementation

Each district engineer or office director who administers federally-funded programs is responsible for the implementation of the Title VI commitments in

those programs. The district engineer or office director shall also:

A. Appoint a Title VI program area coordinator and inform the Title VI Program Administrator of any changes in the appointment.

B. Monitor compliance in all programs and perform compliance reviews of Departmental districts or offices in cooperation with the FHWA and/or FMCSA. When deficiencies in compliance are found, the district engineer or office director shall, with the assistance of the Title VI program area coordinator, negotiate corrective actions. The district engineer or office director shall refer deficiencies that cannot be corrected through negotiation to the Title VI Program Administrator for resolution.

C. Ensure that personnel and budgets are adequate to accomplish Title VI commitments.

D. Ensure that disadvantaged businesses are given an opportunity to participate in programs, activities or services.

III. Monitoring

The Title VI program area coordinator is responsible for monitoring all Title VI activities of the district or office and shall also:

A. Inform all recipients of federally funded programs administered by the district or office of prohibited discriminatory practices.

B. Develop procedures for the collection of racial and ethnic data on participants to ensure compliance.

C. Submit an annual report on district or office compliance and a program update to the Title VI Program Administrator.

Any exceptions to this policy must be approved by the Director of Transportation.

Appendix to Policy No. 300.05, *Title VI Program*
Limited English Proficiency (LEP)

A. General

President Clinton signed Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency" (LEP) on August 11, 2000. For LEP individuals, language can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by the Iowa Department of Transportation's (Iowa DOT) programs and activities. Programs and services normally provided in English must be accessible to persons with LEP in order to avoid national origin discrimination that is prohibited by Title VI. As a result, recipients of federal financial assistance have an obligation to reduce language barriers that can preclude meaningful access to important government services by LEP persons.

The central goal of Executive Order 13166 is to provide meaningful access for LEP persons to programs and services offered by recipients of federal financial assistance. The Iowa DOT continues to be subject to these federal non-discrimination requirements even though Iowa has statutes requiring use of the English language (see Iowa Code sections 1.18, 618.1, and 618.2) because federal requirements supersede state and local ones.
Additionally, Iowa Code section 307.44 provides that if "funds are allotted or appropriated by the government of the United States for the improvement of transportation facilities and services in this state, the department...may comply with the federal statutes and rules..." This authorizes the Iowa DOT to carry out its LEP responsibilities under Federal law.

B. Guidance

As a recipient of federal financial assistance, the Iowa DOT is required to take reasonable steps to ensure meaningful access to its programs and activities by LEP persons. It is important to note that because of the Civil Rights Restoration Act of 1987 (P.L. 100-259) this applies to all activities and programs, not just those that involve federal assistance. It is, therefore, necessary to determine what level of effort is reasonable to ensure meaningful access. That determination is based on a case-by-case assessment that balances four factors:

1. The number or proportion of LEP persons served or encountered in the eligible service population.

   The more LEP persons who are served or directly affected by a particular project or service, the more likely it is that language services will be needed. Prior experience with LEP persons should be considered when determining the scope of services that are needed. It is important to note that eligible recipients may currently be underserved or unrecognized because of existing language barriers. Valuable data resources that may need to be considered include the census, school systems, community and religious

organizations and legal aid entities.

2. The frequency in which LEP individuals come in contact with the program, activity or service.

   The more frequently that LEP individuals have contact with the Iowa DOT over an issue, the more likely it is that language services will be needed. What is reasonable for a service needed only once will be significantly different for something that is needed repeatedly. The frequency of contact with any particular language should also be considered. For example, meaningful access efforts for a document issued multiple times in one language may be much different than for the same document needed only once in another. If access is needed on a daily basis, the effort required may be much more significant than for something needed infrequently. On the other hand, infrequent need does not mean that no effort is required, but suggests that a reduced effort may be satisfactory.

3. The nature and importance of the program, activity or service.

   As the information being exchanged becomes more important, the consequences to the user increase. As a result, the likelihood that an increased level of language services is necessary increases as well. It should be determined how serious the implications are to the LEP person due to a delay or denial of the information in question. As an example, the U.S. DOT LEP Policy Guidance indicates that the obligation to provide information about public transportation would be different than the obligation to provide information about recreational programming. U.S. DOT and U.S. Department of Justice Policy Guidance suggest that the importance of the activity is heightened when denial or delay of access to services could have serious or life-threatening implications for the LEP individual. Additionally, the fact that a federal, state or local entity has made an activity compulsory, such as the requirement that a person must have a license before driving, is strong evidence of the importance of the activity.

4. The resources available.

   The level of resources needed and the costs imposed may have an impact on the nature of the steps taken in providing meaningful access for LEP persons.
   Reasonable steps may cease to be reasonable if the costs imposed substantially exceed the benefits. U.S. DOT LEP Policy Guidance cautions; however, that larger entities and entities serving a significant number or proportion of LEP persons should ensure that their resource limitations are well substantiated before using a claimed lack of resources or excessive cost as a reason to limit language assistance.

C. Language Assistance Services

The four-factor analysis applied on a case-by-case basis results in a “mix” of

language services. These services are provided in two main ways: interpretation and translation.

1. Oral Language Services (Interpretation)

   Interpretation is the act of listening to something in one language (source language) and orally translating it into another language (target language).

   An effort should be made to ensure the competency of interpreters. This involves more than interpreters identifying themselves as bilingual. However, it does not necessarily mean formal certification, although that is beneficial.

   Interpreters should demonstrate proficiency and the ability to communicate information accurately in both English and the other language; and identify and employ the appropriate mode of interpreting (e.g., consecutive, simultaneous, summarization or sight translation). Interpreters should have knowledge in both languages of any specialized terms or concepts peculiar to the program or activity and of any particularized vocabulary and phraseology used by the LEP person and understand and follow confidentiality and impartiality rules to the same extent as the Iowa DOT employee for whom they are interpreting and/or to the extent their position requires. They should understand and adhere to their role as interpreters without deviating into other roles such as counselor or legal advisor.

   Quality and accuracy of the language service provided and relative to the information being provided are critical. For example, accuracy in a right-of-way transaction would need to be extremely high, while the accuracy for bicycle trail information may not need to meet the same standard.

   There are many options available for interpretation services.

   - Bilingual staff.
   - Hiring staff interpreters.
   - Contracting for interpreters.
   - Telephone interpreter lines.
   - Community volunteers.
   - Family members.

   U.S. DOT LEP Policy Guidance indicates the Iowa DOT should not plan to rely on family members, friends and other service participants, and should use them as interpreters only in exigent circumstances that are not reasonably foreseeable, and then only when appropriate in light of the circumstances existing. Care should be taken to ensure that the interpreter is competent to interpret, that the interpreter does not have either a personal or business interest in the matter being interpreted and that use of that person as an interpreter will not violate any duty of confidentiality or privacy to the LEP person.

An LEP person may desire to use an interpreter of his or her own choice (whether professional interpreter, family member or friend) in place of or as a supplement to the free language services offered by the Iowa DOT. This is generally permissible when done at the LEP person's own expense, but again care should be taken to ensure that the person is competent to interpret and does not have either a personal or business interest in the matter being interpreted and that use of the person as an interpreter will not violate any duty of confidentiality or privacy to the LEP person.

2. Written Language Services (Translation)

Translation is the replacement of a written text from one language (source language) into an equivalent written text in another language (target language).

Vital documents must be translated when reaching the safe harbor threshold for the number or percentage of the population eligible to be served or likely to be directly affected by the program/activity, needs services or information in a language other than English to communicate effectively.

A document will be considered vital if it contains information that is critical for obtaining the program's services and/or benefits, or if it is required by law. An overview of documents that may be considered vital can be found in the U.S. DOT LEP Policy Guidance, Federal Register, Volume 70, No. 239, pages 74094 to 74095.

The "safe harbor" provisions of the U.S. DOT LEP Policy Guidance (see page 74095) shall be followed when determining whether to translate a vital document. Following the "safe harbor" provisions, the Iowa DOT shall:

a. Provide written translations of vital documents for each eligible LEP language group that constitutes 5 percent or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally; or

b. If there is a language group for which fewer than 50 persons reaches the 5 percent trigger in paragraph "a" above, translation of vital written materials is not necessary as long as written notice in the primary language of the LEP language group is provided stating the right to receive competent oral interpretation of those written materials at no cost.

3. Published Notices

Compliance with Title VI and LEP guidelines may require oral interpretation or written translation of notices required by law to be published. Iowa Code section
618.1 provides that "[all notices, proceedings, and other matter whatsoever, required by law or ordinance to be published in a newspaper, shall be

published only in the English language and in newspapers published primarily in the English language." Iowa Code section 618.2 provides that a public official that violates Code section 618.1 is guilty of a simple misdemeanor. Again, the Iowa DOT continues to be subject to the federal non-discrimination requirements despite Iowa's English language requirements because federal requirements supersede state and local ones and Iowa Code section 307.44 permits the Iowa DOT to comply with federal statutes and rules when it has received federal funding. This allowance includes the use of non-English language newspapers when deemed necessary to reach an affected LEP language group. In the interest, however, of minimizing conflict with Iowa Code section 618.1, notices required by law to be published in a newspaper should be translated to a language other than English only when required by careful application of the four-part balancing test and the safe harbor provisions described above.

D. References

Iowa Code sections 1.18, 307.44, 618.1 and 618.2
FHWA LEP Desk Reference (*available from the Iowa DOT's Contracts Bureau and Civil Rights Bureau, and the Iowa DOT Library*)
Iowa DOT "I Speak" language identification tool (*available on DOTNET*)
Iowa DOT list of interpreters (*available on DOTNET*)
www.census.gov