

Vermont Agency of Transportation Title VI Program: Subrecipient-Data Collection Tool Kit



Office of Civil Rights
and Labor
Compliance

SUBRECIPIENT DATA COLLECTION TOOL KIT

Introduction



This Data Collection Tool Kit is intended as a guide for the Vermont Agency of Transportation's subrecipients, e.g., local governmental agencies, rural and urban transits (non-profit transportation providers), airports, contractors, consultants, or any entity receiving federal financial or other assistance through the Vermont Agency of Transportation (VTrans). As a subrecipient, an agency is required to abide by Title VI of the Civil Rights Act of 1964.

A subrecipient is required to collect and analyze data in the administration of its programs and activities. Data collected should be maintained for reporting purposes.

Data collection is a critical step in the analysis process and a very integral part of an effective Title VI Program. When developing an effective Data Collection Program, consider these critical factors first: 1) **Why** should subrecipients collect data; 2) **What** data must be collected; 3) Determine **when** to collect the data; 4) **What** are good data collection methods; and 5) **How** much Data to collect.

1. Why should subrecipients collect data?



Each State DOT must “develop procedures for the collection of statistical data (race, color, sex, and national origin) of participants in, and beneficiaries of State highway programs, i.e., relocates, impacted citizens and affected communities.” (23 CFR 200.9 (b)(4)) and 49 CFR 21.9 (b) and (c).

- To evaluate the impact of FHWA/FTA/FAA programs and/or activities to ensure non-discrimination.
- The collection and analysis of data helps to:
 - a. Identify Limited English Proficiency (LEP), low-income and minority communities and populations affected by transportation decision-making;

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- b. Initiate and evaluate the effectiveness of policies and programs to ensure non-discrimination, e.g., relocatees, fare changes, route changes;
- c. Assess the relationship between specific programs and beneficiaries to develop nondiscriminatory strategies, e.g., public meeting locations;
- d. Draw agency attention and resources to resolve issues and problems, e.g., local advocacy groups;
- e. Demonstrate the viability of a particular program, service or activity;
- f. Justify continuation of funding or need for allocation of additional funding; and,
- g. Communicate the importance of the goals, solutions or programs.

2. What data must be collected? Create clearly defined measures.

Descriptive information,

- a. Demographic information on program participants, beneficiaries;
- b. Actual benefits paid or realized by beneficiaries;
- c. Characteristics of the programs and/or activities; and
- d. Results of a program or service.

Judgmental information,

- a. Opinions from consultants;
- b. Beneficiaries beliefs and values;
- c. Agency personnel's interpretation of the laws;
- d. Stakeholders perceived priorities; and
- e. Interpretations of policy, procedures and guidelines.

3. Determine when to collect the data.

The timetable depends on the available time and the resources available as well as any known dates for implementing the proposed project and/or a reporting schedule, e.g., annual reporting requirements to VTrans, FHWA, or FTA.

Consider:

How much time is left for		
Activities for collection	follow-up collection activities	Deadlines for deliverables

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4. **What are good data collection methods?** Select the data collection procedures best suited to the needs of the evaluation project.



Determine where to find the best source of data in order to evaluate your project feasibility, viability, and to most effectively capture the necessary information required to comply with the various provisions of Title VI.

Consider:

- **Opinion Surveys** that assess how a person or group feels about a particular issue/project;
- **Questionnaires** that ask specific questions about a given topic is an effective way to reach a large number of people or a geographically diverse group;
- **Case Studies** that detail experiences and characteristics of selected persons utilizing a particular program, service, or activity;
- **Individual Interviews** that document individual's responses, opinions or views;
- **Group interviews** with small group responses, opinions and views;
- **Information abstracted** from records, files or receipts;
- **Document reviews**;
- **Observations**;
- **Ideas and viewpoints** of selected persons from Advisory Committees and/or Advocate teams; and
- **Web Blogs** blog for the public to post comments about projects.

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When choosing a method, consider:

- a. If the information already exists to answer desired questions;
- b. If you need to seek prior approval to collect information;
- c. If the evaluative process is disruptive to the program;
- d. If the collection methods will produce information that actually measures what was intended;
- e. Whether a sample population or an entire population be used;
- f. Whether to utilize a random or selective sample;
- g. Sample size;
- h. Representative sample of group;
- i. The most practical and efficient procedures to use; and
- j. Whether there is sufficient time to accurately collect data using method selected.

5. How much Data to collect? Determine your sample size.



It is not always necessary to collect data from the entire population. If the sample population is large enough, it is sufficient to collect the data from just a portion as long as it is done in a manner that gathers an accurate cross section of the larger targeted population.

Consider:

- The size of the population
 - The information to be gained or lost
 - The availability of resources
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- a. Sampling is a portion of the targeted population. Draw from the targeted population in order to learn something about the entire population without having to measure the entire group;
 - b. Convenience sampling is used on the basis of convenience, accessibility or when there is a particular interest in a specific subgroup within a targeted population;
 - c. Weighted Sampling is used to capture certain population characteristics of a

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particular interest in the evaluation;

- d. Randomly selecting individuals in the group affords each individual an equal chance at being chosen for the sample; and,
- e. Purposively selecting a sample that will represent specific viewpoints.

6. Develop an Analysis Plan: Ensure that appropriate information is collected to answer program evaluative questions.

It is crucial to establish a plan for data analysis prior to beginning the collection process. A plan will ensure that the information needed to answer evaluative questions is answered. For example, if the goal is to determine how a fare increase will affect a specific targeted group of bus riders, an assessment of the targeted areas must be conducted, e.g., what's the best method of reaching the targeted community, are the LEP person(s) in the area, will documents need to be translated in another language, etc.

7. Organizing, Managing, Analyzing and Interpreting Data

- Ensure that any/all clearances and consent forms are obtained, if needed;
- Ensure that all ethical considerations have been taken into account; and
- Always be mindful of cultural differences and sensitivities of the respondents.

The following is recommended:

- a. Assign an individual(s) to take responsibility for the collection of data.
- b. Set up protocol for who has access to the data.
- c. As data is received, check for thoroughness.
- d. Pilot test selected survey questions.
- e. Develop a tracking system, e.g., spreadsheets.
- f. Store collected data electronically or in filing cabinets (make sure it's accessible and safe).
- g. Monitor the data collection process often.
- h. Prepare for errors in your samplings.

Data that should be captured and reported (as it relates to Title VI Compliance)

- Public notification and outreach efforts, to include: minority media utilized, LEP efforts, project websites, web blog for public comments.
- Demographics of potential affected population (targeted project area).
- Data regarding covered employment
- LEP data concerning use of interpreting/translation services and bilingual employees

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- Surveys or any documented input/comments from potential affected population.
- Any efforts made to mitigate adverse effects on the minority and/or low income populations in affected communities.
- The racial ethnic composition of transportation-related decision-making advisory boards or committees.
- Environmental Justice analysis, if applicable, for new construction and major rehabilitation projects.
- Document all Title VI Complaints, lawsuits, and investigations on a Title VI compliant log.
- Maintain and capture the race and gender of contractors and provide an analysis of the selection process.
- Title VI training, to include: Date of training, employee's names (trainees), methods used to train or inform.

Data collection resources

- U. S. Census Bureau Data: <http://www.census.gov/>
- Vermont Census Data: <http://www.census.gov/quickfacts/table/PST045215/00>
- Public Health Agencies: <http://healthvermont.gov/>
- Limited English Proficiency Website: <http://www.lep.gov/>
- Vermont Department of Education: <http://education.vermont.gov/>
- Faith Based Organizations
- Vermont Social Services agencies: <http://humanservices.vermont.gov/>
- Ground surveys to locate minority enclaves and communities of concern.
- School district data
- Citizen advisory groups/community leaders and activists
- Community based organizations
- Immigrant aid organizations: <http://www.aalv-vt.org/contact>
- State refugee coordinator: <http://humanservices.vermont.gov/departments/office-of-the-secretary/state-refugee-coordinator>
- Foreign language media outlets
- Ridership data from transit operators

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Definitions

(a) Beneficiary - Any person or group of persons (other than States) entitled to receive benefits, directly or indirectly, from any federally assisted program; i.e., relocatees, impacted citizens, communities, etc.

(b) Citizen participation - An open process in which the rights of the community to be informed, to provide comments to the Government and to receive a response from the Government are met through a full opportunity to be involved and to express needs and goals.

(c) Compliance - That satisfactory condition existing when a recipient has effectively implemented all of the Title VI requirements or can demonstrate that every good faith effort toward achieving this end has been made.

(d) Discrimination - That act (or action) whether intentional or unintentional, through which a person in the United States, solely because of race, color, religion, sex, or national origin, has been otherwise subjected to unequal treatment under any program or activity receiving financial assistance from the Federal Highway Administration under title 23 U.S.C.

(e) Noncompliance - A recipient has failed to meet prescribed requirements and has shown an apparent lack of good faith effort in implementing all of the Title VI requirements.

(f) Persons - Where designation of persons by race, color, or national origin is required, the following designations ordinarily may be used: "White not of Hispanic origin," "Black not of Hispanic origin," "Hispanic," "Asian or Pacific Islander," "American Indian or Alaskan Native." Additional subcategories based on national origin or primary language spoken may be used, where appropriate, on either a national or a regional basis.

(g) Disparate Treatment – refers to actions that result in circumstances where similarly situated persons are treated differently, i.e., less favorably, than others because of their race, color or national origin.

(h) Disproportionately High and Adverse Effect on Minority and Low-Income Populations- means an adverse effect that:

- (1) is predominately borne by a minority population and/or low-income population; or

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(2) will be suffered by the minority population and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.

(i) Environmental Justice – is the fair treatment and meaningful involvement of all people regardless of race, color, national origin or income with respect to the development, implementation and enforcement of environmental laws, regulations, and policies.

(j) Environmental Justice Activities – means an action taken by DOT, FHWA, FTA, FAA, a recipient or subrecipient of FHWA, FTA, FAA funding to identify and address adverse and disproportionate effects of its policies, programs or activities on minority and/or low-income populations, consistent with Executive Order 12898 and the DOT order 5610.2 on Environmental Justice.

(k) Federal Financial Assistance

- (1) grants and loans of Federal funds;
- (2) the grant or donation of Federal property and interests in property;
- (3) the detail of Federal personnel;
- (4) the sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or in recognition of the public interest to be served by such sale or lease to the recipient; and
- (5) any Federal agreement, arrangement, or other contract that has as one of its purposes the provision of assistance.

(l) Limited English Proficient (LEP) Persons – persons for whom English is not their primary language and who have a limited ability to speak, understand, read or write English.

(m) Low-Income- means a person whose median household income is at or below the Department of Health and Human Services' poverty guidelines.

(n) Low-Income-Population- Any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who would

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Definitions (continued)

be similarly affected by a proposed FHWA/FTA/FAA program, policy, or activity.

(o) Minority means a person who is:

- 1) Black (having origins in any of the black racial groups of Africa);
- 2) Hispanic (of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race)
- 3) Asian American (having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands); or
- 4) American Indian and Alaskan Native (having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition).
- 5) Native Hawaiian and Other Pacific Islander, which refers to people having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

(p) National Origin – means the particular nation in which a person was born or where the person's parents or ancestors were born.

(q) Noncompliance – refers to a recipient or subrecipient that has engages in activities that have had the purpose or effect of denying persons the benefits of, excluding from participation in, or subjecting persons to discrimination in the recipient's program or activity.

(r) Recipient – any entity that receives financial assistance directly from a Federal agency.

(s) Subrecipient – any entity that receives federal financial or other assistance as a pass-through from a recipient entity, e.g., State DOT.

(t) Public Involvement Plan - A comprehensive Public Involvement Plan (PIP) is crucial to the success of any public involvement effort. Thorough and well thought out plans simplify the public involvement process by providing a systematic approach, maximizing the use of available resources, and minimizing delays by ensuring that public involvement activities are coordinated with other project tasks and milestones.

For more information on Title VI of the 1964 Civil Rights Act,
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