

Subrecipient 18-Month Compliance Check Standard Operating Procedures (SOP)

When a **“Green”** status results upon completion of ADA Subrecipient Compliance Survey I, Subrecipients must also complete the ADA Subrecipient Compliance Survey II within the designated two-week period. If Survey II is completed on time, the agency will receive a detailed Survey Response after the results are evaluated by the ADA Compliance Specialists. **If Survey II is not completed on time**, the Subrecipient will default to the 18-month period identified in the ADA Subrecipient Technical Assistance Manual (pp. 9 – 13), *also outlined below for “Yellow” or “Red” status*. “Green” status Subrecipients may request any additional support offered in this SOP for the “Yellow” or “Red” status Subrecipients.

When a **“Yellow” or “Red” status** results upon completion of ADA Subrecipient Compliance Survey I, Subrecipients must meet compliance check requirements at the end of the designated 18-month period identified in the ADA Subrecipient Technical Assistance Manual (pp. 9 – 13). Subrecipients scoring within either of these categories (Yellow or Red) must also complete ADA Subrecipient Compliance Survey II within the designated two-week period. Upon evaluation of the surveys, the ADA Compliance Specialists (ACS) will send the appropriate letter(s) and the results highlighted in the computer-generated ADA Survey II Chart. Subrecipients must:

1. Complete the ADA Subrecipient Technical Assistance Workshop (recorded format) if CIV does not have a record of completion.
2. Review the ADA Subrecipient Technical Assistance Manual and prepare questions for upcoming meeting.
3. Take the one-on-one technical assistance training. The ADA Coordinator or designated Subrecipient Point of Contact (POC) or the Subrecipient ADA Team must attend the training.
4. Meet with the Civil Rights ADA Compliance Team (1-2 times during a compliance cycle) to discuss its progress utilizing the ADA Survey II Chart as a guide. The milestones are:
 - 4 to 6-month period: One-on-One Session: review Survey II response (optional)
 - 6 to 9-month period: Milestone Call
5. Provide one narrative (1 time before compliance cycle ends) to inform the TxDOT ADA Compliance Team of the Subrecipient’s progress. The narrative must be a minimum of five pages and no more than ten pages. The narrative should be submitted no later than:
 - 12-month period: NarrativeThe narrative must also describe with specificity, the efforts and actions the Subrecipients have completed at the designated milestone. Subrecipients must provide supportive documentation along with the report to substantiate the Subrecipients’ claims (e.g., Accomplishments & Goals; please see ‘Good Faith Efforts’ Guidance)
6. Complete the ADA Survey III, Parts A & B at the designated time. (See p. 12-13; Appendix G, pp. 57-67).
7. Review the evaluation of ADA Survey III and make corrective action(s) as instructed by the ADA Compliance Specialists.
8. Request an extension if needed (only available after step 7).
9. Follow the guidelines in the ADA Subrecipient Technical Assistance Manual.

Subrecipient 18-Month Compliance Check Standard Operating Procedures (SOP)

The ADA Compliance Team will:

1. Review the results of the ADA Subrecipient Compliance Survey I in the SCAT Module to determine Subrecipients with green, yellow, or red status.
2. Send Subrecipients the appropriate letter related to the ADA Subrecipient Compliance Survey I results.
3. Evaluate the responses provided in the ADA Subrecipient Compliance Survey II located in the SCAT Module. Perform desk reviews and make notations for each Subrecipient.
4. Send Subrecipients the appropriate letter related to the ADA Subrecipient Compliance Survey II results and the "Good Faith Guidance" document.
5. Meet with Subrecipients for one-on-one sessions, upon request.
6. Meet with Subrecipient's ADA Coordinator, designated POC, or Team 1-2 times during a compliance cycle to provide technical assistance, if necessary.
7. Review the Subrecipients' narrative progress reports and input comments, notations, or concerns in the SCAT Module.
8. Evaluate ADA Survey III, Parts A & B and provide corrective action solutions in the ADA Review Follow-up Report of the Subrecipient. (See p. 12-13; Appendix H, pp. 69-76)
9. Grant an extension to Subrecipients upon request to complete the corrective action solutions. Provide explicit documentation related to the corrective action process.
10. Follow the guidelines in the ADA Subrecipient Technical Assistance Manual.

Important Notes:

- The required designated, compliance deadline period will not change unless otherwise based on Survey I justification results (e.g., City of Fort Worth).
- The designated, compliance deadline period for a "red" or "yellow" status is 18 months.
- These Standard Operating Procedures (SOP) allow TxDOT to substantiate the progress of a Subrecipient even though they may have received a "red" or "yellow" score.
- These procedures are beneficial to Subrecipients because it demonstrates commitment to attaining accessibility compliance, and it provides documentation to DOT, FHWA, or any other grant funding agency when TxDOT must confirm or disaffirm accessibility compliance.
- This SOP also applies to Subrecipients receiving a "Green" status should they choose to request technical assistance.
- See the ADA Subrecipient Technical Assistance Manual
- See ADA Survey II Chart Response Guidance_12072023.
- See ADA Review Follow-up Report (See Appendix H, pp. 69-76)