

FFY 2024

WISCONSIN DEPARTMENT OF TRANSPORTATION

TITLE VI

GOALS AND ACCOMPLISHMENTS REPORT



Office of Business Opportunity & Equity Compliance
December 1, 2024

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I. WISDOT STATEMENT OF NONDISCRIMINATION

A. WisDOT Title VI Commitment

The Wisconsin Department of Transportation (WisDOT) is committed to providing compliance with Title VI of the Civil Rights Act of 1964 so that, no person in the United States shall, on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which WisDOT receives federal financial assistance from the U.S. Department of Transportation, including the Federal Highway Administration.

B. WisDOT Title VI Policy

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in all federally-assisted programs. The Federal-aid Highway Act of 1973 added sex as a protected status in all Federal Highway Administration activities. The scope of Title VI was clarified by the Civil Rights Restoration Act of 1987, effective March 22, 1988, which added Section 606, expanding the definition of the terms "programs or activities" to include all of the operations of an educational institution, government entity, or private employer that receives federal funds if any one operation receives federal funds.

WisDOT is a state governmental entity. It is the policy of WisDOT to ensure compliance with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. WisDOT will take all steps to ensure that no person or groups of persons shall, on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity administered by WisDOT, its subrecipients, and contractors.

All administrators, bureau directors, section chiefs, supervisors, and other WisDOT employees are hereby delegated the responsibility to implement the WisDOT Title VI Policy and Title VI Implementation Plan in their work areas, to include the responsibility to develop and implement procedures and guidelines which would adequately help execute and monitor their programs.

WisDOT recognizes the need for continuous Title VI Training for WisDOT personnel in order to promote and achieve successful implementation of the WisDOT Title VI Policy and Title VI Implementation Plan.

The WisDOT Title VI Program Coordinator is granted the authority to monitor, promote, and direct the implementation of the WisDOT Title VI Program, Policy, and Implementation Plan.

Any individual who believes that he or she has been discriminated against, in violation of Title VI or related statutes, under any WisDOT program or activity should contact the Title VI Program Coordinator at (608) 266-8129 or <http://wisconsindot.gov/Pages/doing-bus/civil-rights/titlevi-ada/default.aspx>.

II. TITLE VI OFFICE STAFFING AND ORGANIZATION

A. OBOEC Director

Tondra Davis is the Director of the Office of Business Opportunity and Equity Compliance (OBOEC) and oversees the Title VI Program. The OBOEC Director is also the chair of the Title VI Managing Committee.

B. Title VI Program Coordinator

Taqwanya Smith is the Title VI Program Coordinator and is responsible for monitoring program areas and subrecipients, processing complaints, providing technical assistance, and staffing the Title VI Managing Committee.

C. Title VI Staff General Duties

The Title VI Program Coordinator meets regularly with the OBOEC Director to administer the Title VI Program. Issues covered in these meetings are the Title VI Implementation Plan, Title VI Goals and Accomplishments Report, Title VI training, complaint processing, and the Title VI Managing Committee. The OBOEC Director shares these issues with the DTSD Deputy Administrator for the Bureaus, who brings them to the WisDOT Board of Directors, as necessary.

Annually, the Title VI Program is responsible for submitting the Title VI Implementation Plan and Title VI Goals and Accomplishments Report to the FHWA Wisconsin-Division Office.

III. TITLE VI MANAGING COMMITTEE

A. Purpose

The purpose of the Title VI Managing Committee is to provide an interdisciplinary approach to fulfilling Title VI requirements for the overall agency. The Title VI Managing Committee is currently made up of the following members:

B. Membership

<i>Voting Members</i>	
Tondra Davis, Chair	Office of Business Opportunity & Equity Compliance
Katherine Bruni	Division of Transportation System Development
Julie Goldsmith	Division of Motor Vehicles
Justin Kiekhaefer	Division of Business Management
Madalena Maestri	Federal Highway Administration
Mathias Rekowski	Office of General Counsel
Major Cedric Rembert	Division of State Patrol
Rodney Saunders, Jr.	Division of Budget and Strategic Initiatives
Becky Soderholm	Division of Transportation Investment Management - Transit
Charles Wade	Division of Transportation Investment Management - Planning
<i>Committee Staff</i>	
Taqwanya Smith	Title VI Program Coordinator

C. FFY 2024 Accomplishments

- Conducted new committee member orientation for the DTSD, FHWA, and OGC representatives.
- Added an Accessibility Statement to the WisDOT website.
- Added the Federal Transit Administration, Office of Civil Rights, to the Title VI/Nondiscrimination Notice.
- Inserted the Title VI/Nondiscrimination Assurances, contract provisions Appendix A and E, into consultant contract boilerplates.
- Reviewed municipal contracts to ensure that the Title VI/Nondiscrimination Assurances, contract provisions Appendix A and E, are inserted.
- Reviewed the Department of Administration's vendor contract to ensure there is a confidentiality clause that protects complainants' personal identifiable information when complaints are translated from foreign languages into English.
- Updated ADA and Title VI information on the Transit Title VI website.

D. FFY 2025 Goals

- Complete the FHWA "Define the FHWA Title VI Program" training in Winter 2025.
- Complete the FHWA "Recognize how to implement the Title VI Program in a multidisciplinary framework" training in Fall 2025.

IV. PROGRAM AREA REVIEWS

WisDOT reviewed the Construction program area in FFY 2024. The results of the review are listed below.

A. Purpose of the review

To determine how well WisDOT's Construction Program Area follows Title VI/Nondiscrimination requirements under Title VI of the Civil Rights Act of 1964, and US DOT and FHWA implementing regulations.

B. Scope of review

The review will examine manuals, forms, contracts, bid letting procedures, and contract administration procedures, etc. for calendar year 2023.

C. Expected Results

Completed report with recommendations and best practices included as warranted. The report and its recommendations will be shared with the program area to lead to ongoing improvements in the overall program.

D. Team Members

Team Members	Bureau	Title
Tondra Davis	OBOEC	Director
Taqwanya Smith	OBOEC	Title VI Program Coordinator
Michael Hoelker	BPD	Director
Brandon Lamers	BPD	Deputy Director
Rielly O'Donnell	BPD	Proposal Development Section Chief

E. Background

The Construction Program Area resides in the Bureau of Project Development (BPD) in the Division of Transportation System Development (DTSD). BPD consists of 6 sections and 65 employees. The sections are: 1) Alternative Contracting and Local Programs; 2) Asset, Project Management, and Methods Development; 3) Construction Oversight and Automation; 4) Consultant Services; 5) Design Standards and Oversight; and 6) Proposal Development. The Proposal Development Section is responsible for the Construction Program Area. The Proposal Development Section has 2 Units with 1 section chief and 9 employees. The units are the Contract Development and Data Analysis Unit, and the Proposal Development Unit.

F. Review Areas

1. Title VI

- a. Regulation - 23 CFR § 200.9(b)(5).

Develop a program to conduct Title VI reviews of *program areas*.

b. Data Collection and Analysis

Requirement	Action	Where	Commendation/ Recommendation
Notice of Title VI/ Nondiscrimination to the public	The Office of Business Opportunity and Equity Compliance (OBOEC) is responsible for the Notice of Title VI/ Nondiscrimination. The notice is provided on the WisDOT website in English, Spanish, and Hmong.	WisDOT website	Commendable.
Title VI complaint form, policy, and procedure	OBOEC is responsible for the Title VI complaint form, policy, and procedure. The complaint form is on the WisDOT website. The Title VI/Nondiscrimination Complaint Intake Procedure contains the policy and procedure, and is provided in the WisDOT Transportation Administrative Manual (TAM).	WisDOT website and intranet	Commendable.
Title VI complaint log	OBOEC is responsible for the Title VI complaint log.	OBOEC files	Commendable.
Title VI training	WisDOT requires all employees to complete Title VI training annually and during New Employee Orientation. Contractors and Consultants with LearnCenter accounts are also required to complete Title VI training.	WisDOT LearnCenter	Commendable.

The Construction Program Area did not receive any Title VI complaints, investigations or lawsuits during the review period. The Construction Program Area did not have any compliance reviews during the review period.

The Construction Program Area has not received any Title VI complaints. Any Title VI complaints received by the program area will be forwarded to OBOEC.

Title VI Training was completed by 9 of 10 employees in the Proposal Development Section in 2023. One employee left the Department prior to the completion deadline.

2. **Form FHWA-1273**

a. Regulation - 23 CFR § 633.102(a)

The required contract provisions and the required proposal notices apply to all Federal-aid construction contracts other than Appalachian construction contracts.

b. Regulation - 23 CFR § 633.102(b)

Form FHWA-1273, "Required Contract Provisions, Federal-aid Construction Contracts," contains required contract provisions and required proposal notices that are required by regulations promulgated by the FHWA or other Federal agencies. The *required contract provisions of Form FHWA-1273 shall be physically incorporated in each Federal-aid highway construction contract* other than Appalachian construction contracts (see § 633.104 for availability of form).

c. Regulation - 23 CFR § 633.102(e)

The contractor shall insert in each subcontract, except as excluded by law or regulation, the required contract provisions contained in Form FHWA-1273 and further require their inclusion in any lower tier subcontract that may in turn be made. The required contract provisions of Form FHWA-1273 shall not be incorporated by reference in any case. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the requirements contained in the provisions of Form FHWA-1273.

d. Data Collection and Analysis

Requirement	Action	Where	Commendation/ Recommendation
Notice to staff	The Proposal Management Section (PMS) provides Form FHWA-1273 in the Federal Proposal/Contract Checklist spreadsheet.	PMS files	Commendable.
Notice to prime contractors	PMS provides Form FHWA-1273 on the WisDOT website (under Doing Business-Contractors-HCCI/Highway Construction Contract Information-Contracting Information-Resources-Required Federal Provisions).	WisDOT website	Commendable.
Notice to prime contractors regarding subcontractors	PMS provides notice to prime contractors of their responsibilities for subcontractors' compliance with Form FHWA-1273 in the Construction and Materials Manual (CMM) and WisDOT Form DT1925.	CMM and Form DT1925	Commendable.
Sample of construction contracts (highway work proposals)	Using the Raosoft sample size calculator with a 90% confidence level and 5% margin of error, 114 out of 228 contracts were examined for the required Form FHWA-1273. 100% of contracts included Form FHWA-1273.	PMS files	Commendable.

WisDOT issues standard specifications for highway and structure construction (standard specifications) annually. The standard specifications are written to the bidder before award of the contract and to the contractor after award of the contract.

The 2024 edition of the WisDOT Standard Specifications for Highway and Structure Construction provide the following sections requiring conformance to federal statutes, rules, and regulations.

(1) Section 107 Legal Relations and Responsibility to the Public

- a. Subsection 107.1 – Laws to be Observed – At all times, observe and comply with all applicable federal and state laws and administrative rules, codes, local laws, ordinances, and regulations that affect the conduct of the work, and applicable orders or decrees of bodies or tribunals having jurisdiction or authority over the work.
- b. Subsection 107.6 – Federal Participation – If the federal government participates in the cost of the contract: (1) The work is subject to the inspection and approval of the proper

officials of the federal government. (2) The work must conform to the applicable federal statutes, rules, and regulations.

WisDOT issues the Construction and Materials Manual (CMM) to help staff administer and inspect construction projects. The goal is uniform application and enforcement of contract requirements. The CMM clarifies the contract and may reference contract requirements but does not supersede the contract. The CMM also communicates department policies, practices, and expectations to consultants, contractors, and other construction industry partners.

The May 2024 edition of the WisDOT Construction and Materials Manual provides the following sections regarding prime contractor responsibilities for subcontracts.

(1) Section 260 Subcontracting

a. Subsection 260.1 Subletting the Contract

1. Before subletting or subcontracting any portion of the contract work, the contractor must submit *Form DT1925 "Sublet Request and DBE Sublet Purchase Report."* A separate form must be submitted for each proposed subcontract.
2. A subcontract is a direct contractual relationship between the prime contractor and another company where the company operates independently to perform a defined portion of the contract. These contractual relationships are often referred to as first-tier subcontracts.
3. In addition to obtaining department approval for all first-tier subcontractors, *standard spec 108.1.1 (Subletting the Contract/General)* requires the prime contractor to notify the department of all lower tier subcontractors and all parties working on the contract.

b. Subsection 260.4 Review of Subcontracts

1. As part of the oversight agreement with FHWA, the department shall perform reviews on any tier of subcontract. The purpose of this review is to ensure that any sublet agreements contain, at a minimum, the required documentation from the contract between the department and the prime contractor.
2. *Standard spec 108.1.1* allows the Engineer to request submission of a subcontract or other agreements for review. The BPD Oversight Engineer will review the sublet agreement for the following documentation: (1) ASP-4 Payment to all Subcontractors and (2) FHWA 1273.
3. The BPD Oversight Engineer will choose one of the contractor's or subcontractor's sublet agreements to review. The review can take place at any time during construction of the project. For the sublet agreement that is chosen, the party issuing the agreement must provide an executed copy to the BPD Oversight Engineer.
4. The BPD Oversight Engineer will review the sublet agreement for the required documentation and return the copy of the sublet agreement back to the contractor or subcontractor that submitted it for review.
5. If any of the required documentation is found to be missing, the BPD Oversight Engineer may elect to review additional sublet agreements. The contractor will add the missing documentation to its sublet agreements and ensure that the

missing documentation is attached to any subsequent sublet agreements at any tier.

c. DT1925 Sublet Request and DBE Sublet Purchase Report

The Prime Contractor signs “I certify that for federal projects only, the reference subcontract is in writing and physically includes the pertinent federally required provisions, included in my contract with the Wisconsin Department of Transportation.”

3. **U.S. DOT Standard Title VI/Nondiscrimination Assurances Contract Provisions
Appendix A and E**

a. Regulation - 49 CFR § 21.7(a)(1)

Every application for Federal financial assistance...shall, as a condition to its approval and the extension of any Federal financial assistance pursuant to the application, contain or be accompanied by, an *assurance* that the program will be conducted or the facility operated in compliance with all requirements imposed by or pursuant to this part [Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964]. *Every award of Federal financial assistance shall require the submission of such an assurance.*

b. Regulation - 23 CFR § 200.9(a)(1)

Title 49, CFR part 21 (Department of Transportation Regulations for the implementation of Title VI of the Civil Rights Act of 1964) *requires assurances from States...*under any program or activity for which the recipient receives Federal assistance from the Department of Transportation, including the Federal Highway Administration.

c. Data Collection and Analysis

Requirement	Action	Where	Commendation/ Recommendation
Standard DOT Title VI Assurances signed by the WisDOT Secretary	The WisDOT Office of Business Opportunity and Equity Compliance (OBOEC) is responsible for the Title VI Assurances. The Title VI Assurances were signed by the WisDOT Secretary on September 29, 2023.	Title VI Plan on WisDOT website, OBOEC files	Commendable.
Notice to staff	The Proposal Management Section (PMS) provides Title VI/Nondiscrimination contract provisions, Appendix A and E, in the Federal Proposal/Contract Checklist spreadsheet.	PMS files	Commendable.
Notice to prime contractors	PMS provides Title VI/Nondiscrimination contract provisions, Appendix A and E, on the WisDOT website (under Doing Business-Contractors-HCCI/Highway Construction Contract Information-Contracting Information-Resources-Non-discrimination provision).	WisDOT website	Commendable.
Sample of construction contracts	Using the Raosoft sample size calculator with a 90% confidence level and 5% margin of error, 114 out of 228 contracts were examined for the	PMS files	Commendable.

(highway work proposals)	required contract provisions, Appendix A and E. 100% of contracts included contract provisions, Appendix A and E.		
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The U.S. DOT Standard Title VI/Nondiscrimination Assurances (Assurances) are signed by the WisDOT Secretary annually. The Assurances provide that contract provisions, Appendix A and E, will be inserted in all federally-funded contracts.

Specific Assurance #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 Regulations (programs or activities that receive Federal financial assistance).

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[.]

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 nondiscrimination statutes and authorities[.]

G. Summary

The review of the Construction Program Area found many commendable practices and procedures. Commendable practices and procedures under Title VI include: Notice of Title VI/Nondiscrimination provided by the Office of Business Opportunity and Equity Compliance (OBOEC); Title VI complaint form, policy, and procedure provided by OBOEC; and Title VI training provided to staff, consultants, and contractors.

Commendable practices and procedures under Form FHWA-1273 include: Form FHWA-1273 provided in the Federal Proposal/Contract Checklist spreadsheet; Form FHWA-1273 provided on the WisDOT website; notice to prime contractors of their responsibilities for subcontractors’ compliance with Form FHWA-1273 provided in the Construction and Materials Manual and WisDOT Form DT1925; and physical insertion of Form FHWA-1273 in highway work proposals (construction contracts).

Commendable practices and procedures under U.S. DOT Standard Title VI/Nondiscrimination Assurances Contract Provisions, Appendix A and E, include: Title VI/Nondiscrimination Assurances signed by the WisDOT Secretary; contract provisions, Appendix A and E, provided in the Federal Proposal/Contract Checklist spreadsheet; contract provisions, Appendix A and E, provided on the WisDOT website; and physical insertion of contract provisions, Appendix A and E, in highway work proposals (construction contracts).

H. FFY 2025 Goals

WisDOT will review 1 program area in FFY 2025.

V. SUBRECIPIENT REVIEWS

WisDOT reviewed 1 Planning Agency in FFY 2024. The results of the review are listed below.

A. Purpose of the review

To determine how well the Brown County Planning Commission/Green Bay MPO's policies and procedures follow Title VI/Nondiscrimination requirements to involve Title VI and LEP populations in decision-making processes.

B. Scope of review

The review will examine public involvement/outreach policies and procedures, language needs assessments, demographics of advisory committees, public meeting attendance, demographic maps, and dissemination of information procedures from FFY 2021 to FFY 2023.

C. Expected Results

Completed report with recommendations and best practices included as warranted. The report and its recommendations will be shared with the Brown County Planning Commission/Green Bay MPO that will lead to ongoing improvements in the agency's decision-making processes.

D. Team Members

Team Members	Agency	Title
Tondra Davis	WisDOT/OBOEC	Director
Taqwanya Smith	WisDOT/OBOEC	Title VI Program Coordinator
Cole Runge	Green Bay MPO	Planning Director/MPO Director
Lisa Conard	Green Bay MPO	Principal Planner

E. Background

Brown County Planning Commission/Green Bay MPO (Green Bay MPO) is the federally designated Metropolitan Planning Organization for the Green Bay Urbanized Area. The Green Bay Urbanized Area covers approximately 222 square miles and includes the following communities: Cities of De Pere and Green Bay; Villages of Allouez, Ashwaubenon, Bellevue, Hobart, and Howard; and partial communities of Village of Suamico and Towns of Glenmore, Green Bay, Humboldt, Lawrence, Ledgeview, Little Suamico, Pittsfield, Rockland, and Scott. The population of the Green Bay Urbanized Area is 240,315. Green Bay MPO is housed within the Brown County Planning Commission. Green Bay MPO has a staff of four which includes the Planning Director/MPO Director, Principal Planner, and two Senior Planners. One entry-level Planner 1 position is currently vacant.

F. Review Areas

1. Title VI

a. Regulation - 49 CFR § 21.7(a)(1)

Every application for Federal financial assistance to which this part applies, except an application to which paragraph (b) of this section applies, and every application for Federal financial assistance to

provide a facility shall, as a condition to its approval and the extension of any Federal financial assistance pursuant to the application, contain or be accompanied by, an *assurance* that the program will be conducted or the facility operated in compliance with all requirements imposed by or pursuant to this part. *Every award of Federal financial assistance shall require the submission of such an assurance.*

b. Regulation - 23 CFR § 200.9(b)(7)

Conduct Title VI reviews of cities, counties, consultant contractors, suppliers, universities, colleges, *planning agencies*, and other recipients of Federal-aid highway funds.

c. Data Collection and Analysis

Requirement	Action	Where	Commendation/ Recommendation
Signed Standard DOT Title VI Assurances by MPO Director	Assurances were signed by the MPO Director for FFY 2021, 2022, and 2023.	Website	Commendable.
Signed Title VI Subrecipient Implementation Plan Agreement by MPO Director	Agreement was signed by the MPO Director for FFY 2021, 2022, and 2023.	Website	Commendable.
Notice of Nondiscrimination to the public	Notice of Nondiscrimination provided on website, at MPO office, and in the Title VI/LEP Plan.	Website and office	Commendable.
Title VI complaint form, policy, and procedure	Complaint/comment form, procedure, and log provided on website. Complaint/comment form, instructions, and procedures are also provided in the Title VI/LEP Plan.	Website and MPO Office at the front desk	Commendable.
Title VI complaint log	Maintains a Title VI complaint log.	MPO files	Commendable.

No Title VI complaints, investigations or lawsuits were received by Green Bay MPO within the past 5 years. Green Bay MPO underwent a U.S. DOT FHWA and FTA Federal Certification Review in 2022. The review certified the planning process. The next review is scheduled for 2026.

2. **Limited English Proficiency (LEP)**

a. Regulation - 23 CFR § 200.9(b)(12)

Develop Title VI information for dissemination to the general public and, where appropriate, *in languages other than English*.

b. Data Collection and Analysis

Requirement	Action	Commendation/ Recommendation
Four-factor analysis	Conducted a four-factor analysis in 2021.	Commendable.
Language Access Plan	Developed a Title VI/Nondiscrimination Program and LEP Plan in 2023.	Commendable.
Method(s) used to provide language translation	Has had no requests for translated documents. Proactively provided translated documents. Translated various documents and materials into other languages even when not requested.	Commendable.
Method(s) used to provide language interpretation	Has had no requests for interpreters at meetings. If the MPO is aware of the need for an interpreter at project meetings, an interpreter will be provided as resources allow.	Commendable.
Use or planned use of bilingual employees	Has bilingual employees. One Senior Planner is bilingual in English and Hmong. Another staff person is bilingual in English and Spanish.	Commendable.
Information disseminated in languages other than English	Nondiscrimination Notice provided on website in English, Hmong, Spanish, and Somali. Notice is also in the MPO brochure and printed in four languages. Complaint/comment form on website provided in English, Hmong, Spanish, and Somali. Taglines provided in English, Hmong, and Spanish. "Your Right to an Interpreter" form provided on website. "I Speak" cards available at MPO office. Documents translated by Google Translate are reviewed for accuracy.	Commendable.

Green Bay MPO conducted a four-factor analysis, using the American Community Survey, in 2021. The LEP population is 4.2% with the majority being Spanish-speaking individuals. The LEP population consists of:

- Spanish – 2.5%
- Asian and Pacific Island languages – 0.9%
- Other Indo-European languages – 0.7%
- Other languages – 0.1%

The Safe Harbor LEP threshold of 5% or 1,000 individuals, whichever is less, has been met in Brown County for persons who speak Spanish. Green Bay MPO will also consider Hmong to meet the "safe harbor" threshold as specific data regarding ability to speak English less than "very well" is not available. The Community Service Agency (COMSA), an organization that serves refugees, identified that 4,500 Somali lived in Brown County in November 2022. Of the 4,500 Somali about half speaks less than "very well" English. Therefore, Green Bay MPO will consider Somali to meet the "safe harbor" threshold. Safe

Harbor requires that written translations of vital documents be made available, and that Green Bay MPO will provide such in Spanish, Hmong and Somali upon request at no charge to the public.

Green Bay MPO has a dedicated staff member to conduct outreach and education activities throughout the Metropolitan Planning Area communities. The Outreach and Education Coordinator has given presentations about Green Bay MPO's programs to community organizations that serve the various LEP populations. The Outreach and Education Coordinator has participated and interacted with various LEP individuals by attending events held by these organizations. Some of the events include Asian-American and Pacific Island (AAPI) Celebration, Juneteenth Celebration, and Festival Estamos Aqui. Green Bay MPO states that staff will continue all possible outreach efforts to the various LEP populations. "I Speak" cards that allow non-English speakers to select from 34 languages and provide contact information to receive translator services are available at the MPO Office.

Green Bay MPO provides LEP training to staff including: self-guided training and resources available at *LEP.gov*; staff will be made aware of the Title VI Policy and LEP Plan and its provisions; staff will be knowledgeable on language assistance services offered to the public; staff will be knowledgeable on how to process a Title VI/LEP complaint; and all contractors or subcontractors performing work for the Green Bay MPO will be required to follow the Title VI/LEP Plan.

Green Bay MPO provides LEP notices to the public including: a legal notice published twice in the local newspaper; publication of the LEP Plan on the MPO website; publication of the LEP Plan made available at the MPO Office; and a public review period of not less than 45 days.

3. Public Involvement and Outreach

a. Regulation - 49 CFR § 21.9(b)

In general, recipients should have available for the Secretary *racial and ethnic data* showing the extent to which members of minority groups are beneficiaries of programs receiving Federal financial assistance.

b. Regulation - 23 CFR § 200.9(b)(4)

Develop procedures for the collection of statistical data (*race, color, religion, sex, and national origin*) of participants in, and beneficiaries of State highway programs, i.e., *relocatees, impacted citizens and affected communities*.

c. Data Collection and Analysis

Requirement	Action	Commendation/ Recommendation
Public Involvement or Participation Plan	Public Participation Plan updated in 2024.	Commendable.
Identify population eligible to be served	Identified population eligible to be served by race and ethnicity using the 2020 Census. Identified LEP population eligible to be served using the 2021 American Community Survey.	Commendable.

Collection of demographic data of public involvement participants	Collected on a project-by-project basis, i.e. where an online survey and/or mapping survey are used. Participants can self-identify and provide information if they want to be contacted.	Commendable.
Demographic maps used in decision-making	Uses the demographic analysis in the Title VI/LEP Plan to identify areas of minority and low-income populations. Analyzes minority and low-income populations by Census block or American Community Survey block group to determine if transportation projects will adversely affect those populations.	Commendable.
Information disseminated to the public.	Outreach and Education Coordinator. Public participation outreach list.	Commendable.
Outreach to Title VI and LEP populations	Works proactively with agencies that advocate for minority and low-income populations. Conducts informal interviews. Establishes and staffs information/outreach stations during special events, festivals, and other activities. One-on-One meetings with community leaders and advocacy groups.	Commendable.
Advisory Committee membership lists	Minority membership: MPO Policy Board-0/28; Technical Advisory Committee-2/16; and Transportation Coordinating Committee-2/20.	Commendable.

The Green Bay MPO Public Participation Plan (PPP) is a document that summarizes methods used to involve the public in the development of planning documents, studies, and other products that address the area's transportation system. The PPP is reviewed annually to determine if revisions are necessary. The PPP is formally updated as needed or every 4 years.

Green Bay MPO has a dedicated staff member to conduct outreach and education activities throughout the Metropolitan Planning Area communities. The Outreach and Education Coordinator conducts outreach and engagement efforts to minority and low-income populations, LEP populations, seniors, and individual with disabilities in the Metropolitan Planning Area communities. The Outreach and Education Coordinator has attended different community and cultural events held by various minority groups that represent the communities in the Metropolitan Planning Area. In addition, the Outreach and Education Coordinator has given presentations and participated on a variety of panels to discuss transportation planning and issues to different interest groups. The Outreach and Education Coordinator also has had conversations with various individuals and agencies on transportation needs and how transportation services can be improved for users. The Outreach and Education Coordinator meets one-on-one with community leaders and advocacy groups that represent minority populations in the community, participates on panels to discuss transportation topics that target specific audiences, and attends meetings and events hosted by Environmental Justice, Title VI, and other traditionally underserved groups.

Green Bay MPO has a Public Participation Outreach List with over 200 email contacts. The list includes residents, interest groups, federal agencies, state agencies, local agencies, housing agencies, elected officials, and others. Green Bay MPO also has an Identification of Stakeholders List which includes residents, minority and LEP populations, low-income populations, seniors and individuals with

disabilities, federal and state agencies, local units of government, environmental resource agencies, Oneida Nation of Wisconsin, public and private transportation providers, private organizations and businesses, port, rail, airport, bicyclists, pedestrians, and other interested parties.

G. Summary

The review of the Brown County Planning Commission/Green Bay MPO found many commendable practices and procedures. Commendable practices and procedures under Title VI include: Title VI Assurances signed by the Planning Director/MPO Director; Title VI Non-Discrimination Program and Limited English Proficiency Plan; Notice of Nondiscrimination to the public; and a Title VI complaint/comment form, instructions, and procedures.

Commendable practices and procedures under LEP include: a four-factor analysis; Title VI Non-Discrimination Program and Limited English Proficiency Plan; LEP training for front-line staff; and translation of the Nondiscrimination statement, complaint/comment form, and taglines into different languages.

Commendable practices and procedures under Public Involvement and Outreach include: a Public Participation Plan; use of the U.S. Census and American Community Survey to identify the populations eligible to be served; demographic analysis of minority and low-income populations; and minority membership on advisory committees.

The review also found that as a best practice, Brown County Planning Commission/Green Bay MPO created the Outreach and Education Coordinator position several years ago to provide outreach to traditionally underrepresented populations. This outreach and engagement with traditionally underrepresented populations has been beneficial and informative to the planning process.

H. FFY 2025 Goals

WisDOT will review 1 Planning Agency in FFY 2025. WisDOT will also begin collecting signed Title VI/Nondiscrimination Assurances from Local Public Agencies (cities and counties) in FFY 2025. WisDOT will also develop a presentation on “Title VI requirements for Local Public Agencies” for the Local Programs Symposium in FFY 2025.

VI. TRAINING

A. Title VI Staff

The Title VI Program Coordinator completed the following trainings in FFY 2024.

- FHWA Equity in Roadway Safety Webinar Series: Strategies for Meaningful Public Involvement in Roadway Safety Planning - State and Regional Agencies on October 24, 2023.
- FHWA Equity in Roadway Safety Webinar Series: Elevating Equity and Safety in Project Prioritization on November 15, 2023.
- WisDOT DBE Workshop and Networking Summit "Unconscious Bias: Knowing what you don't know" Presentation on February 28, 2024.
- TRB Webinar "Power of Partnerships to Improve Transportation Decision-making" on May 1, 2024.
- FHWA Equity in Roadway Safety Webinar Series: Equitable Data Analysis on May 22, 2024.

B. Title VI Liaisons

- New committee members completed the "Title VI: Knowing Your Role" online module.
- New committee members completed the FHWA "Federal-aid Essentials for LPAs - Title VI/ Nondiscrimination" training modules.

C. Department Non-Supervisory Employees

- 1990 non-supervisory employees completed the "Title VI: Knowing Your Role" online module from in FFY 2024.

This introductory online module explains the parameters of Title VI and the employee role in ensuring nondiscrimination in WisDOT programs and activities. All WisDOT employees including staff, supervisors, and managers complete the module annually and as part of the New Employee Orientation Program.

D. Department Supervisory Employees

- 318 supervisory employees completed the "Title VI: Knowing Your Role" online module in FFY 2024 (*see Training Description in section C*).

E. Subrecipients

- The Transit Title VI Program Manager provided technical assistance to transit subrecipients. Technical assistance included one-on-one assistance during plan development, compliance site reviews, and presentations at conferences and meetings.

F. Contractors and Consultants

- 54 Contractors and Consultants with a WisDOT LearnCenter account completed the "Title VI: Knowing Your Role" online module in FFY 2024 (*see Training Description in section C*).

VII. TITLE VI COMPLAINTS

A. Complaints

The Title VI Program received 1 Title VI complaint in FFY 2024. The basis for the complaint is shown below. Some complaints may contain more than one basis.

- Race - 1
- Color - 0
- National Origin - 1
- Age - 0
- Retaliation - 0

B. Status of complaints

The status of the complaints received in FFY 2024 is listed below. One complaint was forwarded to the National Highway Traffic Safety Administration (NHTSA) Office of Civil Rights for processing.

- Referred to NHTSA – 1
- Referred to FHWA - 0
- Closed – 0
- Open - 1

The complaints log is available any time for inspection.

C. Technical Assistance

The Title VI Program fulfilled 9 requests for technical assistance in FFY 2024.

VIII. LIMITED ENGLISH PROFICIENCY

A. Information in Other Languages

The top four languages spoken by LEP persons in Wisconsin are: Spanish, Hmong, German, and Chinese. WisDOT provides the following information regarding language access services:

- Title VI/Nondiscrimination Notice in Spanish and Hmong.
- “Individual Foreign Language Interpreter and Translator Request” form for the public to request interpretation or translation services free of charge on the WisDOT website.
- WisDOT website, including forms and Word documents, are available for translation through Google Translate.
- Language Access Plan for WisDOT staff to provide in-person interpretation, telephonic interpretation, and written translation services.
- Interactive map of “Commonly Spoken Foreign Languages in Wisconsin” for WisDOT staff that estimates the percentage of the population in each Wisconsin county that speaks a foreign language and can be used for statewide and regional analysis.
- DMV Bureau of Field Services uses *Pocketalk* in all 80 permanent Customer Service Centers. *Pocketalk* is a handheld device that provides two-way translation and interpretation in real-time and the ability to communicate with non-English speaking customers in 82+ languages.

B. FFY 2024 Accomplishments

The Title VI Program processed 7 requests for interpretation/translation in FFY 2024.

C. FFY 2025 Goals

- Translate Title VI complaint forms into Spanish and Hmong.
- Develop additional language access services.

IX. NATIVE AMERICAN INITIATIVES

The WisDOT Office of Tribal Affairs works with Wisconsin's eleven federally recognized tribes to provide training, funding opportunities, and resources to the tribes on transportation and transportation-related issues.

For the last 24 years, WisDOT has worked in partnership with the College of the Menominee Nation and the Lac Courte Oreilles Ojibwa University to offer the National Summer Transportation Institute (NSTI). NSTI is a summer youth enrichment program designed to introduce middle and high school students to careers in the transportation industry with an emphasis on science, technology, engineering, and math. The Federal Highway Administration (FHWA) places special emphasis on offering this program in partnership with Historically Black Colleges and Universities, Hispanic-Serving Institutions, and Tribal Colleges. Wisconsin is one of only two states in the country that offer this program with the tribal colleges within the state.

The NSTI program for the College of Menominee Nation had 28 students and the LCO University supported two classes with a total of 33 students for the 2024 summer program.

In 2024, WisDOT received \$90,000 in grant funding from FHWA to provide the NSTI program to both tribal colleges. Those funds were evenly distributed to both colleges at \$45,000 each, with WisDOT supplementing those funds with an additional \$30,000 for a total of \$75,000 per project. The accomplishments of the 2024 programs include the delivery of in-person and outdoor classroom and hands-on activities, presentations by transportation professionals, and field trips that focused on all modes of transportation including land, air, and water. The programs also produced driver safety and awareness public service announcements that were conceptualized, written, directed, and edited by student participants.

X. CORRECTIVE ACTION PLANS

A. Program Area Reviews

- Work with selected program areas in collecting and analyzing data to identify and address any trends/patterns of discrimination in their respective bureaus.
- Explore training opportunities for WisDOT program areas to ensure compliance with Title VI, specifically in collecting Title VI data and analyzing the data to identify and address any trends/patterns of discrimination.
- Ensure operating or informational manuals include the required Title VI information and procedures to implement these requirements.

B. Reviews Conducted

Action Step	Timeline	Participants	Results
Review preceding FFY results	Q1 (Oct 1 – Dec 31)	Title VI Section	
Prepare corrective action plans if necessary	Q1 (Oct 1 – Dec 31)	Title VI Section	
Provide corrective action plans to program areas/subrecipients	Q2 (Jan 1 – Mar 31)	Title VI Section	
Identify program areas and subrecipients for reviews	Q2 (Jan 1 – Mar 31)	Title VI Section & OBOEC Director	

C. Upcoming Reviews

Action Step	Timeline	Participants	Results
Request and review documents	Q3 (Apr 1 – Jun 30)	Title VI Section	
Conduct desk audits	Q3 (Apr 1 – Jun 30)	Title VI Section & Program Areas/Subrecipients	
Conduct onsite reviews	Q4 (Jul 1 – Sep 30)	Title VI Section & Program Areas/Subrecipients	
Write results of reviews	Q4 (Jul 1 – Sep 30)	Title VI Section	

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