

FFY 2025

WISCONSIN DEPARTMENT OF TRANSPORTATION

TITLE VI

GOALS AND ACCOMPLISHMENTS REPORT



Office of Business Opportunity & Equity Compliance
December 1, 2025

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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
Jamie Karth	Division of Motor Vehicles
Justin Kiekhaefer	Division of Business Management
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 2025 Accomplishments

- The Division of Motor Vehicles developed guides for supervisors and team leaders to use in seeking out vendors for language services.
- The Federal Transit Administration (FTA) conducted a 3-year audit of the Division of Transportation Investment Management/Transit Section on July 8-10, 2025. FTA examined the Transit Section and OBOEC’s compliance with Title VI and DBE requirements. There were no findings related to Title VI or DBE.
- The Office of Business Opportunity & Equity Compliance updated its Title VI complaint form and webpage.
- The Division of Transportation System Development/Environment Sections updated Chapter 6, Public Involvement, of the Facilities Development Manual.

D. FFY 2026 Goals

- Complete the FHWA “Define the FHWA Title VI Program” training in Winter 2026.
- Complete the FHWA “Recognize how to implement the Title VI Program in a multidisciplinary framework” training in Fall 2026.
- Update the Division of Transportation Investment Management/Transit Section’s Title VI webpage.
- Update the Division of Transportation System Development/Environment Sections Chapter 25, Socio-Economic Factors, of the Facilities Development Manual.

IV. PROGRAM AREA REVIEWS

WisDOT reviewed the Design program area in FFY 2025. The results of the review are listed below.

A. Purpose of the review

To determine how well WisDOT’s Design program area follows Title VI/Nondiscrimination requirements under Title VI of the Civil Rights Act of 1964, and U.S. DOT and FHWA implementing regulations.

B. Scope of review

The review will examine manuals, contracts, contract administration procedures, training, etc. for calendar year 2024.

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 foster ongoing improvements in the overall program.

D. Team Members

Team Members	Bureau	Title
Tondra Davis	OBOEC	Director
Taqwanya Smith	OBOEC	Title VI Program Coordinator
Brandon Lamers	BPD	Director
Brian Boothby	BPD	Deputy Director
William Strobel	BPD	Design Standards and Oversight Section Chief
Anna Wisner	BPD	Consultant Services Section Chief

E. Background

The Design program area resides in the Bureau of Project Development (BPD) in the Division of Transportation System Development (DTSD). BPD consists of 6 sections. 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 Management.

The Design Standards and Oversight Section is responsible for the Design program area. The Design Standards and Oversight Section has 2 Units with 1 section chief and 10 employees. The units are the Design Project Oversight Unit and Roadway Design Standards 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 new employees to complete Title VI training during onboarding and periodically for all employees. Contractors and Consultants with LearnCenter accounts are also required to complete Title VI training.	WisDOT LearnCenter	Commendable.

All employees in the Design Standards and Oversight Section completed Title VI training in 2024. Forty-four (44) consultants completed Title VI training in 2024.

The Design program area did not receive any Title VI complaints, investigations or lawsuits during the review period. The Design program area did not have any compliance reviews during the review period.

2. **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. Regulation – 23 CFR § 172.9(c)(1)(vi)

All contracts and subcontracts *shall include the following provisions, either by reference or by physical incorporation into the language of each contract or subcontract, as applicable: Standard DOT Title VI Assurances (DOT Order 1050.2).*

d. Data Collection and Analysis

Requirement	Action	Where	Commendation/ Recommendation
Standard DOT Title VI Assurances signed by the WisDOT Secretary	The 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 December 19, 2024.	Title VI Plan on website and OBOEC files	Commendable.
Two Party design and related services contracts include Title VI Assurances Appendix A and E	ACAS/CSS provides consultant contract documents on the WisDOT website (under Doing Business-Engineers and consultants-Structure and road resources-Consultant contract management-Contract documents-Consultant contract documents-Design and related services).	WisDOT website	Commendable.
Three Party design and related services contracts include Title VI Assurances Appendix A and E	ACAS/CSS provides consultant contract documents on the WisDOT website (under Doing Business-Engineers and consultants-Structure and road resources-Consultant contract management-Contract documents-Consultant contract documents-Design and related services).	WisDOT website	Commendable.
Sample of Two-Party design and related services contracts	Using the Raosoft sample size calculator with a 90% confidence level and 10% margin of error, 62 of 700 contracts were reviewed for the required contract provisions, Appendix A and E. All contracts had Appendix A and E physically incorporated into the contract.	Consultant Services Section files	Commendable.
Sample of Three-Party design and related services contracts	171 of 171 contracts were reviewed for the required contract provisions, Appendix A and E. Appendix A and E were included by reference or physical incorporation in all contracts.	Consultant Services Section files	Commendable.

U.S. DOT Standard Title VI/Nondiscrimination Assurances

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 into all contracts regardless of funding source.

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.”

Facilities Development Manual (FDM)

A. FDM 8-15-1: Consultant Services/Contracts/Contract Types and Formats

Two Party Design Contracts are used for consultants providing design engineering services on state highway and/or bridge improvement projects. Three Party Design Contracts are used for consultants providing engineering services on local highway and/or bridge improvement projects.

1. 1.2 Contract Format

A consultant contract is an agreement between a firm and WisDOT (plus a municipality in 3-party local contracts) for procurement of services. Each consultant contract consists of the following:

Standard or General Provisions - Commonly referred to as the "contract boilerplate." The standard provisions for design engineering contracts and general provisions for construction engineering contracts reflect language meeting all of the appropriate state and federal laws and regulations. They may be modified only through the special provisions and prior approval from the Division of Business Management/Bureau of Financial Management/Audit and Contract Administration Section (ACAS) and the Division of Transportation System Development/Bureau of Project Development/Consultant Services Section (CSS).

Standard provisions for all contracts are incorporated by reference into the contract cover/signature pages. The standard provisions are provided on the WisDOT website under “Building a consultant contract/Standard provisions/Boilerplate.”

Contract provisions incorporated by reference or by physical incorporation

A. Two Party Design Engineering Services Contract Signature Pages

“This CONTRACT incorporates and the parties agree to all of the standard provisions of the Two Party Design Engineering Services Contract, dated June 18, 2025 and referenced in Procedure 8-15-1 of the State of Wisconsin Department of Transportation Facilities Development Manual. CONSULTANT acknowledges receipt of a copy of these standard provisions.”

B. Three Party Design Engineering Services Contract Signature Pages

“This CONTRACT incorporates and the parties agree to all of the standard provisions of the Three Party Design Engineering Services Contract, dated June 18, 2025 and referenced in Procedure 8-15-1 of the State of Wisconsin Department of Transportation Facilities Development Manual. CONSULTANT acknowledges receipt of a copy of these standard provisions.”

C. Two Party and Three Party Design Engineering Standard Provisions

Contract provisions, Appendix A and E, are provided in the Two Party and Three Party Design Engineering Standard Provisions under Section V. Miscellaneous Provisions, E. Nondiscrimination in Employment, at #2a-l and #3-7.

Contract Sample

The review examined 62 of 700 Two Party Design Engineering Services Contracts executed in 2024 using the Raosoft sample size calculator with a 90% confidence level and 10% margin of error. Contract provisions, Appendix A and E, were physically incorporated in 100% of the contracts.

The review examined 171 of 171 Three Party Design Engineering Services Contracts executed in 2024. Contract provisions, Appendix A and E, were included by reference in 81% of the contracts. Contract provisions, Appendix A and E, were included by physical incorporation in 19% of the contracts. Contract provisions, Appendix A and E, were either referenced or physically included in 100% of the contracts.

3. **Facilities Development Manual (FDM)**

a. Data Collection and Analysis

Requirement	Action	Where	Commendation/ Recommendation
Notice to staff	The Bureau of Project Development (BPD) provides the FDM on the DTSD intranet SharePoint site under “Manuals, guides, and handbooks.” Staff can also access the FDM through the WisDOT website.	WisDOT intranet and website	Commendable.
Notice to consultants	BPD provides the FDM on the WisDOT website (under Doing Business-Engineers and consultants-Structure and road resources-Standards and manuals-Facilities development manual).	WisDOT website	Commendable.

The Facilities Development Manual (FDM) provides policy, procedural requirements, and guidance encompassing the facilities development process within the Wisconsin Department of Transportation (WisDOT), Division of Transportation System Development (DTSD). It is applicable to all types of highway improvements on the state trunk highway system, other street/highway systems for which Federal-aid highway funds may be utilized, state facilities road systems funded with state funds administered by WisDOT, and other highways and roads for which WisDOT may act as an administrative agent. The FDM is intended to be a living document and is updated quarterly.

FDM 2-1-1 Project Management/Introduction and Definitions

A. 1.3 Project Type Descriptions

WisDOT is responsible for a wide variety of improvement project types, from simple to extremely complex projects. These projects generally fall into one of three types, according to their complexity:

- Conventional: typical WisDOT improvement project type having relatively low costs, no significant stakeholder issues, and not requiring special reporting tools;
- High-Profile: improvement projects that need additional oversight and reporting based either on cost or level of stakeholder impact based on WisDOT's determination; and
- Federal Major: defined by the Federal Highway Administration (FHWA) and subject to federal oversight and reporting requirements.

Ninety-five (95%) of Federal-aid projects are conventional projects. These projects typically do not have significant environmental impacts.

FDM 3-15 Complex or Unique Projects

A. 1.2 Project Documentation

Federal law establishes additional oversight and reporting requirements for Federal Major projects. Accordingly, the Department utilizes defined management tools and resources for all projects that fit the Federal Major project definition or are designated as Federal Majors by FHWA. This section establishes the framework for appropriate Federal Major project documentation. Based on the associated project guidance matrix (Attachment 1.1), this framework reflects the best practices and lessons learned from every Federal Major project designed and built in Wisconsin. It is intended to help efficiently allocate resources, encourage continuous improvement, and to provide the tools needed to allow the Department to prepare for the next generation of Federal Major project development.

The purpose of project documentation is to provide guidance and consistency concerning roles and responsibilities and management of Federal Major projects on the Wisconsin Highway System. The Department's goal is to strengthen the project team's ability to forecast challenges and proactively manage Federal Major projects, so that decision-makers can recognize the need for (and then act upon) meaningful and timely changes. This is accomplished using proven Federal Major project practices, processes, resources, and tools. In addition to providing guidance for all Federal Major projects, it is intended that this documentation can be scaled appropriately to provide guidance to High-Profile and conventional projects as well.

B. Attachment 1.10 Title VI Demographic Data Collection and Reporting

The Wisconsin Department of Transportation (WisDOT) has federal Title VI obligations on Federal Majors projects, major projects, and high-profile projects. To assure Title VI compliance throughout the various stages of each, individual Federally-funded project, WisDOT in partnership with the Federal Highway Administration (FHWA) has organized a Title VI Program with service under the following definitions: Title VI is a touchstone for several Nondiscrimination Authorities. It is not restricted to any specific issue or any specific program; Title VI issues may emerge at any stage of a Project with potentially far-reaching consequences; Title VI assures 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 subjected to discrimination under any program or activity receiving federal financial assistance. Title VI requires the collection of demographic data (race, color, and national origin including Limited English Proficiency) of populations impacted by Federally-funded projects.

Limited English Proficiency (LEP) is an issue that falls under national origin of Title VI. An LEP person is defined as a person who does not speak English as a primary language and has limited ability to read,

write or understand English. Failure to provide LEP persons services or meaningful access may constitute national origin discrimination.

The Americans with Disabilities Act (ADA) provides that persons with bona fide disabilities be provided with meaningful access to program services and information, and/or be provided with reasonable accommodations that they may obtain equal benefits and privileges of those who are able.

FDM 3-5-10 Force Account Agreements

A. 10.3.2 Local Force Account Agreements (Local System)

Local Force Account (LFA) Agreements are used when a local unit of government does work on their own local highway system. Local units cannot use Federal-aid funds to have another local unit perform construction work on their own system. Under these agreements the locals are reimbursed for the actual costs incurred in performing the work up to an agreement maximum (as amended by any change orders); however, the labor, material, and machinery rates are projected in advance and must be determined to be cost effective. These agreements are to be based on the actual cost required to perform the work so that they cannot result in profit or loss for the unit of government performing the work. Any state, local or Federal-funding program for which the project is eligible may be used with this agreement type. The type of work associated with LFA (Local System) will typically be limited to locally maintained traffic signal, lighting, signing, pavement markings, guardrail and utility work related to WisDOT improvement projects that can't be accommodated through the project letting or utility adjustment processes. Very narrow LFA exceptions may be made at WisDOT discretion; decisions will be made on a case-by-case basis.

B. 10.7 Documentation for LFA Local and State Agreements greater than \$5,000

If a project does not require a PS&E to be submitted to central office, then the region shall keep a project folder with the following items and complete the actions listed below.

6. Nondiscrimination, Buy America, and Records Retention provisions are required per FDM 19-25 Attachment 10.3.

Attachment 10.3 includes Appendix A under "Required Non-discrimination Provisions Federal-Aid Contracts." It does not include Appendix E.

Recommendation: Include Appendix E in Attachment 10.3.

FDM 19-25 Plans, Specifications, and Estimates/Local Force Account Agreements

A. 19-25-10 Special Provisions

1. Attachment 10.3 "Required Non-discrimination Provision for Federal-Aid Contracts."

Attachment 10.3 includes Appendix A under "Required Non-discrimination Provisions Federal-Aid Contracts." It does not include Appendix E.

Recommendation: Include Appendix E in Attachment 10.3.

G. Summary

The review of the Design 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; Title VI training available to staff and consultants; and completion of Title VI training by Design staff during the review period.

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 standard provisions or boilerplates for Two Party and Three Party Design Engineering Services Contracts; and contract provisions, Appendix A and E, incorporated by reference or physically incorporated into the Two Party and Three Party Design Engineering Services Contracts executed during the review period.

Commendable practices and procedures under Facilities Development Manual include: Title VI Demographic Data Collection and Reporting under project documentation for Complex or Unique projects; U.S. DOT Standard Title VI/Nondiscrimination Assurances Contract Provision, Appendix A, provided under Local Force Account Agreements (Local System); and U.S. DOT Standard Title VI/Nondiscrimination Assurances Contract Provision, Appendix A, provided under Plans, Specifications, and Estimates/Local Force Account Agreements.

Recommendation: Provide contract provision, Appendix E, in FDM 19-25 Attachment 10.3 "Required Non-discrimination Provision for Federal-Aid Contracts."

H. FFY 2026 Goals

WisDOT will review 1 program area in FFY 2026.

V. SUBRECIPIENT REVIEWS

WisDOT reviewed 1 Planning Agency in FFY 2025. The results of the review are listed below.

A. Purpose of the review

To determine how well the East Central Wisconsin Regional Planning Commission/Appleton (Fox Cities) 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 2022 to FFY 2024.

C. Expected Results

Completed report with recommendations and best practices included as warranted. The report and its recommendations will be shared with the Appleton (Fox Cities) 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
Melissa Kramer-Badtke	ECWRPC/Appleton MPO	Executive Director
Kim Biedermann	ECWRPC/Appleton MPO	Principal Planner/Civil Rights Coordinator
Mike Zuege	ECWRPC/Appleton MPO	GIS Manager

E. Background

East Central Wisconsin Regional Planning Commission (ECWRPC) serves as the Metropolitan Planning Organization (MPO) for the Appleton (Fox Cities) metropolitan planning area. The ECWRPC region includes ten counties—Calumet, Fond du Lac, Green Lake, Marquette, Menominee, Outagamie, Shawano, Waupaca, Waushara, and Winnebago. In this region, there is the Appleton (Fox Cities) MPO, the Fond du Lac MPO, and the Oshkosh MPO. There are nearly 662,000 residents in ECWRPC’s region, with the cities of Appleton and Oshkosh having the highest population concentrations.

The Appleton (Fox Cities) MPO includes the cities of Appleton, Kaukauna, Menasha, and Neenah; villages of Combined Locks, Fox Crossing, Greenville, Harrison, Kimberly, Little Chute, Sherwood and Wrightstown; towns of Buchanan, Center, Clayton, Ellington, Freedom, Grand Chute, Kaukauna, Neenah, Vandenbroek, Vinland and Woodville; and the counties of Calumet, Outagamie, and Winnebago. With a population of over 230,000, the Appleton (Fox Cities) MPO is also designated as a Transportation Management Area (TMA).

ECWRPC certifies that the planning requirements are met, which includes a Unified Transportation Work Program, a Public Participation Plan, a Transportation Improvement Program (TIP), and a Metropolitan

Transportation Plan. The Appleton (Fox Cities) MPO also includes an approved Congestion Management Process plan, which is required for MPOs that are designated as TMAs. ECWRPC has a staff of 17 which includes the Executive Director/MPO Director, 2 Principal Planners, 4 Senior Planners, 4 Associate Planners, a GIS Manager, 2 GIS Analysts, a Controller, Administrative Coordinator, and IT Manager.

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 director for FFY 2022, 2023, and 2024.	Website	Commendable.
Signed Title VI Subrecipient Implementation Plan Agreement by MPO Director	Agreement was signed by the director for FFY 2022, 2023, and 2024. The 2024 Agreement signed by the OBOEC Director is not included in the appendix of the Title VI/LEP Plan.	Website	Recommendation. MPO will replace 2024 document with signed Agreement by OBOEC Director.
Notice of Nondiscrimination to the public	Notice of Nondiscrimination provided on website, at the agency office, and in the appendix of the Title VI/LEP Plan.	Website and office	Commendable.
Title VI complaint form, policy, and procedure	Complaint procedure and complaint form provided on website, at the agency office, and in the appendix of the Title VI/LEP Plan.	Website and office	Commendable.
Title VI complaint log	A blank complaint log form is provided in the appendix of the Title VI/LEP Plan.	Agency files	Commendable.

The Title VI/Nondiscrimination Program and Limited English Proficiency Plan (Title VI/LEP Plan) was adopted on October 27, 2023. It is updated every 3 years. The Civil Rights (Title VI) Coordinator position was established in 2009. The position is currently filled by a principal transportation planner. The Title VI Coordinator is responsible for program administration; reviewing, tracking, and investigating complaints; employee training; preparing and submitting reports; public dissemination of program information; and oversight to ensure that contractors and lessees adhere to Title VI requirements.

No Title VI complaints, investigations or lawsuits were received by the Appleton (Fox Cities) MPO within the past 5 years.

The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) conducted a Federal Certification Review of the transportation planning process for the Appleton (Fox Cities) Transportation Management Area (TMA) on August 23-24, 2023. The overall conclusion is that the planning process for the Appleton TMA meets Federal planning requirements, subject to it successfully addressing corrective actions. The review commended the ECWRPC's Equitable Engagement Toolkit and Guidebook. The review recommended two actions under Civil Rights (Title VI, EJ, LEP, ADA) and two actions under Public Participation. The next review is scheduled for 2027.

Civil Rights (Title VI, EJ, LEP, ADA)

Recommendation: The MPO should ensure the interrelated Title VI, Environmental Justice (EJ), Limited English Proficiency (LEP), Americans with Disabilities Act (ADA) and the public participation information/documents are more prominent on the MPO website. A dedicated website tab or link in the website footer will allow for easier access to the information. Providing a link to this information in public notices will also increase ease of access.

Corrective Action to address recommendation: ECWRPC recently rebranded the commission and Appleton (Fox Cities) MPO. ECWRPC is in the process of launching the new website. The new website will have a dedicated MPO tab. ECWRPC will be launching the new website by the end of the year. ECWRPC will also update the ADA Transition Plan and Public Participation Plan next year.

Recommendation: The MPO should better document the Title VI, Environment Justice (EJ), Limited English Proficiency (LEP), Americans with Disabilities Act (ADA) and public participation efforts and analysis in the main text of the MPO's core documents (Transportation Improvement Program (TIP), Long Range Transportation Plan (LRTP), and Unified Planning Work Program (UPWP)). The MPO puts significant effort into these activities and should better highlight them.

Corrective Action to address recommendation: Appleton (Fox Cities) MPO just updated and adopted the LRTP. Appleton (Fox Cities) MPO will update the TIP, expand on the performance measures and performance-based planning. The updated Public Participation Plan and ADA Transition Plan will have additional references in those documents as well. The update to the Public Participation Plan next year will include WisDOT's guidance.

Public Participation

Commendation: The Federal Team commends the MPO on the development of the Equitable Engagement Toolkit, which serves as an exemplary foundation for building more inclusive and

productive public engagement in transportation planning. It is a great example of the MPO's creative and inclusive approach to public involvement.

Recommendation: The MPO should develop a separate TMA web presence with a prominent link to the MPO on the front page of the ECWRPC website. The TMA-specific webpage should include all information specific to the MPO clearly listed and linked, with documents consistently updated. The MPO should use its visualization tools to tell the MPO's story and how its efforts and projects all work together to meet the region's urban goals.

Corrective Action to address recommendation: As part of the rebranding effort, the new website will have a dedicated Appleton (Fox Cities) MPO tab. The rebranded website will launch before the end of this year.

Recommendation: The MPO should continue to assist and/or coordinate training regarding the development of Americans with Disabilities Act (ADA) transition plans for communities within its Metropolitan Planning Area (MPA).

Corrective Action to address recommendation: ECWRPC has in its Work Program for 2026 to develop an MPO-level ADA Transition Plan. ECWRPC will continue to work with communities within the Appleton (Fox Cities) MPO in 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	Title VI/Nondiscrimination Program and LEP Plan was adopted in 2023.	Commendable.
Method(s) used to provide language translation	Translated versions (or provide for the interpretation of relevant sections) of all documents/publications upon request. Translation may be provided in 24 hours to a few days depending on the length of the document.	Commendable.
Method(s) used to provide language interpretation	Interpretation services will be provided for public meetings as necessary. Interpretation services are available on-call as needed.	Commendable.
Use or planned use of bilingual employees	Has a staff member that speaks Spanish.	Commendable.

Information disseminated in languages other than English	Notice of Nondiscrimination, complaint procedure, and complaint/comment form are provided on the website in English, Spanish, and Hmong. Taglines to request the Title VI/LEP Plan documents provided in Spanish and Hmong. Website has Google Translate.	Commendable.
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Appleton (Fox Cities) MPO conducted a four-factor analysis, using the American Community Survey, in 2021. The population of the Appleton (Fox Cities) TMA is 257,432.

Demographics in 2022:

- White alone – 85.33%
- Asian alone – 3.87%
- Black alone – 1.88%
- American Indian/Alaska Native alone – 0.67%
- Pacific Islander alone – 0.06%
- Other Race – 2.40%
- Two or more races – 5.80%
- Hispanic origin (any race) – 5.71%

Across the ECWRPC region there are numerous languages spoken. Some of the languages include Spanish, French, Italian, Portuguese, German, Scandinavian, Greek, Russian, Polish, Serbo-Croatian, Gujarati, Hindi, Urdu, Chinese, Japanese, Korean, Hmong, Thai, Laotian, Vietnamese, Tagalog, Arabic, and other Native North American Languages. After English, the second largest language group identified is Spanish in all East Central Wisconsin counties. Within the ECWRPC region and the Appleton (Fox Cities) MPO, Spanish and Hmong meet the Safe Harbor Thresholds. The Notice to Beneficiaries includes a tagline in Spanish and Hmong. The Title VI complaint procedure and complaint form are provided in Spanish and Hmong.

ECWRPC has an Internal Equity and Opportunity Workgroup (Workgroup) that reports on the number of documented LEP person contacts encountered annually and on how the needs of those persons have been addressed. The Workgroup determines the current LEP population in the service area, whether the need for translation services has changed, whether local language assistance programs have been effective and sufficient to meet the need, whether the Appleton (Fox Cities) MPO’s financial resources are sufficient to fund the language assistance resources needed, whether Appleton (Fox Cities) MPO fully complies with the goals of the LEP process, and whether complaints have been received concerning the agency’s failure to meet the needs of LEP persons.

Staff are trained on Title VI/LEP Plan responsibilities, language assistance services offered to the public, documentation of language assistance requests, and how to handle a Title VI/LEP complaint. Appleton (Fox Cities) MPO notifies the public that an LEP Plan and language assistance is available by posting notices in English, Spanish, and Hmong on the website, posting the plan on the website, and emailing the “public notice list” that the Title VI/LEP Plan is available. The email includes statements for assistance in Spanish and Hmong. LEP tools include the “I Speak” language identification card, log of LEP encounters, and a language translation request log.

Staff have access to interpreter and translation services for documents and in-person events. Access includes a staff member that speaks Spanish and Hmong language assistance through the Hmong American Partnership Fox Valley, Inc. If materials are requested in Spanish, Hmong, large type, and/or Braille, MPO staff will make a reasonable attempt to accommodate those needs. Smaller documents, e.g. a memo, can be done in 24 hours. Larger documents make take a few 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 adopted in 2023.	Commendable.
Identify population eligible to be served	Identified population by race and ethnicity using the 2021 American Community Survey. Identified LEP population using the 2021 American Community Survey.	Commendable.
Collection of demographic data of public involvement participants	Sign-in sheets at public involvement meetings, open houses, and public hearings. Demographic information is not requested at these meetings. Demographic sheet provided at in-person engagement events. Online and paper surveys have an optional section to provide demographic information.	Commendable.
Demographic maps used in decision-making	Demographic maps included in plans. Title VI/LEP Plan includes the following maps: minority populations by census tract, Hispanic populations, population by poverty, household income of less than \$25,000, school enrollment, and languages spoken at home.	Commendable.
Information disseminated to the public.	Website, in-person events, telephone, and public involvement meetings and hearings. Public comment period notices posted in the newspaper of record. Email list of stakeholders. At public involvement meetings - comment cards, presentations, and interactive poster boards. Virtual open house with presentation.	Commendable.
Outreach to Title VI and LEP populations	Equitable Engagement Toolkit and Guidebook developed in 2022.	Commendable.

Advisory Committee membership lists	Demographics of the Policy Board and TAC are tracked with the Title VI/LEP Update. Members are provided a survey and may opt to provide the information. Self-reporting questionnaire conducted in 2023.	Commendable.
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The Public Participation Plan (PPP) was adopted on October 27, 2023. It is reviewed each year to assess its effectiveness and determine if revisions are necessary. The purpose of the PPP is to establish procedures that allow for, encourage, and monitor agency outreach to and participation of all citizens in the Appleton (Fox Cities) urbanized area. The PPP allows for reasonable actions throughout the planning process that provide opportunities for historically-underserved populations to participate, including people of color, people who speak languages other than English, and low-income populations.

Techniques used in public outreach are public notices of meetings in the local newspaper, open house format at public information meetings, social media, group exercises, surveys, use of local news media, advisory committees, and interactive websites. Appleton (Fox Cities) MPO will also use the following techniques during its planning studies, as deemed appropriate: presentations to professional, citizen, and student organizations, articles in community newsletters, press releases in local newspapers, meetings with local media representatives, “drop-in” meetings with business owners and others, informal conversations with individuals and small groups, interviews with people who are or could be affected by study recommendations, presentations by experts on various transportation-related subjects, telephone and on-board transit surveys, surveys and questionnaires concerning various planning issues, posting transportation-related studies and plans on the website, and various illustrative visualization techniques to convey information.

ECWRPC developed the Equitable Engagement Toolkit and Guidebook in 2022. The guidebook offers guidance and strategies that will make engagement activities more meaningful, purposeful, and worthwhile for those that live in the region. The guidebook is specifically designed to improve engagement to reach those in historically-underserved communities, such as people of color, low-income households, people with disabilities or those who do not primarily speak English. The guidebook provides a step-by-step process for planners and engagement practitioners to use as they start a project and create their community engagement strategy. One component of engagement is recognizing the importance of gathering data. As part of the data collection, there are opportunities to gather demographic data about those who are participating in events and in surveys. Online and paper surveys have an optional section at the end to provide demographic information.

The Appleton (Fox Cities) MPO consists of two committees: the Policy Board and the Technical Advisory Committee (TAC). The committees direct and monitor transportation plans with guidance from MPO staff at the ECWRPC. Policy Board members are elected officials. TAC members are subject experts within the communities. In a 2023 self-reporting questionnaire, membership on the Policy Board was 100% White and membership on the Technical Advisory Committee was 100% White. Stakeholder groups are used in addition to the TAC to ensure diverse representation.

G. Summary

The review of the Appleton (Fox Cities) MPO found many commendable practices and procedures. Commendable practices and procedures under Title VI include: Title VI Assurances signed by the

Executive Director/MPO Director; Title VI/Nondiscrimination Program and Limited English Proficiency Plan; Notice of Nondiscrimination to the public; and a Title VI complaint/comment form and procedure.

Commendable practices and procedures under LEP include: a four-factor analysis; a bilingual staff member that speaks Spanish; Notice of Nondiscrimination, complaint procedure, and complaint/comment form provided on the website in English, Spanish, and Hmong; taglines to request the Title VI/LEP Plan documents in Spanish and Hmong; and Google Translate on the website.

Commendable practices and procedures under Public Involvement and Outreach include: a Public Participation Plan; use of the American Community Survey to identify the populations eligible to be served; demographic maps used in plans; demographic sheet provided at in-person engagement events; online and paper surveys have an optional section to provide demographic information; email list of stakeholders; and self-reporting questionnaire for committee members.

In addition to the many commendable practices and procedures of the ECWRPC/Appleton (Fox Cities) MPO, the compliance review also found two best practices. These best practices are the Internal Equity and Opportunity Workgroup and Equitable Engagement Toolkit and Guidebook.

H. Local Public Agencies

1. The Title VI Program Coordinator began collecting signed Title VI/Nondiscrimination Assurances from Local Public Agencies (cities and counties).
2. The Title VI Program Coordinator delivered a presentation on “Title VI requirements for Local Public Agencies” at the 2025 Local Programs Symposium on May 22.

I. FFY 2026 Goals

WisDOT will review 1 Planning Agency in FFY 2026.

VI. TRAINING

A. Title VI Staff

The Title VI Program Coordinator completed the following trainings in FFY 2025.

- U.S. DOT “Hispanic Heritage Month Title VI” webinar on October 10, 2024.
- WisDOT “Title VI: Knowing your role” online module on October 30, 2024.
- NHTSA “Title VI Compliance Requirements” webinar on January 7, 2025.

B. Title VI Liaisons

Title VI Committee members completed the following trainings in FFY 2025.

- 1 new committee member completed the FHWA “Federal-aid Essentials for LPAs - Title VI/ Nondiscrimination” training modules.

C. Department Non-Supervisory Employees

- 166 non-supervisory employees completed the “Title VI: Knowing Your Role” online module in FFY 2025. 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 as part of the Onboarding Program and periodically.
- 19 members of the WisDOT Workforce DRIVE Committee (Development, Recruitment, Inclusion, Values, Engagement) attended a Title VI presentation on April 2, 2025. The training included information on the Office of Business Opportunity and Equity Compliance, the Title VI Program, and the ADA Program.

D. Department Supervisory Employees

- 2 supervisory employees completed the “Title VI: Knowing Your Role” online module in FFY 2025 (*see Training Description in section C*).
- 1 Division of State Patrol/Bureau of Transportation Safety & Technical Services/Section Manager completed the NHTSA “Title VI Compliance Requirements” webinar on January 7, 2025.
- 35 Division of Motor Vehicles/Bureau of Field Services supervisors and managers attended a Title VI training on May 14, 2025. The training included information on Title VI, national origin discrimination, language access services, and effective communication services.

E. Subrecipients

- 17 transit grant assistance subrecipients participated in one-on-one trainings provided by the Transit Title VI Program Manager. Trainings included one-on-one assistance during plan development, compliance site reviews, and presentations at conferences and meetings.

F. Contractors and Consultants

- 11 Contractors and Consultants with a WisDOT LearnCenter account completed the “Title VI: Knowing Your Role” online module in FFY 2025 (*see Training Description in section C*).

VII. TITLE VI COMPLAINTS

A. Complaints

The Title VI Program received 1 Title VI complaint in FFY 2025. The basis for the complaint is shown below. Some complaints may contain more than one basis.

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

B. Status of complaints

The status of the complaints received in FFY 2025 is listed below. One complaint was forwarded to the U.S. Department of Justice, Civil Rights Division, for processing.

- Referred to U.S. DOJ – 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 12 requests for technical assistance in FFY 2025.

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 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 2025 Accomplishments

The Title VI Program processed 13 requests for interpretation/translation in FFY 2025.

C. FFY 2026 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 over 25 years, WisDOT has partnered with the College of the Menominee Nation (CMN) and Lac Courte Oreilles Ojibwa University (LCOOU) to deliver the National Summer Transportation Institute (NSTI). NSTI is a summer enrichment program that introduces middle and high school students to careers in the transportation industry, with a focus on science, technology, engineering, and math (STEM). The Federal Highway Administration (FHWA) prioritizes offering NSTI through partnerships with Historically Black Colleges and Universities, Hispanic-Serving Institutions, and Tribal Colleges. Wisconsin is one of only three states nationwide to host NSTI training at tribal colleges located within the state.

In 2025, WisDOT received \$90,000 in FHWA grant funding to support NSTI programming at CMN and LCOOU. Each institution was awarded \$45,000, with WisDOT contributing an additional \$30,000 per site—bringing the total investment to \$75,000 per project.

- LCOOU successfully hosted a 2025 summer session, enrolling 10 students in a hands-on curriculum that included: in-person and outdoor classroom instruction; interactive activities led by transportation professionals; field trips exploring land, air, and water transportation modes; and student-produced public service announcements promoting driver safety and awareness.
- CMN was unable to offer its 2025 session due to time constraints. However, it plans to host two NSTI classes in 2026—one in June and another in July—featuring similar programming and experiential learning opportunities.

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 programs.
- Explore training opportunities for WisDOT program areas to ensure compliance with Title VI.
- 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 Program Coordinator	
Prepare corrective action plans if necessary	Q1 (Oct 1 – Dec 31)	Title VI Program Coordinator	
Provide corrective action plans to program areas/ subrecipients	Q2 (Jan 1 – Mar 31)	Title VI Program Coordinator	
Identify program areas and subrecipients for reviews	Q2 (Jan 1 – Mar 31)	Title VI Program Coordinator and OBOEC Director	

C. Upcoming Reviews

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

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