



FOND DU LAC METROPOLITAN PLANNING ORGANIZATION

**TITLE VI / AMERICANS WITH DISABILITIES ACT
AND LIMITED ENGLISH PROFICIENCY PLAN**

ADOPTED
OCTOBER 4, 2023



TITLE VI NONDISCRIMINATION PROGRAM AND LIMITED-ENGLISH PROFICIENCY (LEP) PLAN

FOND DU LAC METROPOLITAN PLANNING ORGANIZATION (MPO)

Adopted October 4, 2023

Prepared by the East Central Wisconsin Regional Planning Commission

Title VI Non-Discrimination Program and Limited-English Proficiency (LEP) Plan

CONTACTS:

All questions, comments, or requests for documents and services may be directed to:

Melissa Kraemer Badtke, Executive Director

Phone: 920.751.4770

E-mail: mbadtke@ecwrpc.org

East Central Wisconsin Regional Planning Commission

400 Ahnaip Street Suite 100

Menasha, WI 54952

This Fond du Lac MPO *Title VI Non-Discrimination Program and Limited-English Proficiency (LEP) Plan* and other Fond du Lac MPO documents, meeting minutes and agendas, and other information may also be obtained on our website at www.ecwrpc.org

To request this document in an alternate format, please contact:

Melissa Kraemer Badtke, Executive Director

Phone: 920.751.4770

E-mail: mbadtke@ecwrpc.org

Si se necesita informacion en otro idioma de contacto (920) 751-4770.

Yog hais tias cov lus qhia uas yuav tsum tau nyob rau hauv lwm hom lus, hu rau (920) 751-4770.

This *Title VI Non-Discrimination Program and Limited-English Proficiency (LEP) Plan* is funded in part through grants from the Federal Highway Administration and Federal Transit Administration, and Wisconsin Department of Transportation. The views and opinions of the authors expressed herein do not necessarily state or reflect those of the U. S. Department of Transportation or other funding agencies.

Fond du Lac MPO Policy Board

Voting Members:

Dyann Benson, Chair
Community Development
Director, City of Fond du Lac

Paul DeVries, Vice-Chair
Director of Public Works, City of
Fond du Lac

Joe Moore
City Manager, City of Fond du
Lac

Keith Heisler
Council President, City of Fond
du Lac

Sam Kaufman
County Executive, Fond du Lac
County

Tom Janke
Highway Commissioner, Fond du
Lac County

Nick Leonard
Village Administrator, Village of
North Fond du Lac

Jim Pierquet
Chairperson, Town of Empire

Scott Nelson
Director, WisDOT NE Region

Non-Voting Members:

Terry Dietzel (Alternate)
Director of Land Information,
Fond du Lac County

Chris Johnson (Alternate)
City Engineer, City of Fond du
Lac

Mitch Vis (Alternate)
Director of Public Works, Village
of North Fond du Lac

Melissa Kraemer Badtke
MPO Director, East Central
Wisconsin Regional Planning
Commission

**Jenny Nelson/Rick Weber
(Alternate)**
Planning Unit Supervisor,
WisDOT NE Region

Matt Schreiber
MPO Liaison, WisDOT Central
Office

Mary Forlenza
Team Lead, Senior Planner,
Federal Highway Administration

ABSTRACT

TITLE: Title VI Non-Discrimination Program and Limited English Proficiency (LEP) Plan

CONTACT: Melissa Kraemer Badtke, ECWRPC

AUTHORS: Kim Biedermann, Craig Moser, Chris Colla

SUBJECT: Title VI Compliance

DATE: 10/4/2023 (pending adoption)

PLANNING AGENCY: East Central Wisconsin Regional Planning Commission

SOURCE OF COPIES: East Central Wisconsin Regional Planning Commission
400 Ahnaip Street, Suite 100
Menasha, WI 54952
(920) 751-4770
www.ecwrpc.org

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. This document reflects the manner in which the East Central Wisconsin Regional Planning Commission, as staff for the Fond du Lac Metropolitan Planning Organization, will incorporate the policies of Title VI and related legal authorities into its procedures.

Table of Contents

Introduction.....	4
Organizational Responsibilities	4
Content of Title VI Program.....	5
General Requirements.....	6
A. Providing Title VI Assurances	6
B. Preparing and Submitting a Title VI Program	6
C. Notifying Beneficiaries of Protection Under Title VI.....	7
D. Developing Title VI/NON-DISCRIMINATION Complaint Procedures and Complaint Form	7
E. Complaint Log	8
F. Promoting Inclusive Public Involvement	8
G. Demographic Representation on Planning and Advisory Bodies	9
H. Providing Meaningful Access to Limited-English Proficient Persons	10
Demographic Profile, Procedures, and Impacts	10
A. Demographic Profile	10
B. Procedures for the Planning Process.....	17
C. Analysis of Impacts of the Distribution of State and Federal Transit Funds.....	17
Limited-English Proficiency (LEP) Plan.....	21
Overview.....	21
Plan Summary	21
Plan Components	22
A. Four Factor Analysis.....	22
B. How Language Services Are Provided.....	27
C. How LEP Persons Are Informed	27
D. How LEP Plan Is Monitored and Updated.....	27
E. How Staff Are Trained.....	28
F. Dissemination of LEP Plan.....	28
Appendix A: Title VI Approvals and Administration	29
Resolution Approving Title VI Plan.....	30
Affidavit.....	31
Log of Policy Updates	32
Contact Information and Program Administration	32
Appendix B: Assurances, Agreements, and Protections	34
Policy Statement and Authorities	37
Title VI Assurances	38
Public Notice of Non-Discrimination	46

Complaint Procedure	47
Complaint and Comment Form	49
Complaint Log.....	52
Appendix C: Limited-English Proficient (LEP) Tools.....	53

TABLES

Table 1: Ethnic and Racial Composition of the Fond du Lac MPO Planning Area and Committees	10
Table 2: Fond du Lac MPO Distribution of White and Minority Populations.....	11
Table 3: Fond du Lac County Distribution of Populations in Poverty	14
Table 4: 2023-2026 TIP Distribution of State and Federal Investment	19
Table 5: Fond du Lac MPO Population Speaking English “Less Than Very Well”	24
Table 6: Log of Policy Updates.	31
Table 7: Log of Complaints, Investigations, and Lawsuits	52

MAPS

Map 1-C: Fond du Lac MPO Minority Populations by Census Tract.....	12
Map 2-C: Fond du Lac MPO Hispanic Populations by Census Tract.....	13
Map 3-C: Fond du Lac MPO Population in Poverty by Census Tract	15
Map 4-C: Fond du Lac MPO Household Income Less than \$25,000 by Census Tract	16
Map 5-C: Fond du Lac MPO Language Spoken at Home by Census	26

Title VI Non-Discrimination Program

Introduction

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance. Several other federal legal authorities supplement Title VI by extending protections based on age, sex, disability, limited English proficiency, and low-income status. In addition, the Civil Rights Restoration Act of 1987 clarified Title VI enforcement by mandating that Title VI requirements apply to all programs and activities of federal-aid recipients regardless of whether any particular program or activity involves federal funds. Taken together, these laws require recipients and subrecipients of federal funds to ensure all programs and services are delivered to the public without discrimination.

The East Central Wisconsin Regional Planning Commission (ECWRPC), as the staff for the Fond du Lac Metropolitan Planning Organization (FDL MPO) and a recipient of federal financial assistance, will ensure compliance with Title VI of the Civil Rights Act of 1964; 49 C.F.R. Part 21 (Department of Transportation Regulations for the Implementation of Title VI of the Civil Rights Act of 1964); 49 C.F.R. Part 21; FTA Circular 4702.1b (Title VI Requirements and Guidelines for Federal Transit Administration Recipients); and related statutes and regulations. The ECWRPC acknowledges it is subject to and will comply with Federal Highway Administration Title VI Assurances.

This plan explains how ECWRPC incorporates the requirements of Title VI and related legal authorities into its operations. The plan will be used as a reference for ECWRPC and an informational resource for the public. The plan will be updated every three years to reflect changes in Title VI compliance operations.

Organizational Responsibilities

Executive Director

ECWRPC's Executive Director will ensure compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the U.S. Department of Transportation implementing regulations.

Name:	Melissa Kraemer Badtke
Email:	mbadtke@ecwrpc.org
Phone:	920.751.4770

Transportation Manager

ECWRPC's Transportation Manager will ensure implementation of ECWRPC's federally funded transportation program. The Transportation Manager has other duties and responsibilities in addition to Title VI and LEP. This position has a direct reporting relationship and access to ECWRPC's Commission Board, who has final approval and authority.

Name:	Melissa Kraemer Badtke
--------------	------------------------

Email:	mbadtke@ecwrpc.org
Phone:	920.751.4770

Civil Rights Coordinator

ECWRPC's Civil Rights Coordinator ensures Title VI/Nondiscrimination compliance in accordance with ECWRPC's federally funded transportation program. The Civil Rights Coordinator has other duties and responsibilities in addition to Title VI/Nondiscrimination compliance. This position has a direct reporting relationship and access to ECWRPC's Executive Director.

Name:	Kim Biedermann
Email:	kbiedermann@ecwrpc.org
Phone:	920.751.4770

The Civil Rights Coordinator is responsible for initiating, monitoring, and ensuring compliance with ECWRPC's non-discrimination requirements, including the following activities:

- Program Administration
 - Ensure compliance with federal Title VI/Nondiscrimination and LEP requirements, including the requirements of 23 part 200 and 49 CFR Part 21.
 - Develop and implement ECWRPC's Title VI/ Nondiscrimination and LEP Plan.
 - Update and maintain Title VI/ Nondiscrimination and LEP program policies and procedures.
- Complaints
 - Review, track, investigate and close civil rights complaints.
- Employee Training
 - Educate staff on Title VI/ Nondiscrimination and LEP and requirements and procedures.
- Reporting
 - Prepare and submit Title VI/ Nondiscrimination and LEP reports per state and federal regulations.
- Public Dissemination
 - Notify the public of ECWRPC's Title VI/ Nondiscrimination and LEP program requirements via ECWRPC's website, in publicly available areas of the office, and on any other applicable documentation.
- Oversight
 - Ensure recipients, sub-grantees, contractors and subcontractors adhere to Title VI/ Nondiscrimination and LEP requirements.

Content of Title VI Program

The ECWRPC, as a subrecipient of FTA funds, must submit to the Wisconsin Department of Transportation, which is the primary recipients of transit funds:

- All **general requirements** set out in [FTA Circular 4702.1B](#);

- A **demographic profile of the metropolitan area** that includes identification of the locations of minority populations in the aggregate;
- A description of the **procedures** by which the mobility needs of minority populations are identified and considered within the planning process;
- **Demographic maps** that overlay the percent minority and non-minority populations by Census or ACS data, at Census tract or block group level, and charts that analyze the impacts of the distribution of State and Federal funds in the aggregate for public transportation purposes; and,
- An **analysis of impacts** that identify any disparate impacts on the basis of race, color, or national origin; legitimate justification for the policy that resulted in the disparate impacts; and alternatives that could be employed that would have a less discriminatory impact.

General Requirements

The general requirements outlined in [FTA Circular 4702.1B](#), *Title VI Requirements and Guidelines for Federal Transit Administrative Recipients* applicable to ECWRPC are as follows:

- A. Providing Title VI assurances and Implementation Plan Agreement
- B. Preparing and submitting a Title VI Program
- C. Notifying beneficiaries of protection under Title VI
- D. Developing Title VI/Non-Discrimination complaint procedures and complaint form
- E. Recording and reporting Title VI/Non-Discrimination investigations, complaints, and lawsuits
- F. Promoting inclusive public participation
- G. Minority representation on planning and advisory bodies
- H. Providing meaningful access to Limited-English Proficient (LEP) persons

A. PROVIDING TITLE VI ASSURANCES

The ECWRPC Title VI Assurances, as signed in 2022, are included with this program in [Appendix B](#).

B. PREPARING AND SUBMITTING A TITLE VI PROGRAM

The following is a list of required contents of the Title VI Nondiscrimination Program and where the information can be found.

- Evidence of [Policy Approval](#) and [Log of Policy Updates](#) ([Appendix A](#))
- [Contact Information/Program Administration](#) ([Appendix A](#))
- [Public Notice of Nondiscrimination](#) ([Appendix B](#))
- [Discrimination Complaint Procedure](#) and [Complaint Form](#) ([Appendix B](#))
- Complaint Log ([Appendix B](#))
- [Public Participation Plan](#)
- [Demographic Representation](#) on Planning and Advisory Bodies
- [Demographic Maps and Analysis of Impacts](#)
- [Limited-English Proficiency \(LEP\) Plan](#) and LEP Tools
- Translated Vital Documents in Hmong and Spanish

C. NOTIFYING BENEFICIARIES OF PROTECTION UNDER TITLE VI

[FTA Title VI Circular 4702.1B](#) requires ECWRPC as a recipient of federal financial assistance to notify the public of its obligations under U.S. DOT Title VI regulations and the protections against discrimination afforded to them by Title VI.

Title VI regulations require ECWRPC to inform the public of their rights under Title VI by posting a *Notice of Nondiscrimination*. The *Notice of Nondiscrimination* should be posted in the following locations: agency website, public area(s) of the agency office, and as applicable, inside vehicles, rider guides/schedules, and transit shelters/facilities.

The public notice must include a statement of nondiscrimination, information on how to request additional information about the agency's Title VI obligations, including information on how to file a complaint, the location of the complaint form, etc., and information on how to request Title VI information in another language.

ECWRPC's *Notice of Nondiscrimination* is provided in the following locations:

- Agency website: www.ecwrpc.org
- Agency office: ECWRPC, 400 Ahnaip St Suite 100, Menasha, WI 54952

In English versions of the *Notice of Nondiscrimination*, a sentence is included in Spanish and Hmong to contact the ECWRPC at (920) 751-4770 if additional information is needed in another language.

To view a copy of ECWRPC's *Notice of Nondiscrimination*, please see [Appendix B](#).

ECWRPC's *Notice of Nondiscrimination* is translated in Hmong and Spanish.

D. DEVELOPING TITLE VI/NON-DISCRIMINATION COMPLAINT PROCEDURES AND COMPLAINT FORM

ECWRPC, as a subrecipient of federal financial assistance, must develop a procedure for investigating, tracking, and resolving Title VI/Nondiscrimination and LEP complaints and make the procedures available to the public upon request.

Any person, group, or firm that believes it has been discriminated against on the basis of race, color, national origin, disability, sex, age, religion, income status, or limited-English proficiency (LEP) by ECWRPC may file a civil rights complaint.

The scope of civil rights complaints covers all internal and external ECWRPC activities. Adverse impacts resulting in civil rights complaints can arise from many sources including the delivery of programs and services, or advertising, bidding, and contracts.

Complaints can originate from individuals or firms alleging inability to bid upon or obtain a contract with the ECWRPC for the furnishing of goods and services. Examples may include advertising for bid proposals, prequalification, or qualification requirements, bid awards, and/or selection of contractors, subcontractors, vendors, consultants, etc.

Complaints can also originate as a result of project and program impacts on individuals or groups such as access to programs, activities, and services.

ECWRPC's *Complaint Procedure* and *Complaint Form* are shown in [Appendix B](#) and are made available in the following locations:

- Agency website: www.ecwrpc.org
- Agency office: ECWRPC, 400 Ahnaip St Suite 100, Menasha, WI 54952

The ECWRPC's Complaint Procedure and Complaint Form are translated in Hmong and Spanish.

E. COMPLAINT LOG

Civil Rights Investigations

Recipients of federal financial assistance are required to maintain a list of any complaints alleging discrimination. The list shall include the date the civil rights complaint, investigation, or lawsuit was filed, a summary of the allegation(s), the status of the complaint, investigation, or lawsuit, actions taken by the recipient in response, and final findings related to the complaint, investigation, or lawsuit.

[Appendix B](#) includes ECWRPC's procedure and tracking mechanism to investigate, track, and resolve civil rights complaints.

Since the last update of ECWRPC's 2020 Title VI/Nondiscrimination Program and LEP Plan, there have been no transportation-related civil rights investigations, complaints, or lawsuits filed with the ECWRPC.

F. PROMOTING INCLUSIVE PUBLIC INVOLVEMENT

Recipients of federal financial assistance are required to develop a public involvement plan that includes outreach strategies and participation techniques to engage the public including minority, low-income, and limited English proficient (LEP) populations, as well as a summary of outreach efforts made since the last Title VI/Nondiscrimination and Plan.

While traditional means of seeking public involvement may not reach all individuals, or might not allow for meaningful avenues of input, the intent of this effort is to take reasonable actions to provide opportunities for historically under-served populations to participate in transportation decision making efforts.

Per [FTA Circular 4702.1B, Chapter VI-3 \(Planning\)](#), ECWRPC works to ensure its members of minority communities are provided with full opportunities to engage in the transportation planning process. This includes actions to eliminate language, mobility, temporal, and other obstacles to allow these populations to participate fully in the process.

Examples of ECWRP's efforts to pursue meaningful and continued public participation are outlined in the three categories of transportation planning listed below in order to determine the region's transportation vision and future goals.

- Implementing policy (e.g., Public Participation Plan)
- Developing and amending plans and programs (e.g., Transportation Improvement Program, Comprehensive Plan)
- Conducting general transportation plans and studies (e.g., corridor studies and multimodal plans such as bicycle and pedestrian plans)

ECWRPC, as the staff for the Fond du Lac MPO, maintains and conducts its planning activities in accordance with a [Public Participation Plan \(PPP\)](#), available on the ECWRPC website. The ECWRPC's Title VI Program is integrated into the PPP by reference.

G. DEMOGRAPHIC REPRESENTATION ON PLANNING AND ADVISORY BODIES

ECWRPC understands that diverse representation on boards, councils, and committees help results in sound policy reflective of the needs of the entire population. [FTA Title VI Circular 4702.1B](#) requires recipients which have transportation-related, non-elected boards, advisory council or committees, or similar bodies, to report membership of these committees broken down by race and include a description of efforts made to encourage the participation of minorities on these committees.

The Public Participation Plan outlines the organizational structure of the Fond du Lac MPO. There are two committees related to the Fond du Lac Metropolitan Planning Organization (MPO): the Fond du Lac MPO Technical Advisory Committee (TAC) and the Fond du Lac MPO Policy Board. ECWRPC staffs the Fond du Lac MPO; however, the Fond du Lac MPO has its own Policy Board. As the highest authority, the Policy Board makes the final approvals. The TAC serves in an advisory role by reviewing, prioritizing, and recommending policies, projects, plans, and programs to the Fond du Lac MPO Policy Board.

The public is invited to attend any of the committee meetings of the TAC or MPO Policy Board. Participation by all groups is encouraged on the advisory committees as outlined in the Public Participation Plan. Contacts are maintained in email distribution lists.

Demographic representation on Fond du Lac MPO committees is illustrated in **Table 1**. The makeup of the committee members is set forth in the Fond du Lac MPO's bylaws. The Fond du Lac MPO recognizes that this composition is not reflective of the minority representation of the planning area. As such, the Fond du Lac MPO seeks opportunities to engage community members in the planning process through public engagement and outreach. Additionally, there are opportunities to involve more people in ad hoc committees and focus groups, and ECWRPC staff put an emphasis on ensuring historically underserved populations or partner organizations have opportunities to be a part of these groups.

Table 1: Ethnic and Racial Composition of Fond du Lac MPO Planning Area and Committees

Committee	Race/Ethnicity							
	Hispanic or Latino	White Alone	Black or African American Alone	Asian Alone	American Indian or Alaska Native Alone	Native Hawaiian and Other Pacific Islander Alone	Some Other Race	Two or More Races
Planning Area	8.58	83.99	3.51	1.69	0.62	0.02	3.99	6.19
Policy Board	0.0	100.0	0.0	0.0	0.0	0.0	0.0	0.0
Technical Advisory Committee (TAC)	0.0	100.0	0.0	0.0	0.0	0.0	0.0	0.0

Note: Percent composition. Source: ESRI 2022

H. PROVIDING MEANINGFUL ACCESS TO LIMITED-ENGLISH PROFICIENT PERSONS

As a recipient of federal USDOT funding, ECWRPC is required under Title VI of the Civil Rights Act of 1964 and Executive Order 13166 to develop and implement a plan to ensure accessibility to its programs and services for persons who are not proficient in the English Language.

Please see the [Limited-English Proficiency Plan](#) included in this document.

Demographic Profile, Procedures, and Impacts

As part of the Title VI Program, the ECWRPC monitors and tracks statistical demographic data as it becomes available on race, age, language spoken, income level, persons with disabilities, and sex of the population of the ECWRPC area.

A. DEMOGRAPHIC PROFILE

Underrepresented Racial and Ethnic Groups

In 2022, the minority population in the Fond du Lac MPO is approximately 16.01% (**Table 2**).

A minority person in the MPO planning area is defined as a person who identifies as Hispanic and/or a racial group other than White Alone. The minority percentages for the Fond du Lac MPO are provided in **Table 2**.

There are 64,122 residents within the Fond du Lac MPO planning area. As sourced from Esri 2022, Hispanic Origin minorities make up 8.27% of the planning area population. **Map 1-C** shows the tracts of high percentage minority populations relative to the planning area. **Map 2-C** represents the distribution of Hispanic or Latino populations in the planning area. These maps also feature Transportation Improvement Program (TIP) projects within a ½-mile buffer and transit-fixed routes within a ¼-mile buffer. This allows for the ECWRPC and communities to examine the distribution of federal funds throughout the MPO. These maps also demonstrate areas where projects may have a disproportionate impact on communities. To date, ECWRPC has not received any complaints about the potential

environmental justice impacts of TIP-programmed projects within the Fond du Lac MPO. Comments may be directed [here](#).

The new census designation of Two or More Races complicates this analysis when compared to previous data. The 2020 Census was the first decennial census that allowed individuals to self-identify with more than one race. This new designation may cause decreases in representation in other categories.

Table 2: Fond du Lac MPO Distribution of White and Minority Populations

	Total Population Estimate	White alone	Black or African American alone	American Indian and Alaska Native alone	Asian alone	Native Hawaiian and Other Pacific Islander alone	Some other race	Two or more races:	Hispanic Origin (Any Race)
Fond du Lac MPO	64,122								
	%	83.99	3.51	0.62	1.69	0.02	3.99	6.19	8.27

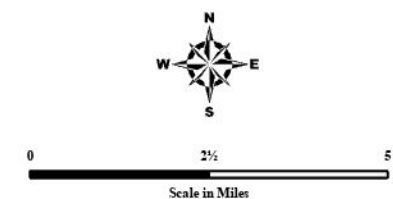
Source: Esri 2022

Map 1-C Fond du Lac MPO Minority Populations (by Census Tract)

Transportation Improvement Program (TIP):
Short Range Projects 2023-2026

- TIP projects less than 1/2 mi.
- TIP projects greater than 1/2 mi.
- Fixed Transit Route
- 1/4 Mile Transit Buffer
- Percent of Minority Population**
 - < 10.0%
 - 10.1% - 15.0%
 - 15.1% - 20.0%
 - 20.1% - 25.0%
 - > 25.0%
- Urbanized Area Boundary
- Planning Area Boundary

Source: Base data provided by ECWRPC counties.
Population data obtained from the 2017-2021 ACS 5 Year Estimates - US Census



This data was created for use by the East Central Wisconsin Regional Planning Commission Geographic Information System. Any other use/application of this information is the responsibility of the user and such use/application is at their own risk. East Central Wisconsin Regional Planning Commission disclaims all liability regarding fitness of the information for any use other than for East Central Wisconsin Regional Planning Commission business.

PREPARED SEPTEMBER 2023 BY:



Map 2-C Fond du Lac MPO Hispanic Populations (by Census Tract)

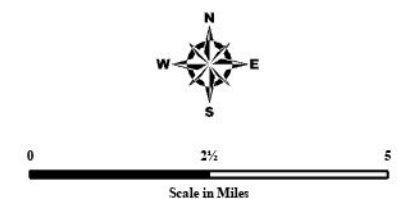
Transportation Improvement Program (TIP):
Short Range Projects 2023-2026

- TIP projects less than 1/2 mi.
- TIP projects greater than 1/2 mi.
- Fixed Transit Route
- 1/4 Mile Transit Buffer

Percent of Population that is Hispanic or Latino

- < 10.0%
- 10.1% - 15.0%
- 15.1% - 20.0%
- 20.1% - 25.0%
- > 25.0%
- Urbanized Area Boundary
- Planning Area Boundary

Source: Base data provided by ECWRPC counties.
Population data obtained from the 2017-2021 ACS 5 Year Estimates - US Census



This data was created for use by the East Central Wisconsin Regional Planning Commission Geographic Information System. Any other use/application of this information is the responsibility of the user and such use/application is at their own risk. East Central Wisconsin Regional Planning Commission disclaims all liability regarding fitness of the information for any use other than for East Central Wisconsin Regional Planning Commission business.

PREPARED SEPTEMBER 2023 BY:



Low Income Populations

U.S. Census calculates a person's poverty status by comparing a person's total family income in the last 12 months with the poverty threshold appropriate for that person's family size and composition. Poverty thresholds are determined by multiplying the 1982 poverty threshold (Poverty Thresholds in 1982, by Size of Family and Number of Related Children Under 18 Years Old (Dollars)) by the inflation factor. **Table 3** outlines the distribution of poverty by age category and sex in Fond du Lac County. **Map 3-C** depicts the Fond du Lac MPO boundary over the distribution of population in poverty. **Map 4-C** depicts the Fond du Lac MPO boundary over households making less than \$25,000. These maps also feature Transportation Improvement Program (TIP) projects within a ½-mile buffer and transit-fixed routes within a ¼-mile buffer. This allows ECWRPC and communities to examine the distribution of federal funds throughout the MPO. These maps also demonstrate areas projects may have a disproportionate impact on communities.

Table 3: Fond du Lac County Distribution of Populations in Poverty

		Poverty Totals by Age									Poverty Totals by Sex	
		Under 18 years	Under 5 years	5 to 17 years	Related children of householder under 18 years	18 to 64 years	18 to 34 years	35 to 64 years	60 years and over	65 years and over	Male	Female
Fond du Lac County Population	100,453	21,805	5,282	16,523	21,679	60,138	18,912	41,226	26,000	18,510	50,293	50,160
Population Below Poverty	8,515	2,815	844	1,971	2,689	4,261	1,937	2,324	1,992	1,439	3,757	4,758
% Population Below Poverty	8.5	12.9	16	11.9	12.4	7.1	10.2	5.6	7.7	7.8	7.5	9.5

Source: 2021 ACS 5-Year Estimates - S1701

Map 3-C Fond du Lac MPO Population in Poverty (by Census Tract)

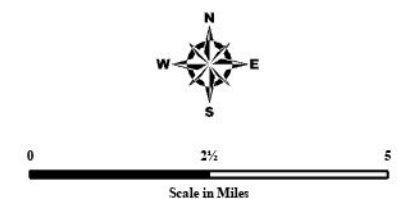
Transportation Improvement Program (TIP):
Short Range Projects 2023-2026

- TIP projects less than 1/2 mi.
- TIP projects greater than 1/2 mi.
- Fixed Transit Route
- 1/4 Mile Transit Buffer

Percent of Population Below Poverty Level

- < 10.0%
- 10.1% - 15.0%
- 15.1% - 20.0%
- 20.1% - 25.0%
- > 25.0%
- Urbanized Area Boundary
- Planning Area Boundary

Source: Base data provided by ECWRPC counties.
Population data obtained from the 2017-2021 ACS 5 Year Estimates - US Census



This data was created for use by the East Central Wisconsin Regional Planning Commission Geographic Information System. Any other use/application of this information is the responsibility of the user and such use/application is at their own risk. East Central Wisconsin Regional Planning Commission disclaims all liability regarding fitness of the information for any use other than for East Central Wisconsin Regional Planning Commission business.

PREPARED SEPTEMBER 2023 BY:



Map 4-C Fond du Lac MPO Household Income <\$25,000 (by Census Tract)

Transportation Improvement Program (TIP):
Short Range Projects 2023-2026

- TIP projects less than 1/2 mi.
- TIP projects greater than 1/2 mi.

— Fixed Transit Route

○ 1/4 Mile Transit Buffer

Percent of Households with Income Less Than \$25,000

< 10.0%

10.1% - 15.0%

15.1% - 20.0%

20.1% - 25.0%

> 25.0%

Urbanized Area Boundary

Planning Area Boundary

Source: Base data provided by ECWRPC counties.
Household data obtained from the 2017-2021 ACS 5 Year Estimates - US Census



0 2 5
Scale in Miles

This data was created for use by the East Central Wisconsin Regional Planning Commission Geographic Information System. Any other use/application of this information is the responsibility of the user and such use/application is at their own risk. East Central Wisconsin Regional Planning Commission disclaims all liability regarding fitness of the information for any use other than for East Central Wisconsin Regional Planning Commission business.

PREPARED SEPTEMBER 2023 BY:



Mobility Needs

To ensure members of underrepresented racial, ethnic, and disabled communities are provided with full opportunities to engage in the planning process, ECWRPC takes the following actions:

- To every extent possible, locate meeting venues in proximity to transit access and bicycle/pedestrian facilities.
- Work with partner organizations to assist with outreach to underrepresented racial, ethnic, low-income, and differently-abled populations.
- To the extent practicable, offer translators and/or translation services.
- Work to host meetings at easy-to-access locations and/or “bring the meeting” to where people already are (such as libraries).

B. PROCEDURES FOR THE PLANNING PROCESS

The procedures by which the mobility needs of minority populations are identified and considered in ECWRPC planning processes include public engagement and GIS analysis:

- An environmental justice analysis using GIS is completed annually for the Transportation Improvement Program (TIP), which includes maps showing the proximity of transportation projects to tracts identified as having a high percentage of minority, LEP, and low-income persons, along with other transportation-disadvantaged populations (zero-vehicle households). This analysis is also done every five years for the update of the long-range land use transportation plans for the Fond du Lac MPO. This analysis is also becoming a standard analysis for transportation-based plans, including the Fond du Lac MPO bicycle and pedestrian plan (anticipated adoption in 2024).
- The Fond du Lac MPO collaborates with partner organizations, staff, and leaders throughout the communities within the service area. This collaboration ensures our planning efforts align with the vision of our communities, and the perspective from partner organizations and local staff provides further guidance on how to gather meaningful input from vulnerable populations.

C. ANALYSIS OF IMPACTS OF THE DISTRIBUTION OF STATE AND FEDERAL TRANSIT FUNDS

[FTA Circular 4702.1B](#), Title VI Requirements and Guidelines for Federal Transit Administration Recipients, discusses the need for MPO Title VI Plans to analyze the distribution of state and federal funds in aggregate for transportation purposes and to identify any disparate impact on the basis of race, color or natural origin.

Further, the U.S. Department of Transportation identifies three fundamental [Environmental Justice Strategies](#), which need to be addressed in the planning and programming of transportation projects:

- ✓ To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority and low-income populations;
- ✓ To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process; and

- ✓ To prevent denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

Table 4 illustrates the distribution of state and federal transit funds as reported in the [2023-2026 Transportation Improvement Program](#).

Table 4: 2023-2026 TIP Distribution of State and Federal Investment

PROJECT DESCRIPTION	RECIPIENT	TIP #	Jan-Dec 2023 0	Jan-Dec 2024 0	Jan-Dec 2025 0	Jan-Dec 2026 0
Operating Assistance/ Section 5307	FDLAT					
Directly Operated-Fixed Route Expenses			\$2,170	\$2,213	\$2,257	\$2,302
Revenues			265	268	270	275
Deficit			1905	1945	1987	2027
Federal Share w/CARES/ARPA		443-23-002	921	902	928	852
State Share			458	511	521	531
Other Local			316	322	328	335
Municipal Local Share			210	210	210	309
Purchased Transp.-Paratransit	FDLAT					
Expenses			\$277	\$280	\$286	292
Revenues			70	75	80	85
Deficit			207	205	206	207
Federal Share		443-23-003	95	96	97	98
State Share			54	54	55	55
Contract Local			32	32	32	32
Municipal Local Share			26	23	22	22
Capital Projects			2023	2024	2025	2026
Section 5307 & 5339 Funds						
Standard 30' Transit Bus Replacements (2)	FDLAT					
Federal Share		443-23-004	880			
Local Share			220			
Section 5339						
Small Bus Replacement	FDLAT	443-23-005	123	126	128	130
Radio System	FDLAT	443-23-006	40			
Total Cost:			\$1,223	\$126	\$128	\$130
Federal Share:			1010	101	102	104
Local Share:			350	25	26	26

The following list of Transportation Improvement Program projects is linked to the ECWRPC's [online map](#), as the projects relate to areas with a higher percentage of Environmental Justice populations (minority, low-income, LEP, or disabled). These projects may have greater impacts on communities when they involve expansion or work beyond the roadway itself.

- 443-19-028: Bridge Rehabilitation, I-41 from Fond du Lac to Oshkosh
- 443-20-018: Bridge Rehabilitation, McKinley Street from Mosher Creek Bridge
- 443-21-015: Resurface, I-41 from CTH D to WIS 26
- 443-22-016: Reconstruction, Minnesota Avenue from Chapleau St. to Anne St.
- 443-23-001: Reconstruction, W. Scott Street from CTH OOO Overpass

To date, ECWRPC has not received any Environmental Justice complaints regarding these projects. ECWRPC continues to work with partner agencies to enhance communication with those who may be impacted by these projects.

Limited-English Proficiency (LEP) Plan

Overview

As a subrecipient of federal financial assistance, ECWRPC is required to prepare a Limited-English Proficiency (LEP) Plan to address its responsibilities relating to the needs of individuals with limited English language skills.

This plan has been prepared in accordance with [Title VI of the Civil Rights Act of 1964, 42 U.S.C 2000d, et seq](#), and its implementing regulations which state that no person shall be subjected to discrimination on the basis of race, color, or national origin.

[Executive Order 13166 “Improving Access to Services for Persons with Limited English Proficiency,”](#) issued in 2000 clarified Title VI of the Civil Rights Act of 1964. It stated that individuals who do not speak English well and who have a limited ability to read, write, speak, or understand English are entitled to language assistance under Title VI in order to access public services or benefits for which they are eligible. While most individuals in Wisconsin read, write, speak, and understand English, there are some individuals for whom English is not their primary language. If these individuals have a limited ability to read, write, speak, or understand English, they are considered Limited English Proficient (LEP).

The US DOT [“Policy Guidance Concerning Recipients’ Responsibilities to LEP Persons”](#) discusses the concept of “safe harbor” with respect to the requirements for translation of written materials. The *Safe Harbor Threshold* is calculated by dividing the county population estimate for a language group that “Speaks English less than very well” by the total population of the county. The *LEP Safe Harbor Threshold* provision stipulates that for each LEP group that meets the LEP language threshold (5% or 1,000 individuals, whichever is less, of the population to be served) the ECWRPC must provide translation of vital documents (e.g., Notice of Nondiscrimination, Complaint Procedure and Complaint Form) in written format for the non-English users. Since the MPO exceeds the safe harbor threshold in Spanish it will work to translate its vital documents in Spanish via local translation services.

Recipients of federal financial assistance are also required to implement LEP plans in accordance with guidelines of the federal agency from which the funds are provided. The Federal Transit Administration (FTA) published [FTA Circular 4702.1B – Title VI Requirements and Guidance for FTA Recipients](#), provides guidance and instructions for carrying out US DOT FTA Title VI regulations.

Plan Summary

The ECWRPC has developed this *Limited-English Proficiency Plan* to identify reasonable steps for providing language assistance to persons with limited-English proficiency (LEP) who wish to access services provided by ECWRPC. This plan outlines how to identify a person who may need language assistance, how to notify LEP persons language assistance is available, the ways in which assistance may be provided, and staff training.

Plan Components

As a recipient of federal US DOT funding, ECWRPC is required to take reasonable steps to ensure meaningful access to programs and activities by LEP persons.

This plan includes the following elements:

- The results of the *Four Factor Analysis*, including a description of the LEP population(s), served.
- A description of services, monitoring, and training:
 - How language assistance services are provided.
 - How LEP persons are informed of the availability of language assistance services.
 - How the language assistance plan is monitored and updated.
 - How employees are trained to provide language assistance to LEP persons.

A. FOUR FACTOR ANALYSIS

To prepare this plan, ECWRPC conducted a four-factor analysis which considers:

- **Demography** of LEP persons who may be served or are likely to encounter an ECWRPC program or service.
- **Frequency** of contact with LEP persons.
- **Importance** of program to LEP persons.
- **Resources and costs** to provide LEP assistance.

1. Number of individuals who are LEP eligible or likely to be encountered by your federally funded program

ECWRPC staff reviewed the American Community Survey 5-Year Data (2017-2021) for the Fond du Lac MPO area by census tract to determine if it exceeds the Safe Harbor Threshold for any language group.

The Safe Harbor Threshold is calculated by dividing the population estimate for a language group that “Speaks English less than very well” by the total population of the county. The LEP Safe Harbor Threshold provision stipulates that for each LEP group that meets the LEP language threshold (5 percent or 1,000 individuals, whichever is less) ECWRPC must provide translation of vital documents in written format for the non-English users.

The ACS reports there are numerous languages spoken in the Fond du Lac MPO area including Spanish, Hmong, Hindi, French, German, Greek, Russian, Chinese, Japanese, and Korean. After English, the second largest language group identified is Spanish. **Table 5** depicts the languages Speaking English “less than very well” in the Fond du Lac MPO area.

The Fond du Lac MPO area’s total population (age five and above) that are of speaking age is 80,660. There are 1,056 persons who identified as Spanish speaking and speak English “less than very well.” This amount exceeds the Safe Harbor Threshold of 1,000 persons, which means ECWRPC is required to translate vital documents in Spanish. None of the other languages meet the Safe Harbor Threshold (1,000 persons or 5 percent of the population), which means ECWRPC, as the staff for the Fond du Lac MPO, is not required to provide written translation of vital documents for these language groups. This means, at a minimum, ECWRPC has an obligation to insert a sentence in its Notice of

Nondiscrimination in Spanish that states “*if information is needed in another language contact (920) 751-4770.*” In addition, ECWRPC will make available a copy of its Title VI Complaint Procedure and Complaint Form in both Spanish and Hmong, which will be translated by a contracted translation service. Listed below is an analysis of the American Community Survey LEP data for the Fond du Lac MPO area.

Table 5: 2021 Fond du Lac MPO Population Speaking English “Less Than Very Well”

	Estimate	Safe Harbor Threshold	
		5% of Total	1,000 Individuals
Fond du Lac MPO Total:	80,660		
Speak only English	76,026		
Spanish:	2,692		
Speak English "very well"	1,636		
Speak English less than "very well"	1,056	1.31%	x
French, Haitian, or Cajun:	64		
Speak English "very well"	64		
Speak English less than "very well"	0	0.00%	
German or other West Germanic languages:	402		
Speak English "very well"	304		
Speak English less than "very well"	98	0.12%	
Russian, Polish, or other Slavic languages:	112		
Speak English "very well"	97		
Speak English less than "very well"	15	0.02%	
Other Indo-European languages:	200		
Speak English "very well"	143		
Speak English less than "very well"	57	0.07%	
Korean:	23		
Speak English "very well"	23		
Speak English less than "very well"	0	0.00%	
Chinese (incl. Mandarin, Cantonese):	168		
Speak English "very well"	126		
Speak English less than "very well"	42	0.05%	
Vietnamese:	0		
Speak English "very well"	0		
Speak English less than "very well"	0	0.00%	
Tagalog (incl. Filipino):	111		
Speak English "very well"	86		
Speak English less than "very well"	25	0.03%	
Other Asian and Pacific Island languages:	621		
Speak English "very well"	472		
Speak English less than "very well"	149	0.18%	
Arabic:	39		
Speak English "very well"	39		
Speak English less than "very well"	0	0.00%	
Other and unspecified languages:	202		
Speak English "very well"	175		
Speak English less than "very well"	27	0.03%	

Source: 2021 American Community Survey 5-Year Estimates, Table C16001

Map 5-C depicts the Fond du Lac MPO boundary over language spoken at home. In addition to the MPO boundary, there are 2023-2027 TIP projects and transit fixed routes with a ¼ mile buffer. Inclusion of transit fixed routes and 2023-2027 TIP projects allow ECWRPC to determine the potential for disproportionately high adverse impacts to individuals speaking English less than “very well.” Further analysis of the TIP projects in relation to individuals speaking English less than “very well” do not propose a disproportionately high adverse impact compared to the general population.

2. Frequency that individuals with LEP come into contact with the program

ECWRPC staff reviewed the frequency with which its Commission, staff, and contractors have, or could have, contact with LEP persons. This includes documenting phone inquiries or office visits. To date, ECWRPC has had no requests for interpreters and no requests for translated program documents. ECWRPC staff and ECWRPC contractors have had very little contact with LEP persons.

ECWRPC staff will be oriented on what to do when they encounter a person that speaks English “less than very well.” ECWRPC will continue to track the number of encounters and consider adjusting as needed to provide outreach efforts to ensure meaningful access to all persons, specifically LEP and underrepresented racial, ethnic populations.

Limited English Proficiency tools can be found in [Appendix C](#). The Log of LEP Encounters is to be used to record LEP encounters when/if they occur. If a language barrier were to exist, ECWRPC would work to provide a reasonable accommodation. The “*I Speak*” *Language Identification Card* is used by ECWRPC staff to assist LEP individuals. The “*I Speak*” *Language Identification Card* includes languages spoken in the ECWRPC planning area as identified by U.S. Census data. Languages can be added or removed to match the demographics of ECWRPC’s service area.

3. Nature and importance of program to individuals with LEP

Across the whole ECWRPC region, 94 percent of the population of speaking age (5 years and older) speaks only English. This single-language history makes it important to be intentional about reaching out to all community members and leadership organizations to ensure information about public projects and services is conveyed in ways that do not exacerbate underrepresentation of people who speak any of the other languages spoken throughout the region, including Spanish and Hmong. ECWRPC staff has access to interpreter and translation services for documents and in-person events.





4. Resources available and costs to the program

ECWRPC has reviewed its available resources that could be used for providing LEP assistance. The resources include a translation serve and partner organizations.






Even though ECWRPC does not have a separate budget for LEP outreach, it continuously explores ways to implement cost effective methods of notifying LEP persons. Outreach efforts include working with partner organizations to inform them of planning efforts and public engagement opportunities, participating at community events, and holding public input sessions at local libraries and at locations with access to transit and multimodal facilities.



Map 5-C
Fond du Lac MPO
Language Spoken at Home
(by Census Tract)

Transportation Improvement Program (TIP):
Short Range Projects 2023-2026

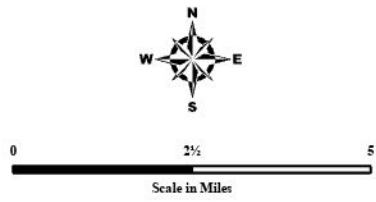
-  TIP projects less than 1/2 mi.
-  TIP projects greater than 1/2 mi.
-  Fixed Transit Route
-  1/4 Mile Transit Buffer

Percent of population age 5 years and over in
limited English households

-  < 2.0%
-  2.1% - 5.0%
-  5.1% - 10.0%
-  10.1% - 20.0%
-  > 20.0%

-  Urbanized Area Boundary
-  Planning Area Boundary

Source: Base data provided by ECWRPC counties.
Population data obtained from the 2017-2021 ACS 5 Year Estimates - US Census



This data was created for use by the East Central Wisconsin Regional Planning Commission Geographic Information System. Any other use/application of this information is the responsibility of the user and such use/application is at their own risk. East Central Wisconsin Regional Planning Commission disclaims all liability regarding fitness of the information for any use other than for East Central Wisconsin Regional Planning Commission business.

PREPARED SEPTEMBER 2023 BY:



B. HOW LANGUAGE SERVICES ARE PROVIDED

If a person does not speak English as their primary language and is LEP, that person may be entitled to language assistance with respect to ECWRPC's programs and services. Language assistance can include interpretation and/or translation from one language into another language. Although there is a low percentage of LEP individuals within ECWRPC's region, ECWRPC will strive to offer the following measures:

- ECWRPC staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating in English.
- The following resources will be available to accommodate LEP persons:
 - interpretive services, within reason, will be provided for public meetings if advance notice is provided to ECWRPC and such services are readily available; and
 - ECWRPC will make translated versions (or provide for the interpretation of relevant sections) of all documents/publications available upon request, within a reasonable time frame and if resources permit.

C. HOW LEP PERSONS ARE INFORMED

ECWRPC does the following to inform LEP persons of the language availability of language assistance programs.

- Review outreach activities and the frequency of contact with LEP individuals to determine whether additional language assistance services are needed.
- Work with translation services as necessary to assist with the development of bilingual outreach materials.
- Utilize [Wisconsin Relay](https://wisconsinrelay.com/relay-services/introducing-relay-service/) 7-1-1, the State of Wisconsin resource to assist with communication needs: <https://wisconsinrelay.com/relay-services/introducing-relay-service/>.

D. HOW LEP PLAN IS MONITORED AND UPDATED

ECWRPC has an internal Equity and Opportunity workgroup that is dedicated to ensuring equal opportunity to ECWRPC-related services.

Review and updates will include the following:

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area.
- Determine whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet the need.
- Determine whether ECWRPC's financial resources are sufficient to fund the language assistance resources needed.
- Determine whether ECWRPC fully complies with the goals of this LEP process.
- Determine whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.

E. HOW STAFF ARE TRAINED

The following training will be provided to ECWRPC staff:

- Information on the ECWRPC Title VI Non-Discrimination Plan and LEP responsibilities.
- Description of language assistance services offered to the public.
- Documentation of language assistance requests.
- How to handle a potential Title VI/LEP complaint.

F. DISSEMINATION OF LEP PLAN

The Fond du Lac MPO and ECWRPC staff will make good faith efforts to notify the public that a LEP Plan and language assistance is available by:

- Posting notices in English, Spanish, and Hmong on the ECWRPC website.
- Posting the Plan to the ECWRPC website.
- Emailing our Public Notice List that the *Title VI Non-Discrimination Program and Limited-English Proficiency Plan* is available. The email includes statements for assistance in English, Spanish, and Hmong.

The *Title VI Non-Discrimination Program and Limited-English Proficiency Plan* is currently only available online as a PDF. When the website is updated in 2024, ECWRPC staff will work to provide the LEP Plan as HTML so that LEP persons can access the Plan using the Translate tool included in our website.

APPENDIX A



Appendix A: Title VI Approvals and Administration

Resolution Approving Title VI Plan

RESOLUTION NO. 06-23

ADOPTING THE 2023 TITLE VI NON-DISCRIMINATION PROGRAM AND LIMITED ENGLISH PROFICIENCY PLAN FOR THE FOND DU LAC METROPOLITAN PLANNING ORGANIZATION

WHEREAS, the City of Fond du Lac was designated by the Governor as the Metropolitan Planning Organization for the Fond du Lac, Wisconsin Urbanized Area, and;

WHEREAS, the Fond du Lac MPO Policy Board, with representation from all jurisdictions within the Urbanized Area, has the responsibility to direct, coordinate, and administer the transportation planning process in the urbanized area, and;

WHEREAS, the Fond du Lac Metropolitan Planning Organization (MPO), staffed by East Central Wisconsin Regional Planning Commission (Commission) is a Sub-Recipient of federal aid funds and must assure that all of the requirements provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 are met, so that no person 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, and;

WHEREAS, the Sub-Recipient further assures every effort will be made to ensure non-discrimination in all of its programs and activities, whether those programs or activities are federally funded or not, and;

WHEREAS, the Commission established a Title VI Coordinator position in 2009 with the authority and responsibility for initiating and monitoring recipient Title VI Program activities, preparing reports and other responsibilities as required by 23 Code of Federal Regulations (CFR) 200 and 49 Code of Federal Regulation 21, and;

WHEREAS, pursuant to 23 CFR 200, the Fond du Lac MPO has prepared a Title VI Program Plan that includes assurances consistent with 49 CFR Part 21.7 and the Sub-Recipient's organizational chart illustrating the level and placement of the Title VI Coordinator, and;

WHEREAS, the recommendations submitted by the Wisconsin Department of Transportation have been incorporated into the final Fond du Lac MPO Title VI Non-discrimination Program and Limited English Proficiency Plan.

NOW THEREFORE, BE IT RESOLVED BY THE FOND DU LAC MPO

Section 1: That the Fond du Lac MPO Policy Board adopts the 2023 Title VI Non-Discrimination Program and Limited English Proficiency Plan submitted to the Wisconsin Department of Transportation required for all Sub-Recipients to assure that every segment of the population has equal access to services and programs provided by the Commission as prescribed by Title VI of the Civil Rights Act and Title II of the Americans with Disabilities Act.

Effective Date: October 4, 2023

Prepared for: Fond du Lac Policy Board

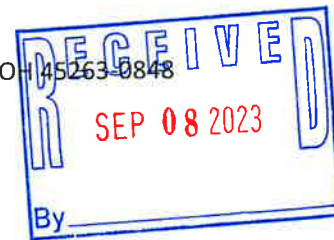
Prepared By: Kim Biedermann, Principal Transportation Planner | Title VI Coordinator



Ms. Dyann Benson, Chair, Policy Board
Fond du Lac Metropolitan Planning Organization



Attest:
East Central Wisconsin Regional Planning
Commission



PROOF OF PUBLICATION

NING COMM EAST CENTRAL WI PLAN
Commission
East Central Wi Planning Comm
400 Ahnaip St Ste 100
Menasha WI 54952-3388

STATE OF WISCONSIN, COUNTY OF BROWN

I being duly sworn, doth depose and say that I am an authorized representative of The Reporter, a daily newspaper published in the city of Fond du Lac, Wisconsin; and that an advertisement of which the annexed is a true copy, taken from said paper, has been published in said newspaper in the issues dated:

09/03/2023

That said newspaper was regularly issued and circulated on those dates and that the fees charged are legal.

Sworn to and subscribed before on 09/03/2023



Legal Clerk



Notary, State of WI, County of Brown

4-6-27

My commission expires

Publication Cost: \$48.58

Order No: 9234819

of Copies:

Customer No: 1012891

1

PO #:

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

DENISE ROBERTS
Notary Public
State of Wisconsin

NOTICE OF PUBLIC REVIEW
OPPORTUNITY TO REVIEW THE FOND
DU LAC METROPOLITAN PLANNING
ORGANIZATION TITLE VI NON-
DISCRIMINATION PLAN AND LIMITED
ENGLISH PROFICIENCY PROGRAM
East Central Wisconsin Regional
Planning Commission is now accepting
comments on the Title VI Non-
Discrimination Plan and Limited English
Proficiency Program for the Fond du Lac
Metropolitan Planning Organization
(MPO).

The Fond du Lac MPO Title VI Non-
Discrimination Plan is intended to ensure
that no person shall, on the grounds of
race, color, or national origin as provided
by the Title VI of the civil Rights Act of
1964 and the Civil Rights Restoration Act
of 1987 (P.L. 100.259), be excluded from
participation in, be denied the benefits of,
or be otherwise subjected to
discrimination under any MPO-sponsored
program or activity. A Title VI Non-
Discrimination Plan protects anyone
intended to be the beneficiary of,
applicant for, or participant in a federally-
assisted program. ECWRPC assures
every effort will be made to ensure non-
discrimination in all of its programs and
activities, whether those programs and
activities are federally funded or not.

The Fond du Lac MPO Limited English
Proficiency Program has been prepared
to address its responsibilities as recipient
of federal financial assistance as they
relate to the needs of individuals with
limited English language skills. The plan
has been prepared in accordance with
Title VI of the civil Rights Act of 1964, 42
U.S.C. 2000d, et seq, and its
implementing regulations, which state
that no person shall be subjected to
discrimination on the basis of race, color,
or national origin.

East Central Wisconsin Regional
Planning Commissions serves as staff to
the Fond du Lac Planning Organization.
ECWRPC is seeking comments on the
Title VI Non-Discrimination Plan and
Limited English Proficiency Program.
Comments will be accepted from
September 3, 2023 to October 2, 2023.

The Fond du Lac Title VI Non-
Discrimination Plan and Limited English
Proficiency Program can be located on
ECWRPC's website at
<https://www.ecwrpc.org/about-ecwrpc/title-vi/>

Comments can be
provided to staff@ecwrpc.org.

Run: September 3, 2023 WNAXLP

Log of Policy Updates

ECWRPC will review its policy on an annual basis to determine if modifications are necessary. **Table 6** is current as of this approval and will be used to record future updates.

Table 6: Log of Policy Updates

Date	Activity (Review/Update/Addendum/ Adoption/Distribution)	Person Responsible	Remarks/Notes
10/17/2023	Update approved by Policy Board; noticed and posted to website (NOTE: This is the first edition of a separate Fond du Lac MPO Plan, as ECWRPC plan had been utilized for Fox Cities, Oshkosh, and Fond du Lac MPO's previously.)	Kim Biedermann	Plan revisions include reviewing and analyzing LEP encounters, US Census data, providing a status update on investigations, and lawsuits, public outreach efforts.
10/18/2020	Update approved by Policy Board; noticed and posted to website	Kim Biedermann	Plan revisions include reviewing and analyzing LEP encounters, US Census data, providing a status update on investigations, and lawsuits, public outreach efforts.
9/20/2017	Update approved by Policy Board; noticed and posted to website	Nick Musson (no longer with organization)	Plan revisions include reviewing and analyzing LEP encounters, US Census data, providing a status update on investigations, and lawsuits, public outreach efforts.
11/19/2014	First Plan approved by Policy Board; noticed and posted to website.	Walt Raith	

Contact Information and Program Administration

MPO/RPC Title VI/ADA Coordinator

MPO/RPC Title VI / ADA Tus Kws Lis Haujlwm

Coordinador de Título VI / ADA de MPO/RPC

Kim Biedermann, Principal Transportation Planner

400 Ahnaip Street, Suite 100
Menasha, WI 54952
920.751.4770
kbiedermann@ecwrpc.org

APPENDIX B



**FHWA SUBRECIPIENT
TITLE VI/NONDISCRIMINATION ASSURANCES
FFY 2023**

Introduction

All recipients of federal funds must comply with Title VI of the Civil Rights Act of 1964 and other Nondiscrimination statutes that afford legal protections. The Wisconsin Department of Transportation (WisDOT) is a recipient of Federal Highway Administration (FHWA) financial assistance committed to ensuring nondiscrimination in all WisDOT programs and activities as demonstrated in our signed assurances and Title VI Implementation Plan. Because WisDOT directly or indirectly extends FHWA funds to you, your organization is an FHWA Subrecipient that is required to provide the same Title VI commitment, assurances and plan.

WisDOT is responsible for annual monitoring and reporting of the activities of its FHWA Subrecipients to verify compliance with Title VI of the Civil Rights Act of 1964 and other nondiscrimination statutes and regulations (hereinafter termed “Acts and Regulations”) and to validate continued eligibility for FHWA financial assistance. The contents of this two-part ***TITLE VI ASSURANCES and IMPLEMENTATION PLAN AGREEMENT*** are the framework that assures organizational awareness, an implementation plan, and effectuating compliance with the Acts and Regulations.

This document must be signed by the highest responsible official in the Subrecipient’s organization, typically the Executive Director, because the signed copy of this document is a binding legal agreement between WisDOT and the Subrecipient organization.

- The first Section entitled ***Part 1: Title VI Assurances*** is consistent with US Department of Transportation Order Number 1050.2A, *Standard Title VI/Non-Discrimination Assurances*.
 - Be advised that the official signing these Assurances must appoint and/or identify an individual as Title VI Coordinator as required by 23 Code of Federal Regulations (CFR) 200 and 49 CFR 21, who shall be responsible for data collection and analysis, and data submission to WisDOT. Your signature on the attached document confirms that the listed appointee has the authority and resources to fulfill the requirements of the *WisDOT Title VI Implementation Plan*.
- The second Section entitled ***Part 2: Implementation Plan Agreement*** outlines your organization’s Title VI activities, data collection, and reporting; the signed agreement serves as your organization’s *submission of its implementation plan*.

Note that signature and submission of the attached documents are only applicable to FHWA Title VI compliance. If your organization is subject to Title VI compliance requirements for other USDOT operating administrations or other federal fund recipients, you are encouraged to review the requirements of each entity to ensure active implementation and assure compliance with appropriate, separate submissions.

INSTRUCTIONS for Part 1: TITLE VI ASSURANCES

1. Fill-in all blanks with the appropriate information (search for the word “Click” to find all blanks).
2. The following *Assurances* must be signed, on page 7, by the highest responsible official in your agency/organization.
3. Promptly submit the following document, completed, signed and scanned to the Wisconsin Department of Transportation, attention Taqwanya Smith taqwanya.smith@dot.wi.gov

If you need assistance, please contact Taqwanya smith by email taqwanya.smith@dot.wi.gov or phone at (608) 266-8129.

The following pages are the required Title VI Assurances to be signed and returned.

**FHWA SUBRECIPIENT
TITLE VI/NONDISCRIMINATION ASSURANCES
FFY 2023**

The following **Part 1: Title VI Assurances** document is a legally binding agreement between the Wisconsin Department of Transportation (WisDOT) and Fond du Lac MPO and East Central Wisconsin Regional Planning Commission, a WisDOT Subrecipient of Federal Highway Administration (FHWA) funds.

SUBRECIPIENT TITLE VI COORDINATOR FOR FHWA ACTIVITIES AND MONITORING:

NAME: Kim Biedermann Title: Principal Planner/Title VI Coordinator

ORGANIZATION: East Central Wisconsin Regional Planning Commission

MAILING ADDRESS: 400 Ahnaip Street, Suite 100; Menasha, WI 54952

EMAIL ADDRESS: kbiedermann@ecwrpc.org

PHONE: 920-751-4770 Fax : *[Click and type here to enter text]*

Name of the signatory on **Part 1: Title VI Assurances** (see Page No. 7): Dyann Benson, Fond du Lac MPO Policy Board Chair and Melissa Kraemer Badtke, Executive Director of East Central Wisconsin Regional Planning Commission

Does your organization require the approval of a Board or Commission to execute this **Part 1: Title VI Assurances** *(click on box to insert "X")*? Yes ☐ No ☒

If yes, provide date of expected Board or Commission approval: *[Click and type here to enter text]*

**FHWA SUBRECIPIENT
TITLE VI/NONDISCRIMINATION ASSURANCES
FFY 2023**

Title VI Policy Statement

The Fond du Lac MPO and East Central Wisconsin Regional Planning Commission, a WisDOT Subrecipient of FHWA funds, (hereinafter referred to as the “Subrecipient”) assures that no person shall, on the grounds of race, color, national origin or sex as provided by Title VI of the Civil Rights Act of 1964, Section 162 (a) of the Federal Aid Highway Act of 1973 (23 U.S.C. 324), and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The Subrecipient further assures every effort will be made to ensure non-discrimination in whether those programs and activities are federally-funded or not.

In other words, this organization has implemented procedures, policies and actions to ensure nondiscrimination in all of its programs and activities; and offers the signature of its highest official as a reasonable guarantee of compliance with all nondiscrimination laws and requirements.

Authorities

The above Title VI Policy Statement and the following provisions of these **Assurances** are provided under a range of federal Acts and Regulations [see 23 CFR 200.5(p)]. References to Title VI requirements and regulations are not solely limited Title VI of the Civil Rights Act of 1964. Where appropriate, “Title VI requirements” also refer to the civil rights provisions of other federal statutes and related implementation regulations to the extent that they prohibit discrimination on the grounds of race, color, national origin or sex in all its programs, activities and operations receiving federal financial assistance. The Title VI authorities are:

Nondiscrimination Acts

- **Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) provides:** No person in the United States shall, on the ground 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.
- **Section 162 (a) of the Federal Aid Highway Act of 1973 (23 U.S.C. 324) provides:** No person shall, on the ground of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance under this Title or carried on under this Title.
- **The Civil Rights Restoration Act of 1987 (P.L. 100-209), provides:** Clarification of the original intent of Congress in Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973. The Act restores the broad, institution-wide scope and coverage of the nondiscrimination statutes to include all programs and activities of Federal-aid recipients, sub-recipients, and contractors/consultants, whether such programs and activities are federally assisted or not.

Nondiscrimination Regulations

- 23 CFR 200, Title VI Program and Related Statutes-Implementation and Review Procedures
- 49 CFR 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964
- USDOT Order 1050.2A, *Standard Title VI/Non-Discrimination Assurances*

Part 1: TITLE VI ASSURANCES

USDOT Standard Title VI/Non-Discrimination Assurances

The United States Department of Transportation (USDOT)

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The *(Fond du Lac MPO and East Central Wisconsin Regional Planning Commission)* (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through *Federal Highway Administration*, is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled *Non-discrimination in Federally-Assisted Programs Of The Department Of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice *Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964*);

Federal Highway Administration may include additional Statutory/Regulatory Authorities here.

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

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"No person in the United States shall, on the grounds of race, color, 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 the Recipient receives Federal financial assistance from DOT, including the *(Federal Highway Administration)*.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Federal Highway Administration may include additional General Assurances in this section or reference an addendum here.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted (**Fond du Lac MPO (PL)**):

1. The Recipient agrees that each "activity," "facility," or "program," as defined in 21.23 (b) and 21.23 (e) of 49 C.F.R. 21 will be (with regard to an "activity") facilitated or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all (**Fond du Lac MPO**) and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The (**Fond du Lac MPO and East Central Wisconsin Regional Planning Commission**), in accordance with the provisions of **Title VI of the Civil Rights Act of 1964** (78 Stat. 252, 42 U.S.C. 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award. "

3. The Recipient will insert the clauses of Appendix A of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form

of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

- a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

Federal Highway Administration may include additional Specific Assurances in this section.

By signing this ASSURANCE, *[the Fond du Lac MPO and East Central Wisconsin Regional Planning Commission]* also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the *[Wisconsin Department of Transportation's]* access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the *[Wisconsin Department of Transportation]*. You must keep records, reports, and submit the material for review upon request to *[Wisconsin Department of Transportation]*, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

[The Fond du Lac MPO and East Central Wisconsin Regional Planning Commission] gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the *(Fond du Lac MPO)*. This ASSURANCE is binding on *[Wisconsin]*, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the *(Fond du Lac MPO)*. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Fond du Lac MPO

(Name of Sub-Recipient)

By



(Signature of Authorized Official)

DATED: 10/5/2022

East Central Wisconsin Regional Planning Commission

(Name of Sub-Recipient)

By Melissa Kraemer Bedtke
(Signature of Authorized Official)

DATED: 9/26/2022

Appendix A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, (Federal Highway Administration), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21. *[Include Federal Highway Administration specific program requirements.]*
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin. *[Include Federal Highway Administration specific program requirements.]*
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the (Federal Highway Administration) to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the (Federal Highway Administration), as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the (Federal Highway Administration) may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the (Federal Highway Administration) may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

Appendix B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the (Fond du Lac MPO and East Central Wisconsin Regional Planning Commission) will accept title to the lands and maintain the project constructed thereon in accordance with (Name of Appropriate Legislative Authority), the Regulations for the Administration of (Fond du Lac MPO), and the policies and procedures prescribed by the (Federal Highway Administration) of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. §2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the (Fond du Lac MPO and East Central Wisconsin Regional Planning Commission) all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto (Fond du Lac MPO and East Central Wisconsin Regional Planning Commission) and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the (Fond du Lac MPO and East Central Wisconsin Regional Planning Commission), its successors and assigns.

The (Fond du Lac MPO and East Central Wisconsin Regional Planning Commission), in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and] * (2) that the (Fond du Lac MPO and East Central Wisconsin Regional Planning Commission) will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction]. *

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

Appendix C

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

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the (Fond du Lac MPO and East Central Wisconsin Regional Planning Commission) pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
 - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, (Fond du Lac MPO and East Central Wisconsin Regional Planning Commission) will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.
*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the (Fond du Lac MPO and East Central Wisconsin Regional Planning Commission) will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the (Fond du Lac MPO and East Central Wisconsin Regional Planning Commission) and its assigns. *

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

Public Notice of Non-Discrimination

Notice of Nondiscrimination

East Central Wisconsin Regional Planning Commission

- ✓ East Central Wisconsin Regional Planning Commission (ECWRPC) is committed to ensuring that no person is excluded from, participation in, denied the benefits of, or otherwise subjected to discrimination on the basis of race, color, national origin, disability, sex, age, religion, income status or limited English proficiency (LEP) in any and all programs, activities or services administered by ECWRPC in accordance with Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities.
- ✓ Any person who believes they've been aggrieved by any unlawful discriminatory practice may file a complaint with ECWRPC.
- ✓ For more information on ECWRPC's civil rights program, and the procedures to file a complaint, contact 920.751.4770 (for hearing impaired, please use Wisconsin Relay 711 service), email staff@ecwrpc.org, or visit our administrative office at 400 Ahnaip Street, Suite 100, Menasha, WI 54952. For more information, visit www.ecwrpc.org.
- ✓ A complaint may also be filed directly with any of the following:
 - Wisconsin Department of Transportation (WisDOT), Taqwanya Smith, Senior Title VI and ADA Coordinator, Phone: (608) 266-8129, TTY (800) 947-3529, Fax: (608)267-3641, Email: taqwanya.smith@dot.wi.gov, 4822 Madison Yards Way, 5th Floor South, Madison, WI 535705. For more information, visit the [WisDOT Title VI-ADA website](#).
 - U.S. Department of Transportation, Federal Highway Administration (FHWA), Office of Civil Rights. 1200 New Jersey Avenue, SE, 8th Floor E81-105, Washington, DC 20590, Phone: (202) 366-0693, email: FHWA.TitleVIcomplaints@dot.gov
 - U.S. Department of Transportation, Federal Transit Administration (FTA), Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590, Phone: 1-888-446-4511 or 711(Relay), email: FTACivilRightsCommunications@dot.gov
- ✓ If information is needed in another language, contact 920.751.4770.
Si se necesita informacion en otro idioma de contacto, 920.751.4770.
Yog muaj lus qhia ntxiv rau lwm hom lus, hu rau 920.751.4770.

Complaint Procedure

ECWRPC's Complaint Procedure is made available in the following locations:

- Agency website, in its entirety – www.ecwrpc.org
- ECWRPC office – 400 Ahnaip Street, Suite 100, Menasha, WI 54952

If information is needed in another language, contact 920.751.4770.

Si se necesita informacion en otro idioma de contacto, 920.751.4770.

Yog muaj lus qhia ntxiv rau lwm hom lus, hu rau 920.751.4770.

Overview

East Central Wisconsin Regional Planning Commission (ECWRPC) is committed to ensuring that no person is excluded from, participation in, denied the benefits of, or otherwise subjected to discrimination on the basis of race, color, national origin, disability, sex, age, religion, income status or limited English proficiency (LEP) in any and all programs, activities or services administered by ECWRPC in accordance with Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities.

Right to File Complaints

ECWRPC uses the following procedures for prompt processing of all civil rights complaints relating to any program, activity or service administered by ECWRPC or its contractors, consultants, lessors receiving Federal financial assistance. These procedures do not deny the right of the Complainant to file formal complaints with other state or federal agencies or seek private counsel for complaints alleging discrimination.

Any individual, group of individuals, or entity that believes they have been subjected to discrimination or retaliation prohibited by Title VI nondiscrimination provisions by ECWRPC may file a complaint with the following:

1. ECWRPC, Kim Biedermann, Title VI Coordinator at 920.751.4770, (for hearing impaired, please use Wisconsin Relay 711 service - <https://wisconsinrelay.com>; email staff@ecwrpc.org; or visit our office at 400 Ahnaip Street, Suite 100, Menasha, WI 54952.
2. Wisconsin Department of Transportation (WisDOT), Taqwanya Smith, Senior Title VI and ADA Coordinator, Phone: (608) 266-8129, TTY (800) 947-3529, Fax: (608)267-3641, Email: taqwanya.smith@dot.wi.gov, 4822 Madison Yards Way, 5th Floor South, Madison, WI 535705. For more information, visit the [WisDOT Title VI-ADA website](#).
3. U.S. Department of Transportation, Federal Highway Administration (FHWA), Office of Civil Rights. 1200 New Jersey Avenue, SE, 8th Floor E81-105, Washington, DC 20590, Phone: (202) 366-0693, email: FHWA.TitleVIcomplaints@dot.gov

4. U.S. Department of Transportation, Federal Transit Administration (FTA), Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590, Phone: 1-888-446-4511 or 711(Relay), email: FTACivilRightsCommunications@dot.gov

Procedures

Any person who believes they've been discriminated against on the basis of race, color, national origin, disability, sex, age, religion, income status or limited English proficient (LEP) by ECWRPC may file a complaint by completing and submitting ECWRPC's Complaint Form.

The Complaint Form may also be used to submit general complaints to ECWRPC.

ECWRPC investigates complaints received no more than 180 business days after the alleged incident. ECWRPC will process complaints that are complete.

Once the complaint is received, ECWRPC will review the complaint and work to resolve the complaint informally, if possible.

If the complaint warrants a formal civil rights complaint process, ECWRPC will follow the steps listed in this complaint procedure. ECWRPC may also use this formal procedure to address general complaints. If ECWRPC determines it has jurisdiction the complainant will receive an acknowledgement letter stating the complaint will be investigated by ECWRPC as a civil rights complaint.

ECWRPC has 30 business days to investigate the civil rights complaint. If more information is needed to resolve the case, ECWRPC may contact the complainant.

The complainant has 20 business days from the date of the letter to send requested information to the investigator assigned to the case.

If the investigator is not contacted by the complainant or does not receive the additional information within 20 business days ECWRPC can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, one of two (2) letters will be issued to the complainant: a closure letter or a letter of finding (LOF).

- ✓ A closure letter summarizes the allegations and states that there was not a Title VI/ADA violation and that the case will be closed.
- ✓ A letter of finding (LOF) summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur.

If the complainant wishes to appeal the decision, the complainant has 15 business days after the date of the letter or the LOF to do so.

A person may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

If information is needed in another language, then contact 920.751.4770.
Si se necesita informacion en otro idioma de contacto, 920.751.4770.
Yog muaj lus qhia ntxiv rau lwm hom lus, hu rau 920.751.4770.

Complaint and Comment Form

ECWRPC is committed to assisting public transportation providers in providing you with safe and reliable transportation services and we want your feedback. Please use this form for suggestions, compliments, and complaints.

Please submit this form electronically to kbiedermann@ecwrpc.org or in person at the address below.

East Central Wisconsin Regional Planning Commission

400 Ahnaip Street, Suite 100

Menasha, WI 54952

You may also call us at 920.751.4770. Please make sure to provide your contact information in order to receive a response.

Section A: Accessible Format Requirements

Please check the preferred format for this document

<input type="checkbox"/> Large Print	<input type="checkbox"/> TDD or Relay	<input type="checkbox"/> Audio Recording	<input type="checkbox"/> Other (if selected please state what type of format you need in the box below)
--------------------------------------	---------------------------------------	--	---

Click or tap here to enter text.

Section B: Contact Information

Name Click or tap here to enter text.	Telephone Number (including area code) Click or tap here to enter text.
Address Click or tap here to enter text.	City Click or tap here to enter text.
State Click or tap here to enter text.	Zip Code Click or tap here to enter text.

Email Address Click or tap here to enter text.

Are you filing this complaint on your own behalf?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
---	------------------------------	-----------------------------

If no, please provide the name and relationship of the person for whom you are complaining and why you are completing the form on their behalf in the box below.

Click or tap here to enter text.

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.

☐ Yes

☐ No

Section C: Type of Comment

What type of comment are you providing? Please check which category best applies.

☐ Complaint

☐ Suggestion

☐ Compliment

☐ Other

Which of the following describes the nature of the comment? Please check one or more of the check boxes.

☐ Race

☐ Color

☐ National Origin

☐ Religion

☐ Age

☐ Sex

☐ Service

☐ Income Status

☐ Limited English Proficient (L.E.P)

☐ Americans with Disability Act (A.D.A)

Section D: Comment Details

Please answer the questions below regarding your comment

Did the incident occur on the following type of service? *Please check any box that may apply.*

☐ Paratransit

☐ Shared Ride
Taxi

☐ Bus

What was the date of the occurrence?

Click to add date in the following format: Day, month, year

What was the time of the occurrence?

Click to add the time

What is the name or identification of the employee or employees involved?

Click or tap here to enter text.

What is the name or identification of others involved, if applicable?

Click or tap here to enter text.

What was the number or name of the route you were on, if applicable?

Click or tap here to enter text.

What was the direction or destination you were headed to when the incident occurred, if applicable?

Click or tap here to enter text.

Where was the location of the occurrence?

Click or tap here to enter text.

Was the use of a mobility aid involved in the incident?

☐ Yes

☐ No

Please add any additional descriptive details about the incident.

Click or tap here to enter text.

In the box below, please explain as clearly as possible what happened and why you believe you were discriminated against.

Click or tap here to enter text.

Section E: Follow-up

May we contact you if we need more details or information?

☐ Yes

☐ No

If yes, how would you best liked to be reached? Please select your preferred form of contact below

☐ Phone

☐ Email

☐ Mail

If you would prefer to be contacted by phone, please list the best day and time to reach you.

Click here to add your preferred time

Click here to add your preferred day

Section F: Desired Outcome

Please list below, what steps you would like taken to address the conflict or problem.

Click or tap here to enter text.

If applicable, please list below all additional agencies you have filed this complaint with such as Federal, State, Local agencies, or with any Federal or State Court. Please include the contact information to where the complaint was sent.

Click or tap here to enter text.

Section G: Signature

Please attach any documents you have which support the allegation. Then date and sign this form and send it to East Central Wisconsin Regional Planning Commission.

Name **Date:**

Signature

Complaint Log

ECWRPC maintains a list or log to track and resolve all complaints, investigations, and lawsuits.

Check One:

<input checked="" type="checkbox"/>	Because the ECWRPC has had no Title VI-related filings against it, the log of complaints, investigations, and lawsuits illustrated in Table 6 has no entries.
<input type="checkbox"/>	There have been investigations, complaints and/or lawsuits filed against us. <i>See list below. Attach additional information as needed.</i>

Note: The performance measure for tracking when an investigation begins and when its administratively closed is documented in the **Complaint Log** table below. **ECWRPC** will strive to complete the investigation within the timeframe specified in its **Complaint Procedure**.

Table 7: Log of Complaints, Investigations, and Lawsuits.

Type Complaint Investigation Lawsuit	Date Complaint Received (Month, Day, Year)	Complainant's Contact Information Name/Phone/ Email/Address	Basis of Complaint ¹	Summary Complaint Description	Action Taken/ Final Outcome if Resolved List dates of action steps including the dates complaint/ investigation begins and is administratively closed.	Status

¹ Complaint, Investigation, or Lawsuit. The protected classes under Title VI are Race, Color and Nation Origin; the protected class under Title II is disability.
² Specify Race, Color, National Origin, Disability, Religion, Sex, Age, Service, Income Status, Limited English Proficient (LEP), Safety, Other.

APPENDIX C



Appendix C: Limited-English Proficient (LEP) Tools

“I Speak” Language Identification Card

Mark this Box if you speak...	Language Identification Chart	Language
	I speak English	English
	Yo hablo español	Spanish
	Kug has lug Moob	Hmong
	我說中文	Chinese (Simplified)
	E nói tiếng Việt	Vietnamese
	나는한국어를	Korean
	Marunong akong mag-Tagalog	Tagalog
	Ich spreche Deutsch	German
	Я говорю по-русски	Russian
	o magsalita ng Tagalog	Tagalog
	मैं हिंदी बोलते हूँ	Hindi
	میں نے اردو بولتے ہیں	Urdu

Note: For additional languages visit the US Census Bureau

website <http://www.lep.gov/ISpeakCards2004.pdf>

Log of LEP Encounters

Date	Time	Language Spoken By Individual (if available)	Name and Phone Number of Individual (if available)	Service Requested	Follow Up Required	Staff Member Providing Assistance	Notes

Language Translation Request Log

Date	Language Spoken By Individual (if available)	Name and Phone Number of Individual (if available)	Service Requested	Follow Up Actions (Was Translation Services Provided?)	Staff Member Providing Assistance	Notes