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## Title VI and Nondiscrimination Implementation Plan

Federal Fiscal Year 2024  
October 1, 2023  
Federal Highway Administration

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## TITLE VI PROGRAM POLICY STATEMENT

The Minnesota Department of Transportation’s (MnDOT) Title VI and Non-Discrimination Policy is [available online](#). The policy provides the policy statement, reason for the policy, definitions, roles and responsibilities applicable under the policy and available resources. Below is the policy statement embedded in MnDOT’s Title VI and Non-Discrimination Policy:

Federal and state law prohibit discrimination on the basis of race, color, national origin, sex, age, disability, low-income status, creed, religion, marital status, sexual orientation, gender identity, and status with regard to public assistance. MnDOT is committed to ensuring that no person in the State of Minnesota is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination on the basis of these protected classes under any and all programs, services, or activities

administered by the department and its subrecipients and contractors. Additionally, MnDOT is committed to ensuring that its programs incorporate access for people with limited English proficiency.

Any person who believes that they, individually, or as a member of any specific class of persons, have been subjected to discrimination on the basis of race, color, national origin, sex, age, disability, low-income status, creed, religion, marital status, sexual orientation, gender identity, or status with regard to public assistance may file a discrimination complaint with MnDOT. All complaints received by MnDOT must be routed promptly to the Title VI Coordinator in the Office of Civil Rights.

## INTRODUCTION

MnDOT is a recipient of federal financial assistance from the U.S. Department of Transportation. As recipient of federal financial assistance, MnDOT must comply with the requirements of Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin, and other non-discrimination statutes, regulations, and authorities.

This implementation plan describes how MnDOT accomplishes non-discrimination in the delivery of its activities, programs, and services receiving federal financial assistance and is prepared in accordance with 23 C.F.R. § 200.9(b)(11). It is intended to be reviewed and updated regularly to reflect changes to MnDOT's Title VI program and Title VI related policies, practices, and procedures.

To provide comment, feedback, or input on MnDOT's Title VI implementation plan, please contact MnDOT's Office of Civil Rights by email, fax, mail, or phone.

Email: [ocrformsubmissions.dot@state.mn.us](mailto:ocrformsubmissions.dot@state.mn.us)

Fax: 651-366-3129

Mail: MnDOT Office of Civil Rights  
Transportation Building, MS 170  
395 John Ireland Blvd  
St. Paul, MN 55155-1899

Phone: 651-366-3073

## ASSURANCES

The U.S. Department of Transportation (U.S. DOT) conditions the award of federal financial assistance on the recipient providing an assurance that its programs and activities will be conducted in compliance with Title VI of the Civil Rights Act of 1964, which forbids discrimination on the basis of race, color, or national origin. This requirement is located at 49 C.F.R. § 21.7(a).

To support the implementation of this requirement, the U.S. DOT provides an assurances agreement in U.S. DOT Order 1050.2A that federal fund recipients and subrecipients must sign in order to receive federal financial assistance. The MnDOT Commissioner signs the Federal Highway Administration (FHWA) and Federal Motor Carrier Safety Administration (FMCSA) United States Department of Transportation Standard Title VI/Non-Discrimination Assurances (DOT Order No. 1050.2A) annually, which are attached as **Appendix A**.

The assurances agreement provides specific nondiscrimination language MnDOT is required to include in bid solicitations or requests for proposal, contracts, and real estate agreements. MnDOT is committed to ensuring the necessary language is used as prescribed in the assurances agreement.

## SPECIFIC DISCRIMINATION PROHIBITED

MnDOT will not, directly or through contractual or other arrangements, on the grounds of a protected class:

- Deny a person any service, financial aid, or other benefit provided under the program;
- Provide any service, financial aid, or other benefit to a person which is different, or is provided in a different manner, from that provided to others under the program;
- Subject a person to segregation or separate treatment in any matter related to his receipt of any service, financial aid, or other benefit under the program;
- Restrict a person in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under the program;
- Treat a person differently from others in determining whether they satisfy any admission, enrollment, quota, eligibility, membership, or other requirement or condition which persons must meet in order to be provided any service, financial aid, or other benefit provided under the program;
- Deny a person an opportunity to participate in the program through the provision of services or otherwise afford them an opportunity to do so which is different from that afforded others under the program;
- Deny a person the opportunity to participate as a member of a planning, advisory, or similar body which is an integral part of the program;
- Utilize criteria or methods of administration which have the effect of defeating or substantially impairing the accomplishment of effective nondiscrimination;
- Discriminate in any activities related to highway and infrastructure or facilities built or repaired in whole or in part with Federal funds;
- Discriminate in any employment resulting from a program, the primary purpose of which is to provide employment.

See [49 C.F.R. § 21.5](#) for information on discrimination prohibited.

See [49 C.F.R. § 21.5\(b\)\(7\)](#) for information on when consideration of protected classes is permissible.

## ACCESS TO RECORDS

MnDOT will make all Title VI Program-related documentation available to the FHWA, Federal Transit Administration (FTA), FMCSA, and Minnesota Department of Public Safety during normal business hours upon request.

## ORGANIZATION AND STRUCTURE

MnDOT leadership consists of one Commissioner who is appointed by the Governor of Minnesota and a team of four executive leadership management staff who manage the Department. The MnDOT organizational chart is accessible [online](#) and attached as **Appendix B**.

Title VI requirements extend to every division, and therefore, each district and office are required to appoint a Title VI Liaison. The MnDOT Office of Civil Rights is responsible for the overall management of the Title VI Program as detailed below.

## **MnDOT Office of Civil Rights**

The MnDOT Office of Civil Rights consists of four teams: Small Business Contracting; Equal Employment Opportunity (EEO) and Contract Compliance; Business and Program Development; and Administration. The MnDOT Office of Civil Rights organizational chart is accessible [online](#) and attached as **Appendix C**. The Title VI program operates within the Administration team and is managed by the Director of the Office of Civil Rights.

### *Title VI Program*

The Director of the Office of Civil Rights has the responsibility for the implementation of and compliance with the MnDOT Title VI Program and is the MnDOT Title VI Coordinator. The Title VI Coordinator, on behalf of the Department, is responsible for the overall management of the Title VI Program and the Office of Civil Rights staff. This position has direct access to the MnDOT Commissioner regarding Title VI issues. The Title VI Coordinator is under the direct supervision of the MnDOT Chief of Staff. The Director supervises the Title VI Specialist.

The Title VI Specialist is responsible for helping ensure ongoing compliance with Title VI of the Civil Rights Act, including preparing and submitting required reports, conducting compliance reviews and training, and investigating and resolving complaints. The Title VI Specialist also monitors each district office through the Title VI Program Area Review Survey, distributing it annually to all designated Title VI Liaisons. An overview of the Title VI Program Area Review Survey is found within the *Program Area Review Procedures* section of this Plan. Below is an overview of the Title VI Specialist's responsibilities.

**Responsibility I: Development of MnDOT's Title VI Program, Policies, and Practices.** Evaluate MnDOT's programs and activities to assess compliance with the Title VI Implementation Plan; Collaborate across functions to include a Title VI perspective in the Department's multi-modal planning activities; Develop tools to enhance the understanding and application of Title VI principles for MnDOT program areas, staff and subrecipients; Develop solutions to address special emphasis program area compliance; Provide information and input to decision-making regarding MnDOT's Title VI Policy; Provide MnDOT management with a comprehensive review of MnDOT's Title VI Program compliance.

**Responsibility II: Title VI Program Administration and Reporting.** Administer and maintain a comprehensive compliance program for MnDOT to ensure its Title VI policy is fully integrated in MnDOT's programs, activities, and policies; Ensure that MnDOT is performing key elements of the Title VI Implementation Plan for the FHWA and FTA; Conduct Title VI functions identified in FHWA Stewardship Agreement; Coordinate Title VI planning and compliance activities with designated Title VI Liaisons to ensure understanding of roles; Collaborate with MnDOT Offices, including Land Management/Right of Way, Environmental Stewardship, Communications and Public Engagement, and Equity and Diversity to ensure the Department has an internal plan to address its Title VI responsibilities.

**Responsibility III: Compliance Reviews, Monitoring and Tracking.** Assess subrecipients through an evaluation of services, policies, and practices, and the effects thereof to identify program deficiencies; Partner with subrecipients to assess compliance with Title VI requirements; Provide notices of and guidance to remedy identified deficiencies; Advise offices/districts about necessary modifications, and establish a system for periodically evaluating compliance.

**Responsibility IV: Title VI Training.** Provide statewide training and workshops to internal and external stakeholders; Draft reports; Develop Title VI information for public dissemination and ensure identification of language translation resources; Engage in community outreach and public education with subrecipients; Inform other offices within MnDOT of the importance of Title VI in public engagement.

**Responsibility V: Conduct Title VI Investigations.** Conduct investigations and resolve complaints of discrimination and harassment received by MnDOT concerning external subrecipients and contractors; Convene appropriate MnDOT personnel in resolutions; Refer conflicts of interest to FHWA/FTA; Lead mediation and conciliation meetings.

### *Small Business Contracting*

The [Small Business Contracting](#) team monitors and enforces the Disadvantaged Business Enterprise (DBE), Targeted Group Business (TGB), and Veteran-Owned small business programs. These programs ensure MnDOT construction, transit and professional/technical contracting processes provide access to minority and women-owned businesses and work to eliminate discrimination in the contract letting process. Program specialists review proposed projects prior to advertisement to determine whether to set contract-specific goals, in accordance with 49 C.F.R. § 26 and MnDOT's approved DBE program plan, as well as various state requirements. Program Specialists also ensure compliance with these programs by reviewing small business project requirements pre-award and monitoring projects post-award.

The team consists of eleven staff, including a supervisor and team lead, as well as administrative staff and the program specialists mentioned above, all of whom report to the Small Business Contracting Supervisor. The Small Business Contracting Supervisor reports to the OCR Operations Manager.

### *Equal Employment Opportunity and Contract Compliance*

The [Contract Compliance Team](#) monitors contractor fulfillment of EEO obligations under federal and state laws, rules, and regulations. A supervisor oversees the activities of Contract Compliance Specialists and an On-the-Job Training (OJT) Coordinator. An Administrative Specialist provides further assistance with the processing and reporting of workforce data. The Supervisor reports to the OCR Operations Manager.

The team's specific duties include:

- Monitoring contractor efforts to recruit, hire, train and retain people of color and women;
- Executing annual compliance reviews;
- Administering the OJT program;



- Facilitating community outreach initiatives;
- Ensuring appropriate application of tribal sovereignty in highway contracting;
- Addressing EEO-related concerns in highway construction; and,
- Keeping workplaces free of discrimination, harassment, and violence.

### *Business and Program Development*

The [Business and Program Development](#) team manages programs, services, and tools to support small business development and OJT supportive services. Specifically, the team provides training and technical assistance, along with access to business and financial resources that help small businesses compete more effectively on MnDOT projects and contracts.

In addition, it delivers outreach and support activities to increase the number of certified DBE firms and increase the size and diversity of Minnesota's skilled construction workforce. The OJT supportive services program it runs develops projects and services to enhance MnDOT's administration of the OJT program and increase the pool of qualified minorities, women, and disadvantaged individuals in the highway heavy construction trades.

The team consists of seven staff that administer the small business development and OJT supportive services. The team includes a Manager that reports to the OCR Operations Manager.

### *Administration*

OCR's Administrative team performs a multitude of tasks essential to the department's fulfillment of requirements under state and federal law, and its commitment to championing transportation equity.

The Lead Business Coordinator and Business Coordinator develop and implement MnDOT OCR's technology plan. This includes achieving full functionality of the AASHTOWare Suite, specifically the [Civil Rights and Labor \(CRL\) module](#), and ensuring system stability and data integrity of critical information in the Contracts Agreements Audit Tracking System. In addition, the team provides technological support to staff and assists with the implementation of functionality requirements to meet state and federal mandates or business process changes.

The Contract and Grant Administrator coordinates the administration of state- and federally-funded contracts, and provides financial direction, oversight, and reporting to OCR leadership in compliance with state statutes and federal regulations.

The Engineer uses professional knowledge to enhance execution of OCR's core functions and provide statewide direction for implementing and improving the department's achievement of program objectives.

An Administrative Assistant performs data entry, manages record retention, and organizes meetings for OCR leadership.

## Title VI Liaisons

The MnDOT Title VI Program requires the appointment of a Title VI Liaison for every district and office. MnDOT OCR then works with these Title VI Liaisons to ensure their respective districts and offices are in compliance with the agency's Title VI program. Title VI Liaisons are defined in [MnDOT's Title VI and Non-Discrimination Policy](#) as an individual appointed by MnDOT OCR in every district and office who is responsible for identifying Title VI issues, supplying Title VI guidance or connecting to resources that can supply guidance, and reporting on Title VI implementation in the office or district. The responsibilities associated with the Title VI Liaison role are as follows:

- Act as a point of contact within their program, district, or office for the Title VI Specialist
- Understand MnDOT's Title VI program and how it applies to their program
- Ensure all Title VI complaints or issues are routed to the Title VI Specialist
- Collaborate with the Title VI Specialist to address identified Title VI issues
- Respond to requests for information from the Title VI Specialist in a timely manner
- Participate in the development and implementation of procedures and guidelines to administer and monitor MnDOT programs in compliance with Title VI
- Attend Title VI trainings as requested

The current Title VI Liaison List is provided below.

## Title VI Liaison List – Offices

<b>Title VI Liaison</b>	<b>Office</b>
Suzanne Thayer	<i>Administration</i>
Ryan Gaug	<i>Aeronautics</i>
Trisha Stefanski	<i>Asset Management</i>
Heidi Henry	<i>Audit</i>
Edward Lutgen	<i>Bridge</i>
Kim Bastyr	<i>Chief Counsel</i>
Sean Skibbie	<i>Civil Rights</i>
Jeanne Aamodt	<i>Communications and Public Engagement</i>
Paul Johns	<i>Construction &amp; Innovative Contracting</i>
Robin Sylvester	<i>Controller/Financial Management</i>
Luke Charpentier	<i>Environmental Stewardship</i>
Seema Desai	<i>Equity &amp; Diversity</i>
Laura Roads	<i>Freight &amp; Commercial Vehicle Operations</i>
Jennifer Witt	<i>Government Affairs</i>
Bonnie Wohlberg	<i>Human Resources</i>
Martin Bojovic	<i>Land Management</i>
Jed Falgren	<i>Maintenance</i>
Glenn Engstrom	<i>Materials &amp; Road Research</i>
Lisa Bilotta	
Kristi Billiar	<i>Operations Division</i>
Tom Styrbicki	<i>Project Management &amp; Tech Support</i>
Hafiz Munir	<i>Office of Research and Innovation</i>
Elisa Bottos	<i>State Aid</i>
Alice Robbins	<i>Statewide Radio Communications</i>
John Peters	<i>Traffic Engineering &amp; CAV-X</i>
Jean Meyer	<i>Transit and Active Transportation</i>
Brian Gage	<i>Transportation System Management</i>
Philip Schaffner	

## Title VI Liaison List – Districts

Title VI Liaison	District
Duane Hill	<i>D1</i>
Michael Kalnbach	
J.T. Anderson	<i>D2</i>
Brad Scott	
Michael Ginnaty	<i>D3</i>
Betty Jo Winterowd	
Shiloh Wahl	<i>D4</i>
Doug Newman	
Michael Barnes	<i>Metro District</i>
Mary Schmidt	
Mark Schoenfelder	<i>D6</i>
Mike Dougherty	
Zachary Tess	<i>D7</i>
Greg Ous	
Jon Huseby	<i>D8</i>
Craig Gertsema	

## Program Areas Impacted by Title VI

### Office of Communications and Public Engagement (CAPE)

The MnDOT Office of Communications and Public Engagement prepares and distributes Departmental information to the public and engages and involves the public through market research, customer response management, and customer and stakeholder relations.

Some activities of the office include: maintaining MnDOT's internal and external websites and social media pages; providing public meeting and public hearing notices; broadcasting news releases on key issues and events of public interest; responding to media requests; coordinating news media appearances and interviews; preparing presentations to various civic and local government groups; and, for internal customers, providing public engagement planning and strategy, training and support, and statewide coordination.

A key responsibility of the office is to ensure statewide quality and consistency of public engagement programs and practices across MnDOT districts, in specialty offices, and in functional areas such as multimodal programs and state highway planning and project development. To most effectively engage with the public, it's important to understand what the traveling public and other transportation system user's value, need, and believe. MnDOT's Market Research team provides qualitative and quantitative data collection services to gather this information. The Customer Relations team strives for timely, consistent, and accurate responses to the public. The office also ensures full and fair access to information that is disseminated for public consumption.

Formstack software is used to appropriately route and track internal responses to public inquiries, comments, and complaints. CAPE also manages [Let's Talk Transportation](#), MnDOT's new online engagement platform.

#### Assurance Activities

- Ensure that information is disseminated in alternative languages upon request consistent with the MnDOT LEP Commitment.
- Ensure that targeted populations are included as stakeholders, when applicable.
- Provide coordination and resources to assist with data collection in public engagement activities.
- Ensure statewide quality and consistency for various MnDOT public engagement activities.
- Evaluate statewide public engagement efforts, plans, and projects with post-engagement and project surveys for continuous learning and improvement.
- Provide public engagement training opportunities to ensure staff have information, resources, and tools to comply with Title VI responsibilities, conduct equitable public engagement, and partner with Community Based Organizations to engage with underserved communities.
- Ensure agency compliance with MnDOT [Public Engagement](#), [Social Media Use](#), and [Website Development and Management](#) policies.

## District Offices

There are eight MnDOT district offices located throughout the state. The district offices provide a local point of contact on programs, projects, and activities happening within their geographic location. Each district office conducts project-specific public engagement that is consistent with environmental justice and limited English proficiency requirements for public outreach during the development of MnDOT projects within their district. Each district office compiles the demographic data in the project area, and details the required public outreach and recommendations for community resources to aid in information dissemination. The district offices coordinate necessary language access needs, including document translation and oral interpretation of presentations. The district offices also engage in inclusive public engagement and relationship-building with the public to earn trust and mutual understanding.

### Assurance Activities

- Compile demographic data on each project to ensure that public outreach is targeted to the identified populations.
- Through cooperation with other offices, identify low-income and minority populations and take steps to appropriately address disproportionately high and adverse effects to their health and environment.
- Ensure meaningful participation opportunities exist for LEP individuals and underserved communities.
- Ensure that information is disseminated in alternative formats upon request consistent with the MnDOT LEP Commitment.
- Monitor and review the right-of-way activities of cities and counties to verify compliance with Title VI in their right-of-way processes.

## Office of Land Management

The Office of Land Management provides surveying, mapping, utility agreements, valuation, acquisition, and disposition of property for program delivery clientele to assure legal, timely, and standardized land management services.

### Assurance Activities

- Make every reasonable effort to ensure clear communication when interacting with LEP, sight impaired, or hearing-impaired individuals. This includes the use of interpreters when necessary.
- Through cooperation with other offices, identify low-income and minority populations and take steps to appropriately address disproportionately high and adverse effects to their health and environment.
- Ensure equitable treatment of all affected property owners, regardless of race, color, national origin, sex, age, disability, low-income status, creed, religion, marital status, sexual orientation, gender identity, and status with regard to public assistance. This includes, among other impacts, appraisal values, relocation assistance, and opportunities for purchase of excess property.

- Ensure applicable nondiscrimination language and assurances appendices are included in contracts and agreements.

## **Planning and Programming**

The MnDOT Planning and Programming responsibilities consist of a range of activities. These include writing plans, conducting data analysis, reviewing performance outcomes, and managing the capital program. Planning and programming happens both at the district-level and the statewide level. Title VI factors into the planning phase and is addressed by ensuring effective public involvement processes are in place.

### **Assurance Activities**

- Ensure that environmental justice considerations are addressed during route and project selection.
- Ensure full and fair participation of minority, low-income, LEP, elderly and disabled individuals in public involvement opportunities during project development activities.
- Demonstrate a consistent application of design standards to eliminate, minimize or mitigate adverse impacts among affected groups, and to provide equitable levels of service to those groups.
- Provide opportunities for DBE firms on consultant contracts.
- Ensure ADA compliance.

## **Contract Management**

The Contract Management Section serves two main purposes. First, contract management provides technical assistance to MnDOT project managers and others involved in contracting for services. Second, contract management provides oversight of all MnDOT contracts to assure that all contracts and contract processes comply with law and policy and promote and protect the public interest.

### **Assurance Activities**

- Include Contract Provision FHWA-1273, as it relates to letting and awarding of contracts, when required.
- Ensure bidding and contract award procedures are consistent with nondiscrimination and Equal Opportunity requirements.
- Ensure Appendix A and Appendix E of the Standard Assurances are included in all contracts subject to Title VI.

## **State Aid for Local Transportation**

To support the state's system of streets, roads and bridges, MnDOT's State Aid Office distributes funds for highway maintenance and construction to counties, cities and townships based on a formula determined by the Legislature. State Aid works closely with local levels of government to ensure the state maintains a safe, effective and coordinated highway network. In addition to funding support, staff

provides technical assistance in highway and bridge design, construction and maintenance, authorizes grants for bridge construction, coordinates local federally funded projects and provides overall management of the state aid system.

### Assurance Activities

- Ensure Title VI/Nondiscrimination Assurances are signed by local federal fund recipients and maintained on file.
- Partner with Title VI Coordinator to provide Title VI trainings and resources.

## PROGRAM AREA REVIEW PROCEDURES

MnDOT primarily monitors internal Title VI compliance via the Title VI Program Area Review Survey and Title VI Program Scorecard. If these tools uncover deficiencies or program gaps, the Title VI Specialist coordinates with the Title VI Liaison to achieve compliance. More information on these processes is outlined below.

### Title VI Program Area Review Survey

The Title VI Program Area Review Survey gathers information about internal compliance with the various obligations and responsibilities required under MnDOT's Title VI policy. The surveys are completed by Title VI Liaisons who possess the necessary program area knowledge as it relates to their particular district or office. The Title VI Specialist monitors the progress of the surveys, which are conducted annually, to ensure timely completion and submission.

The survey questions are grouped into major themes of the MnDOT Title VI Program, including general administrative information, environmental justice and inclusive public engagement, limited English proficiency, accessibility, and internal education. Some specific questions within these major themes relate to complaints received, required postings, Title VI-related goals, collection of demographic data, public outreach to historically underrepresented groups, translation documentation and the use of interpreters, contracts and agreements, Title VI employee awareness and training, and other related information.

The MnDOT Title VI Program Area Review Survey sent out in FFY 2023 is attached as **Appendix D**.

### Title VI Program Scorecards

The Title VI Specialist creates Title VI Program Scorecards based on the responses received from the Title VI Program Area Review Surveys. These scorecards provide the survey respondents with feedback on their performance within the major themes of the MnDOT Title VI Program and allow the Title VI Specialist to share agency best practices and areas for improvement. The scorecard also establishes a baseline for measuring the adequacy of the Title VI Program and captures historical data on MnDOT's overall compliance.



## **Title VI Survey Summary Report**

The Title VI Specialist creates a summary report of the aggregated survey results to provide to the Title VI Liaisons. The report provides a summary of the responses to key survey questions and insight about MnDOT's operations related to its Title VI program. The Title VI Specialist uses the information in the report and other survey data to prioritize areas for improvement.

## **INTERNAL COMPLIANCE REVIEWS**

During the internal compliance review process outlined immediately above, the Title VI Specialist might identify program areas or offices requiring further examination owing to evidence of noncompliance, or insufficient information to make the necessary compliance determination. Program areas or offices identified as requiring further review are notified in writing in advance to ensure the attendance of key personnel at any conferences that may prove necessary. The notification may include a compliance review questionnaire for the recipient to complete and return within 30 days of receipt.

The Title VI Specialist reviews the responses to the compliance review questionnaire, as well as files, documentation, interview responses, and conference notes to determine whether further inquiry is necessary. After the inquiry is complete, a compliance report is issued to the program area or office under review and kept on file. The report will include any identified deficiencies and necessary steps for corrective action.

### **Corrective Action**

If deficiencies are uncovered, the program area or office develops a Corrective Action Plan with the assistance of the Title VI Specialist. This report outlines how the discriminatory practice or concern will be corrected and tentative completion dates. It also includes the dates on which the review was conducted and the names of persons involved in developing the Corrective Action Plan.

The Title VI Specialist will seek the cooperation of the program area in correcting deficiencies found during the review. The Title VI Specialist will also provide the technical assistance and guidance needed to aid the program area.

## **SUBRECIPIENT REVIEWS**

A subrecipient may include, but is not limited to, county, city, township, college, university, planning organization, transit agency, consultant, non-construction contractor, and non-construction subcontractor. As a condition of receiving federal funds, the subrecipient must sign an assurance of nondiscrimination and agree to carry out Title VI Program requirements.

### **Subrecipient Self-Assessment**

MnDOT enhanced its subrecipient oversight in fiscal year 2021 through a Title VI self-assessment of its city and county subrecipients. The assessment addressed all important elements of Title VI compliance,

including Title VI assurances, public notices, designation of a Title VI coordinator, complaint processes and forms, limited English proficiency accommodations, environmental justice, public engagement, and data collection and analysis. Similar to its internal Title VI survey, the Title VI self-assessment produced an overall score used to establish a baseline for current subrecipient compliance. Assessing these responses informed MnDOT's subrecipient review selections, training development, and resource creation for subrecipients.

In April and May 2022, MnDOT hosted two hands-on workshops to help cities and counties that receive FHWA funds ensure compliance with Title VI and related nondiscrimination legal authorities.

- Limited English Proficiency Workshop: Participants received guidance for completing LEP data analysis and identifying language assistance services. The session included a presentation from the Minnesota State Demographic Center.
- Title VI Plan and Administrative Compliance Workshop: Participants received guidance for completing all sections of the Title VI Plan template, including a Title VI policy statement, public notice of rights, complaint procedure and form, and assurances.

## Procedures for Conducting Reviews of Subrecipients

In accordance with 23 C.F.R. § 200.9(b)(7), OCR conducts periodic reviews of subrecipients to monitor Title VI compliance. The compliance review focuses on the subrecipient's effectiveness in implementing its Title VI program by analyzing each of the elements required to ensure compliance. MnDOT reserves the right to review any subrecipient. However, MnDOT prioritizes subrecipients for review based on consideration of multiple factors, including: (1) pre-existing areas of deficiency in its Title VI program, (2) receipt of Title VI complaint(s), (3) community feedback, and (4) amount of recent federal funding received.

These reviews ensure Title VI compliance and afford the opportunity to provide subrecipients with technical assistance. Subrecipients selected for review can expect the process to follow the steps laid out below.

## Notification

The subrecipient receives a notification letter stating it has been selected for review. The letter includes an itemized list of information and documentation to submit to MNDOT OCR within thirty calendar days of receipt. The following is a summary of items requested in the notification letter to demonstrate the subrecipient's Title VI compliance:

- **Nondiscrimination Policy Statement:** Provide a statement of commitment to nondiscrimination on the basis of race, color, national origin, sex, age, and disability as a recipient of federal financial assistance signed by the top agency official, and circulated throughout the organization and public.

- **Public Notice of Rights:** Public must be informed of their rights against discrimination under Title VI and how to file a Title VI complaint. At a minimum, the notice must be posted on the subrecipient's website and in locations accessible to the public.
- **Standard DOT Assurances:** Maintain a signed version of the U.S. DOT 1050.2A Standard Title VI/Non-Discrimination Assurances in which the subrecipient assures that its programs will be conducted in a nondiscriminatory manner. The subrecipient must also ensure the disadvantaged business enterprise solicitation language and various appendices included in the Title VI Assurances are inserted into contracts as required.
- **Title VI Coordinator:** Designate a Title VI Coordinator who has sufficient training, authority, and access to the subrecipient's leadership to carry out the necessary Title VI responsibilities and oversight.
- **Complaint Procedures and Tracking:** Document and investigate all Title VI discrimination complaints. Subrecipients must develop procedures and forms for investigating and tracking complaints pursuant to 23 C.F.R. § 200.9(b)(3). The complaint procedures and forms must be disseminated internally and externally and, at a minimum, on the subrecipient's website.
- **Limited English Proficiency (LEP):** Ensure that LEP individuals have meaningful access to services, pursuant to Executive Order 13166. Subrecipients are required to perform an LEP four-factor analysis and develop a procedures for providing language assistance and outreach to LEP populations. The subrecipient must record requests for language assistance and measures taken to assist LEP individuals.
- **Environmental Justice:** Describe how environmental justice principles explained in Executive Order 12898 are included in all stages of program planning, development, and implementation. Ensure low-income populations are included in the subrecipient's demographic data analysis.
- **Public Outreach and Participation:** Describe procedures for proactively eliciting and soliciting participation from underserved communities to ensure their participation. Ensure staff is trained to provide language access resources as needed during public outreach.
- **Data Collection and Analysis:** Develop procedures for the collection of statistical data (race, color, sex, age, disability, and national origin) of participants in, and beneficiaries of the subrecipient's programs pursuant to 23 C.F.R. § 200.9(b)(4). Periodically conduct data analysis to inform public outreach strategies.

## Desk Audit

After reviewing the materials submitted by the subrecipient, the Title VI Specialist prepares an initial report of findings, including deficiencies requiring corrective action and non-mandatory recommendations to strengthen the subrecipient's Title VI program.

## On-Site Review

Depending on the findings of the desk audit, the Title VI Specialist may request an on-site review, including inspection of the subrecipient's facilities and interviews with relevant personnel. If an on-site review is necessary, the subrecipient is notified within 15 calendar days of the acceptance date of all necessary documents.

## Compliance Review Report

The Title VI Specialist issues a Compliance Review Report within 15 calendar days of the completion of an on-site review. If no on-site review is conducted, the Title VI Specialist issues a compliance review report to the subrecipient within 15 calendar days of the acceptance date of all necessary documents. The report details identified deficiencies in the subrecipient's Title VI program and, if necessary, includes a proposed Corrective Action Plan.

Subrecipients are encouraged, but not required, to create a Title VI Plan and a Title VI Goals and Accomplishments Report. Upon request, MnDOT will provide templates for each document, as well as copies of its own documents to use as models. Subrecipients are also encouraged to work with the Title VI Specialist to ensure plans and reports are drafted accurately and comprehensively.

## Corrective Action Review Meeting

The Title VI Specialist schedules a meeting to review the report and proposed Corrective Action Plan. While the subrecipient will have an opportunity to provide input and suggestions regarding the proposed timeline, all proposed corrective actions require completion within 90 calendar days.

If there are no deficiencies, the Title VI Specialist determines whether a corrective action review meeting is necessary. The Compliance Review Report may provide recommendations for improving the subrecipient's Title VI Program.

The results of the subrecipient compliance reviews are reported in the FHWA MnDOT Title VI Goals and Accomplishments Report. The MnDOT FHWA [Title VI Implementation Plan](#) is available on the [MnDOT Title VI webpage](#).

## Follow-Up Monitoring

The Title VI Specialist determines whether continuing monitoring is necessary to ensure on-going Title VI compliance.

## DATA COLLECTION

MnDOT is required to collect statistical data of participants in and beneficiaries of its programs. See 23 C.F.R. § 200.9(b)(4). MnDOT civil rights staff work with program area staff (environmental, planning, right-of-way, district offices, etc.) to collect and analyze data. The following is a brief description of data collection efforts conducted by MnDOT:

**Market Research:** MnDOT's Communications and Public Engagement Office houses the Market Research unit, which conducts quantitative and qualitative research for MnDOT to ensure the voices of the public are used to inform and improve MnDOT's planning, programs, and decisions.

**Public Engagement:** Demographic information of participants in public engagement information is collected via a demographic questionnaire provided during in-person or online engagement activities.

District and offices review exit survey data to determine whether engagement is reaching all necessary demographics.

**Right of Way:** MnDOT identifies, logs, and maintains a record of race, ethnicity, and gender of residents and business owners who have been relocated through MnDOT's Right of Way Program. Demographic information is also collected from property owners to complete the record of its parcel files.

**Environmental Planning:** MnDOT collects and analyzes U.S. Census and other data regarding populations expected to be impacted by MnDOT projects. Race and income data is collected during the environmental review process. [Click here for more information on MnDOT's environmental planning process.](#)

**Statewide Planning:** As part of the Statewide Planning Process, MnDOT staff analyze demographic maps that include median income levels per county and racial/ethnic makeup at the U.S. Census tract level. MnDOT staff also collect voluntary demographic information during planning-related public engagement activities. [Click here for more information on MnDOT's statewide planning efforts.](#)

## TRAINING PROCEDURES

### Title VI Specialist

It is the responsibility of the Title VI Specialist to provide internal and external training relating to Title VI. Both the Title VI Coordinator and Title VI Specialist attend continuing education on Title VI topics annually in order to stay current with Title VI issues and trends.

### Civil Rights Staff, Title VI Liaison, and Other Employee Training

The Title VI Specialist provides annual training that details program requirements, responsibilities, compliance, enforcement, and updates, among other topics, to the MnDOT Office of Civil Rights Staff, Title VI Liaisons, and other employees. This training may be offered on more than one day to accommodate work schedules. Title VI Liaisons in each district and office are responsible for ensuring new employees receive training on Title VI-related roles and responsibilities.

The training provided by the Title VI Specialist provides comprehensive information on Title VI and related nondiscrimination provisions, their application to program operations, the identification of Title VI issues, discrimination complaint procedures, etc.

### Subrecipients and Stakeholders

The Title VI Specialist provides guidance and training to applicants for federal financial assistance and subrecipients developing or updating their Title VI Program as needed or requested.

## COMPLAINT PROCEDURES

MnDOT uses the procedures below to process Title VI complaints filed pursuant to the Civil Rights Act of 1964 and complaints filed pursuant to the Minnesota Human Rights Act. MnDOT's Title VI Specialist is responsible for analyzing these complaints and referring them to the appropriate investigating agency.

### Scope of Title VI Complaints

No person or groups of persons shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by MnDOT and its contractors on the grounds of **race, color, national origin, sex, age, disability, low-income status, creed, religion, marital status, sexual orientation, gender identity, or status with regard to public assistance.**

The scope of Title VI covers all internal and external activities of MnDOT. The following types of actions taken on the basis of membership in a protected class are prohibited under Title VI protections (See [49 C.F.R. § 21.5](#)):

- Excluding individuals or groups from participation in programs or activities
- Denying program services or benefits to individuals or groups
- Providing a different service or benefit or providing them in a manner different from what is provided to others
- Denying an opportunity to participate as a member of a planning, advisory or similar body that is an integral part of the program

### Who can File a Complaint

Any person(s) or organization(s) believing they have been discriminated against on the basis of the protected classes outlined above by MnDOT or its contractors may file a complaint.

### Deadlines for Filing a Complaint

For complaints determined to fall under FHWA Title VI jurisdiction, discrimination complaints **must be received no more than 180 days after the alleged incident** unless the time for filing is extended by the processing agency.

For complaints determined to fall under the Minnesota Human Rights Act, discrimination complaints **must be received no more than 365 days after the alleged incident.**

Some complaints may have dual jurisdiction under both federal and state law.

## Complaint Format

MnDOT will make every effort to ensure the complaint submission process is accessible. Complaints should be in writing and signed and may be filed by mail, fax, in person, or e-mail. A complaint should contain the following information:

- The complainant's contact information, including, if available, full name, postal address, phone number, and email address;
- The basis of the complaint (e.g., race, color, national origin, etc.);
- A written explanation of the alleged discriminatory actions;
- The names of specific persons and respondents (e.g., agencies/organizations) that allegedly committed the act(s) of discrimination;
- Sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives Federal financial assistance; and
- The date(s) of the alleged discriminatory act(s) and whether the alleged discrimination is on-going.

## How to File a Formal Complaint

Complaints can be submitted online, via email, in person, over the phone, by fax or mail.

### Online Complaint Form

Complainants are encouraged to submit complaints directly to MnDOT via its online complaint form available here: <http://www.dot.state.mn.us/civilrights/nondiscrimination-complaint-form.html>.

### Hard Copy Complaint Form

Complaints can also be filed by completing and submitting a hard copy of the complaint form via fax or mail, or by sending an email or letter with the information outlined above to MnDOT:

MnDOT Office of Civil Rights  
Attn: Title VI Coordinator  
385 John Ireland Blvd, Mail Stop 170  
St. Paul, MN 55155

**Phone:** 651-366-3073

**Fax:** 651-366-3129

**Email:** [ocrformsubmissions@state.mn.us](mailto:ocrformsubmissions@state.mn.us)

The hard copy complaint form is also available in-person at the address listed above. Language assistance is available for limited English proficient individuals. MnDOT has hard copy complaint forms available in [Spanish](#), [Somali](#), and [Hmong](#), while other languages can be accommodated as needed. The department also accepts complaints in alternative formats from persons with disabilities upon request.

## Allegations Provided Over the Telephone

If necessary, the complainant may call MnDOT at the phone number listed above and provide the allegations by telephone. MnDOT will transcribe the allegations of the complaint as provided over the telephone and send a written complaint to the complainant for correction and signature.

## Complaints submitted directly to the FHWA

Complaints can be filed directly with the FHWA via the contact information below:

Federal Highway Administration  
U.S. Department of Transportation Office of Civil Rights  
1200 New Jersey Avenue, SE  
8th Floor E81-105  
Washington, DC 20590  
**Email:** [CivilRights.FHWA@dot.gov](mailto:CivilRights.FHWA@dot.gov)  
**Fax:** 202-366-1599  
**Phone:** 202-366-0693

## Complaints submitted directly to MDHR

Complaints can be filed directly with MDHR via their [online report form](#) or by calling the MDHR Discrimination Helpline at 1-833-454-0148.

## Process after Complaint is Submitted

MnDOT promptly reviews complaints and contacts all complainants to confirm receipt of their complaint. Title VI complaints will be referred to the FHWA. Other discrimination complaints, e.g. Title VII complaints, will be referred to the appropriate agency or office. The Title VI Specialist may provide other referral options to the complainant based on the complaint allegations.

## FHWA Title VI Complaints

Complaints received by the MnDOT Title VI Specialist are forwarded to the FHWA Minnesota Division Office along with a preliminary processing recommendation. The FHWA Minnesota Division Office then forwards the complaint to FHWA Headquarters Office of Civil Rights (HCR).

FHWA HCR is responsible for all determinations regarding whether to accept, dismiss, or transfer Title VI complaints. There are four potential outcomes for processing complaints:

- **Accept:** If a complaint is timely filed, contains sufficient information to support a claim under Title VI, and concerns matters under the FHWA's jurisdiction, then HCR will send a written notice to the complainant, the respondent agency, and the FHWA Minnesota Division Office indicating that it has accepted the complaint for investigation.
- **Preliminary review:** If it is unclear whether the complaint allegations are sufficient to support a claim under Title VI, then HCR may (1) dismiss it or (2) engage in a preliminary review to acquire



additional information from the complainant and/or respondent before deciding whether to accept, dismiss, or refer the complaint.

- **Procedural Dismissal:** If a complaint is not timely filed, is not in writing and signed, or features other procedural/practical defects, then HCR will send the complainant, respondent, and FHWA Minnesota Division Office a written notice that it is dismissing the complaint.
- **Referral\Dismissal:** If the complaint is procedurally sufficient but HCR determines that the FHWA (1) lacks jurisdiction over the subject matter or (2) lacks jurisdiction over the respondent entity, it will either dismiss the complaint or refer it to another agency with jurisdiction. If HCR dismisses the complaint, it will send the complainant, respondent, and FHWA Division Office a copy of the written dismissal notice. For referrals, HCR will send a written referral notice with a copy of the complaint to the proper Federal agency and a copy to the U.S. DOT Departmental Office of Civil Rights.

Primary responsibility for complaint investigation rests with HCR. However, HCR may delegate the investigation of a financial subrecipient (i.e. city, county, planning agency, etc.) to MnDOT OCR, which would then manage all data requests, conduct interviews, and draft a Report of Investigation (ROI). MnDOT OCR has 60 business days from the date the investigation is delegated to prepare and submit the ROI to HCR. HCR will then review the ROI and compose a Letter of Finding.

For further information about the FHWA investigation process and potential complaint outcomes, please visit the [Questions and Answers for Complaints Alleging Violations of Title VI of the Civil Rights Act of 1964](#).

## Complaints pursuant to the Minnesota Human Rights Act

If the complaint allegations are determined to be subject to the Minnesota Human Rights Act, then the complainant will be provided information for filing a complaint with MDHR. [This chart](#) explains what happens after MDHR receives a complaint. Complaints can be submitted directly to MDHR via their [online report form](#) or by calling MDHR's Discrimination Helpline at 1-833-454-0148.

## Complaint Retention

MnDOT retains complaint information in accordance with its retention schedule. The record may include the investigative plan, report, findings, and any remedial action taken. MnDOT also maintains a complaint log, the elements of which are provided below.

## MnDOT Title VI Complaint Log (Elements)

Date Complaint Filed	SP#	Complainant	Respondent	Protected Class	Investigated By	Intake/ Investigative Actions	Date Closed (internally)	Disposition, Finding of Probable Cause or No Probable Cause	Notes/ Recommendations
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## DISSEMINATION OF INFORMATION

MnDOT develops Title VI information for dissemination to the general public, in languages other than English where appropriate, in accordance with 23 CFR § 200.9(b)(12).

### Public Notice of Rights under Title VI

MnDOT's Public Notice of Rights under Title VI is available in English, Spanish, Somali, and Hmong. The notice was revised in September 2023. Once translated it will be made available in English, Spanish, Somali, Hmong, Arabic, French, Karen, Korean, Oromo, Russian, Chinese (Simplified), Tagalog, and Vietnamese beginning in FFY 2024.

At a minimum, the notice is posted within public entrances at the information centers in the MnDOT Central Office and district office locations throughout the state. [The notice can also be found on MnDOT's public website.](#)

### Title VI Information on MnDOT's Website

The website informs the public of their rights under Title VI and provides information on how to file a complaint.

Title VI related information available on MnDOT's website includes:

- MnDOT's [Public Notice of Rights](#)
- MnDOT's [Title VI Implementation Plan](#)
- MnDOT's [Title VI Goals & Accomplishments Report](#)
- MnDOT's [Language Assistance Plan](#)
- MnDOT's [Title VI Resources and Training for Subrecipients](#)
- MnDOT's [Title VI Requirements for Subrecipients](#)
- MnDOT's [Title VI and Non-discrimination Policy](#)
- MnDOT's [Discrimination Complaint Form](#)

### Public Engagement

MnDOT's [Public Engagement Policy](#) affirms that effective public engagement is essential to MnDOT's commitment to offer opportunities for meaningful input and to advance equity in transportation.

MnDOT encourages the public to:

- engage early and often;
- assist in identifying transportation challenges and solutions; and
- participate in decision-making processes.

MnDOT’s [Public Engagement Guidance](#), the technical companion to the Public Engagement policy, outlines MnDOT’s public engagement planning process including MnDOT’s practices for removing barriers to participation to engage diverse audiences.

MnDOT’s approach focuses on priority transportation improvements and investments that result in a system that helps area residents travel safer, smarter, and more efficiently. Initiatives include:

- [Transportation Planning Partners](#)
- [Minnesota Go Family of Plans](#)
  - [Minnesota Statewide Multimodal Transportation Plan](#)
  - [Minnesota State Highway Investment Plan](#)
  - [Aviation, Freight & Rail, Transit, Bicycle](#) and [Pedestrian](#) multimodal plans
- [Minnesota Strategic Highway Safety Plan](#)
- [Minnesota Statewide Transportation Improvement Plan](#)

## Public Engagement Model

MnDOT utilizes a model for public engagement based upon guidance from the *International Association for Public Participation* (IAP2) that identifies a spectrum-like approach to public involvement. Each project, plan or phase of project development determines which approach is most appropriate for the stakeholders and outcome of the project.

IAP2 identifies five levels of public participation (or **engagement**). The further to the right on the **Spectrum**, the more influence the community has over decisions, and each level can be appropriate depending on the context. It is important to recognize they are levels; not steps.

Inform	Consult	Involve	Collaborate	Empower
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**1-Informing:** MnDOT informs by providing the public with balanced and objective information to assist the public in understanding the problem, alternatives, opportunities and/or solutions. MnDOT’s promise to the public is to keep the public informed. Example techniques are using fact sheets, websites, and open houses.

**2-Consulting:** MnDOT consults by obtaining public feedback on analyses, alternatives and/or decisions. MnDOT’s promise to the public is to keep the public informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision. Example techniques are public comment sessions, focus groups, surveys and public meetings.

**3-Involving:** MnDOT involves by working directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered. MnDOT’s promise to the public is to work with the public to ensure that their concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision. Example techniques are workshops and deliberative polling.

**4-Collaborating:** MnDOT collaborates by partnering with the public in each aspect of the decision, including the development of alternatives and the identification of the preferred solution. MnDOT’s promise to the public is to look to the public for advice and innovation in formulating solutions and incorporating the public’s advice and

recommendations into the decisions to the maximum extent possible. Example techniques are citizen advisory committees, consensus building and participatory decision-making.

**5-Empowering:** MnDOT empowers through placing final decision-making in the hands of the public. MnDOT's promise to the public is to implement what the public decides. Example techniques are citizen juries, ballots, and delegated decision-making.

*\*adapted from [International Association for Public Participation](#), ©2007*

MnDOT encourages public involvement using multiple channels and platforms to engage, including public service announcements of proposed projects, hearings, traditional public meetings, and online events or through the media, including social media. Interpreters or translation services are available by request from the Office of Equity and Diversity as further explained in the Limited English Proficiency section below.

The links below provide more information about MnDOT public engagement practices and resources:

- [Public Engagement Policy](#)
- [Public Engagement Guidance](#)
- [Public Engagement Planning Handbook](#)

## LIMITED ENGLISH PROFICIENCY (LEP)

MnDOT maintains a [Language Assistance Plan](#) and a [Language Services Program](#) to ensure limited English proficient individuals have meaningful access to MnDOT's programs and activities.

### MnDOT Language Assistance Plan

The Language Assistance Plan provides guidance to MnDOT staff who may interact directly with LEP individuals or whose work involves providing information or services to the public. The plan also provides protocols for identifying LEP individuals, language assistance measures, and staff responsibilities related to ensuring meaningful access for LEP individuals. Below are resources related to the Language Assistance Plan:

- [Four-Factor Analysis Template](#): A worksheet to help guide MnDOT staff analysis and decision-making for a particular program or activity to determine how to provide sufficient language assistance.
- [Limited English Proficiency Data Tool](#): A resource, and companion to the Four-Factor Analysis Template, to assist MnDOT's federal-aid subrecipients with completion of the four-factor analysis.
- [I Speak Guide](#): Provides an itemized list of non-English languages and can be used as a tool to help an LEP individual identify their preferred language to MnDOT staff.
- [Public Language Request Log](#): A tracking spreadsheet for MnDOT districts and offices to use in tracking interpretation or translations services requested by the public.

## MnDOT Language Services

MnDOT contracts with various vendors to provide the language services necessary for the agency to fulfill its statutory responsibilities. The Office of Equity & Diversity (OED) contracts with professional language service providers statewide, both internal and external to MnDOT, to provide:

- Sign Language Interpretation
- Foreign Language Interpretation (spoken word)
- Foreign Language Translation (written word)

## ENVIRONMENTAL JUSTICE

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, requires federal agencies to make achieving environmental justice a part of its mission by identifying and addressing disproportionately high and adverse human health and environmental effects of their programs, policies, and activities on minority and low-income populations. The requirements are to be carried out to the greatest extent practicable and permitted by law.

In May 2012, U.S. DOT issued an update to DOT Order 5610.2(a), DOT Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which was originally published in April 1997. The revised Order continues to be a key component of DOT's environmental justice strategy. It updates and clarifies certain aspects of the original Order while maintaining its general framework and procedures and DOT's commitment to promote the principles of environmental justice in all DOT programs, policies, and activities.

DOT Order 5610.2(a) outlines actions to address environmental justice. The following factors within the Order are directives to state transportation agencies in order to identify and avoid discrimination and disproportionality high and adverse effects on minority and low-income populations:

1. Identify and evaluate environmental, public health, and interrelated social and economic effects of DOT programs, policies, and activities;
2. Propose measures to avoid, minimize, and/or mitigate disproportionately high and adverse environmental and public health effects and interrelated social and economic effects, and provide offsetting benefits and opportunities to enhance communities, neighborhoods, and individuals affected by DOT programs, policies, and activities, where permitted by law and consistent with Executive Order 12898;
3. Consider alternatives to proposed programs, policies, and activities where such alternatives would result in avoiding and/or minimizing disproportionately high and adverse human health or environmental impacts, consistent with Executive Order 12898; and
4. Elicit public involvement opportunities and consider the results thereof, including soliciting input from affected minority populations and low-income populations in considering alternatives.

MnDOT supports environmental justice through every stage of the planning, construction and maintenance processes, consistent with the factors outlined above. This ensures MnDOT gains input from the community that will help shape how MnDOT builds and maintains roads, bridges, regional airports, rail lines, ports and trails.

Some ways in which MnDOT accomplishes this are:

- Ensuring the full and fair participation by all potentially affected communities in the transportation decision-making process;
- Avoiding, minimizing or mitigating disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations;
- Providing timely information to area residents and businesses affected by transportation plans and projects;
- Performing periodic reviews of public involvement process to gauge effectiveness, making revisions as necessary; and
- Preventing the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

[Click here for Frequently Asked Questions on the MnDOT Title VI Program: Environmental Justice.](#)

## Planning

The Office of Environmental Stewardship (OES) utilizes Context Sensitive Solutions (CSS) initiative leadership and support. CSS is a comprehensive framework to address all stakeholders in the context of planning and project development. OES also provides co-leadership and co-support for the MnDOT Complete Streets initiative. Complete Streets is an approach to road planning and design that considers and balances the needs of all transportation users. The OES Environmental Planning and Design Unit provide both CSS and Complete Streets technical support to MnDOT Central Office and District programs, project managers and teams. Further, both efforts embrace and advocate the needs of and provision of accessibility for all modes and transportation users of all ages and abilities.

Click on the links for more information on [CSS](#) and the [Complete Streets initiative](#).

## REVIEW OF STATE TRANSPORTATION AGENCY DIRECTIVES

MnDOT has a comprehensive process to develop policies and ensure that policies remain current. A full-time permanent staff member in the Office of Chief Counsel is designated in the role of Policy Coordinator. This individual is responsible for coordinating new policy development, policy revision, and policy retirement. The Policy Coordinator provides technical expertise on department policies and also serves as staff to the Governance Committee for policy review and approval. The Policy Coordinator researches, writes, edits, and publishes policies, and ensures that MnDOT policies are up-to-date.

MnDOT assigns each policy to a “Policy Owner”, who is responsible for the operational administration of the assigned policy and its related procedures and processes. MnDOT also assigns a “Policy Contact” for each policy. The Policy Contact is the subject matter expert and is the first point of contact to answer questions and assist with interpreting and applying the policy.

The Policy Development Process begins when a Policy Owner or the Policy Coordinator recognizes a need to develop a new policy or revise an existing policy. The request goes through a vetting process to ensure

management support for policy development or revision. Additionally, the Policy Coordinator ensures that policies are reviewed by the Policy Owner at least once every two years to ensure they remain current.

After management authorizes policy development or revision, the Policy Coordinator leads an effort with three general phases, as follows:

- **Development Phase:** The Policy Coordinator brings together stakeholder representatives to develop and draft the new or revised policy. The policy workgroup also applies the Equity Lens, a tool developed by the Office of Equity and Diversity to ensure fair and equitable decision-making.
- **Review and Comment Phase:** Draft policy documents and the Equity Lens analysis are broadly distributed to stakeholder groups within (and sometimes outside of) MnDOT. Comments are collected, reviewed, and analyzed, and the draft documents may be revised as a result of stakeholder comments.
- **Management Review and Approval Phase:** The Office of Chief Counsel reviews the policy documents to identify legal risks and concerns, including any potential Title VI concerns. Additionally, several other members of management review the policy and Equity Lens analysis to identify concerns. The Policy Coordinator may revise the policy documents as a result of this legal and management review. The Policy Coordinator then places the policy item on the Governance Committee agenda, along with a request for action. The Governance Committee considers the policy documents, along with any legal advice from the Office of Chief Counsel, and takes official action on policy adoption.

The Policy Coordinator is also responsible for publishing new and revised policies on the MnDOT website, and the Policy Owner is responsible for communicating new and revised policies.