



Limited English Proficiency Plan (LEP)  
Language Access Plan (LAP)

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**Oct. 1, 2024**  
(Fiscal Year 2025)

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## **PREFACE**

Michigan is home to a vast array of people from many cultures who speak many different languages. Our diversity is recognized as an asset to our economy and input from diverse communities is vital to the process of resolving transportation issues that impact our ability to move people and goods, providing a high quality of life to residents and visitors to our state. Differing perspectives and backgrounds enable creativity and innovation toward building a thriving economy. As a leader in mobility, the Michigan Department of Transportation (MDOT) understands all people in the United States must have equal opportunity and equal access to programs, services, and activities that impact the quality of life. MDOT has a major responsibility to ensure that persons who have language barriers are not excluded from participation in, denied the benefit of, or otherwise discriminated against when programs, services, or activities designed to improve Michigan's infrastructure affect their communities.

MDOT is committed to ensuring that persons having language barriers are made equal participants early in the development stages and throughout the life of a program, project, service, or activity, and that the public and communities the department serve are allowed to provide input for those projects or plans that may have an impact on their wellbeing. It is MDOT's intent to ensure fairness, equal opportunity, inclusion, and access by actively seeking input from persons who do not speak English, or have difficulty communicating in English, regarding quality-of-life issues that directly affect them.

This Limited English Proficiency (LEP) Plan, in keeping with Executive Order (EO) 13166, has been designed to provide guidance to MDOT employees for meeting the needs of individuals with limited English proficiency and all beneficiaries of transportation programs. It includes a guidance document and forms for gathering demographic data for all public involvement meetings. This information may be found in the Appendices of this plan.

### **I. Introduction**

On Aug. 11, 2000, President Bill Clinton signed EO 13166, "Improving Access to Services for Persons with Limited English Proficiency." The EO requires federal agencies to examine the services they provide, identify any need for services to those with LEP, and develop and implement a system to provide those services so LEP persons can have meaningful access to them.

The EO stated that individuals with a limited ability to read, write, speak, and understand English are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit, or encounter. These individuals are referred to as being limited in their ability to speak, read, write, or understand English, hence the designation, LEP. The EO states that:

"Each federal agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency's programs and activities."

Not only do all federal agencies have to develop LEP plans as a condition of receiving federal financial assistance, but recipients have to comply with Title VI and LEP guidelines of the federal agency from which funds are provided as well. This includes the U.S. Department of

Transportation (USDOT), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Department of Justice (DOJ), and the Federal Railroad Administration (FRA).

Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance. Recipients of federal funds range from state and local agencies to nonprofits and organizations. Title VI covers the recipient's entire program or activity. This means all parts of a recipient's operations are covered, even if only one part of the recipient's organization receives the federal assistance. Simply put, any organization that receives federal financial assistance is required to follow this EO.

The USDOT published "Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficiency" in the Dec. 14, 2005, Federal Register. The guidance explicitly identifies MDOT as an organization required to follow EO 13166.

"The guidance applies to all DOT funding recipients, which include state departments of transportation, state motor vehicle administrations, airport operators, metropolitan planning organizations, and regional, state, and local transit operators, among many others. Coverage extends to a recipient's entire program or activity, i.e., to all parts of a recipient's operations. This is true even if only one part of the operation receives federal assistance. For example, if DOT provides assistance to a state department of transportation to rehabilitate a particular highway on the National Highway System, all of the operations of the entire state department of transportation - not just the particular highway program or project - are covered by the DOT guidance."

The State of Michigan is committed to advancing the goals of Title VI of the Civil Rights Act of 1964 and EO 13166 by enacting the 2023 Meaningful Language Public Access to State Services Act and the 2023 Statewide Meaningful Language Access Coordination Act.

To assist MDOT in meeting Title VI, LEP, 2023 Meaningful Language Public Access to State Services Act and 2023 Statewide Meaningful Language Access Coordination Act requirements, MDOT will evaluate its language access endeavors on a continual basis.

## **II. Elements of an Effective LEP Policy and MDOT's Strategy**

The Civil Rights Division of the DOJ has developed a set of elements that may be helpful in designing an LEP policy or plan. For the purposes of this plan, only those individuals who were identified in the 2022 U.S. census as having the ability to speak English less than "very well" are being considered. MDOT's LEP Plan addresses these elements to aid in identifying LEP persons so that they are provided meaningful access to MDOT services and activities that may affect their quality of life. These elements include:

### **1. Identifying LEP persons who need language assistance.**

The State Long-Range Plan (SLRP) and the State Transportation Improvement Plan (STIP) will provide the program and project-level basis for determining the need for public involvement and public engagement. The Bureau of Transportation Planning conducts an environmental justice (EJ) analysis for low-income and minority populations within urban and non-urban areas. In conjunction with this study, LEP populations and other cultural variables are considered, using the census; i.e., school and community demographics,

data from metropolitan planning organizations (MPO), MDOT Transportation Service Centers and regions, and other stakeholders.

2. Identifying ways in which language assistance will be provided.

MDOT will provide oral and written translation, written interpretation and translation, and sign language, if requested or as a result of an LEP analysis on any given project or projected program, requiring translation or interpretation. In addition, video visualization techniques will be used to illustrate MDOT projects as called for in MDOT's Public Participation Plan.

MDOT will evaluate its programs, services, and activities where LEP persons are likely to be encountered or when projects may impact an LEP population. An annual survey of its employees will be conducted to determine the frequency of contact with LEP persons.

3. Training staff and others.

All MDOT staff will receive training, especially those involved in public outreach and public involvement, on identifying LEP populations and providing LEP translation and interpretation.

Sub-recipients and MPOs must provide LEP services to be in compliance with Title VI and EO 13166. Sub-recipient reviews will be conducted to ensure compliance with EO 13166.

Contractor compliance reviews will include a provision to comply with the order.

4. Providing notice to LEP persons.

After LEP populations have been identified, strategies will be developed to provide notice of a program, service, or activity, using appropriate media, including brochures (also in languages other than English).

Community groups serving LEP populations will be contacted, as well as schools, church groups, chambers of commerce, and other relevant entities.

5. The recommended method of evaluating accessibility to available transportation services in the Four-Factor Analysis identified by the USDOT. (See below)

These recommended plan elements have been incorporated into this plan.

### **III. Methodology for Assessing Needs and Reasonable Steps for an Effective LEP Policy**

The DOT guidance outlines four factors recipients should apply to the various kinds of contacts they have with the public to assess language needs and decide what reasonable steps they should take to ensure meaningful access for LEP persons.

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.

2. The frequency with which LEP individuals come in contact with the program.
3. The nature and importance of the program, activity, or service provided by the recipient to the LEP community.
4. The resources available to MDOT and overall cost.

The greater the number or proportion of eligible LEP persons, the greater the frequency with which they have contact with the program, activity, or service; and the greater the importance of that program, activity, or service, the more likely enhanced language services will be needed. The intent of federal guidance is to suggest a balance that ensures meaningful access by LEP persons to critical services while not imposing undue burdens on small organizations and local governments.

Smaller recipients with more limited budgets are typically not expected to provide the same level of language service as larger recipients with larger budgets.

The guidance from the USDOT is modeled after the DOJ's guidance and requires recipients and sub-recipients to take steps to ensure meaningful access to their programs and activities to LEP persons. More information for recipients and sub-recipients can be found at [www.lep.gov](http://www.lep.gov) or [www.Michigan.gov/TitleVI](http://www.Michigan.gov/TitleVI).

According to the 2020 U.S. census estimates, Michigan's total population is 10,077,331.

Michigan Population by Race	
<b>Total: One Race</b>	<b>10,077,331</b>
<b>White alone</b>	<b>7,295,651</b>
<b>Black or African American alone</b>	<b>1,358,458</b>
<b>American Indian and Alaska Native alone</b>	<b>47,406</b>
<b>Asian</b>	<b>332,288</b>
<b>Hispanic or Latino</b>	<b>564,422</b>
<b>Some Other Race alone</b>	<b>37,183</b>
<b>Two or More Races</b>	<b>439,320</b>

Source: U.S. Census Bureau, 2020 Demographic and Housing Characteristics

#### IV. The Four-Factor Analysis

Each of the following factors determine the level and extent of language assistance measures required to sufficiently ensure meaningful access to public services within the scope of MDOT's multimodal transportation services. Recommendations are based on the results of the analysis.

**Factor 1: The number or proportion of LEP persons in the service area who may be served or are likely to be encountered at a MDOT program, service, or activity.**

The U.S. Census Bureau has a range of four classifications of how well people speak English. The classifications are (1) "very well," (2) "well," (3) "not well," and (4) "not at all."

For planning purposes, we are considering individuals who speak English less than "very well" as LEP.

According to the 2022 U.S. Census American Community Survey, 943,593 (9.9 percent) citizens of the state of Michigan ages 5 years or older speak a language other than English at home. Of that number, 323,255 (34.3 percent) speak English less than "very well." Hispanics comprised the largest non-English speaking language group. The table below shows a breakdown of Michigan's population by language speaking ability and demonstrates the need to ensure that LEP persons are included in the transportation public involvement process.

Language Spoken at Home	# of Individuals
Population 5 years and older	9,505,118
English only (Population 5 years & Older)	8,561,525
Language other than English	943,593
Speak English less than "very well"	323,255
Spanish	274,677
Speak English less than "very well"	90,285
Other Indo-European languages	283,082
Speak English less than "very well"	81,644
Asian and Pacific Islander languages	163,356
Speak English less than "very well"	63,689
Other languages	222,478
Speak English less than "very well"	87,637

Source: U.S. Census Bureau, 2022 American Community Survey Five Year Estimates

All programs/projects must consider the number and percent of persons regarding their English language speaking ability within the planning area for inclusion in public involvement and public engagement meetings.

For each program, project, service, or activity, an assessment will be conducted to determine the number of LEP, minority, and low-income populations to ensure meaningful public involvement. The Bureau of Transportation Planning's Public Involvement Plan will be followed to ensure all groups have notification and access.

**Factor 2: The frequency with which LEP persons come in contact with an MDOT program, activity, or service.**

The program/project must be evaluated in relationship to the number of persons who are within the program/project area, and the number of times they have frequented the program or activity. For public meetings, a sign-in sheet or survey (see Appendix C and D) must be utilized to capture the demographic data of the participants. Planners and project managers must provide notice to LEP persons within the project/program area so that they are aware of any programs/projects that may affect their quality of life.

Programs, services, and activities that have potential impact for LEP persons include but are not limited to:

- Public involvement and public engagement meetings/hearings for construction projects affecting LEP communities or individuals
- Welcome Centers and rest areas
- Roadside assistance drivers
- Transportation maintenance workers
- Transit sub-recipients
- Requests for permits
- Real estate transactions/condemnation
- Payment of tolls at MDOT bridges
- Internet access: MDOT and Mi Drive websites must be accessible to LEP persons
- Requests for certifications, licenses
- Phone communications: notices/greetings in languages other than English

**Factor 3: The nature and importance of the MDOT program, activity, or service to the LEP population.**

As the state transportation agency responsible for coordinating the statewide transportation planning process, MDOT must make sure that all segments of the population, including LEP persons, have been involved or have had the opportunity to be involved in the planning process. The impact of proposed transportation investments on underserved and underrepresented population groups are part of the evaluation process. MDOT provides oversight and helps ensure that LEP and other protected classes of persons are not overlooked in the transportation planning process.

MDOT's main function is to support cooperative, comprehensive, and continuing transportation planning as outlined in federal transportation acts. In doing so, MDOT develops three main documents: The State Long-Range Transportation Plan (SLRP), the Transportation Improvement Program (TIP), the Unified Planning Work Program (UPWP), and other studies (as needed). The SLRP provides direction for transportation investments scheduled up to 20 years in the future. The TIP is a program or schedule of short-range transportation improvements and activities intended to be implemented through a combination of state, federal, and local funding. The UPWP outlines tasks to be performed in the upcoming year. LEP persons, low-income persons, minority populations, the elderly, and the disabled must be considered in these processes.

**Factor 4: The resources available to MDOT and the overall cost to provide LEP assistance.**

MDOT serves the entire state of Michigan and is required by federal law to provide access to LEP persons, and to ensure that its sub-recipients also provide access. Current demographic trends indicate the number of LEP persons will increase within the state of Michigan.

Funds available for LEP services would be derived entirely from existing MDOT operating funds and compete with other operational requirements of MDOT.

## V. Safe Harbor Stipulation

Federal law provides a “safe harbor” stipulation so that recipients can ensure with greater certainty that they comply with their obligations to provide written translations in languages other than English. A safe harbor means that if a recipient provides written translations in certain circumstances, such action will be considered strong evidence of compliance with the recipient’s written-translation obligations under Title VI.

The failure to provide written translations under the circumstances does not mean there is non-compliance but rather provides a guide for recipients that would like greater certainty of compliance than can be provided by a fact-intensive, four-factor analysis. For example, even if a safe harbor is not used, if written translation of a certain document(s) would be so burdensome as to defeat the legitimate objectives of its program, it is not necessary. Other ways of providing meaningful access, such as effective oral interpretation of certain vital documents, might be acceptable under such circumstances.

Strong evidence of compliance with the recipient’s written-translation obligations under safe harbor includes providing written translations of vital documents for each eligible LEP language group that constitutes 5 percent or 1,000 people, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. The State of Michigan Public Act 241 of 2023 had a sterner ruling, therefore reducing the criteria for safe-harbor obligations to 3 percent of 500 people. MDOT’s translation of other documents, if needed, can be provided orally.

This safe harbor provision applies to the translation of written documents only. It does not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable.

## VI. Providing Notice to LEP Persons

USDOT LEP guidance says:

“Once an agency has decided, based on the four factors, that it will provide language service, it is important that the recipient notify LEP persons of services available free of charge. Recipients should provide this notice in languages LEP persons would understand.”

The guidance provides several examples of notification, including:

1. Signs when free language assistance is available with advance notice.
2. Stating in outreach documents that free language services are available from the agency.
3. Working with community-based organizations and other stakeholders to inform LEP individuals of recipient’s services, including the availability of free language assistance services.
4. Using automated telephone voice mail attendant or menu that can provide information about available free language assistance services and how to obtain them.

5. Including notices in local newspapers in languages other than English.
6. Providing notice on non-English-language radio and television about the available free language assistance services and how to get them.
7. Providing presentations and/or notices at schools and religious organizations.

MDOT will also provide statements in public information (meetings) and public notices, as outlined in the department's Public Involvement Plan, that language assistance or special accommodations will be provided, with reasonable advance notice to MDOT.

Federal fund recipients have two main ways to provide language services: oral interpretation (either in person or via telephone interpretation service) and written translation. The correct mix should be based on what is both necessary and reasonable in light of the four-factor analysis. MDOT defines an interpreter as a person who translates spoken language orally (as opposed to a translator) who translates written language, and a translator as a person who transfers the meaning of written text from one language into another. The person who translates orally is not a translator, but an interpreter.

Considering MDOT's size and scope, LEP individuals in MDOT's statewide services area, and MDOT's financial resources, it is necessary to provide at least the most basic and cost-effective services available to ensure compliance with EO 13166. Many options were discussed and considered by MDOT staff, and the following recommendations were adopted as a measure to provide meaningful access to limited English-speaking persons:

- Identifying existing staff to be used as translators and interpreters. MDOT employs more than 2,500 people. Staff who are proficient in a second language and would be available, with advanced notice, has been identified to provide interpretation services. A survey of staff language skills has been conducted and formal procedure/policy put in place in MDOT's Title VI Plan.
- Utilize MDOT LEP services outlined in MDOT's Title VI Plan. MDOT employees who speak Arabic, French, German, Gujarati, Hindi, Mandarin, Punjabi, Russian, Spanish, Tagalog, Turkish, and Urdu have been identified and listed as interpreters. (See volunteer list in Appendix 1 of this plan.) In addition, a vendor has been selected for both translation and interpreter services.

Bromberg and Associates  
32910 W. 13 Mile Road Suite E-504  
Farmington Hills, MI 48334  
Phone: 313-871-0080  
Fax: 855-225-3100

- Ensure MDOT members are aware of the USDOT LEP guidance and support their LEP planning activities, as appropriate.
- Revisit the MDOT LEP Plan when warranted (2020 decennial census or other indication of increase of LEP persons).

## VII. Proposed Actions: What MDOT Will Do

- Publish the LEP Plan on the MDOT website to ensure public accessibility.
- Disseminate the LEP Plan to community organizations, governmental entities, and other interested persons; also, in languages other than English.
- With advance notice of seven calendar days, MDOT will provide interpreter services at any meeting or public hearing. Interpreters will include foreign language and signs for the hearing impaired.
- Place statements in notices and publications in languages that an LEP individual could understand that interpreter services are available for meetings, with seven days advance notice.
- Notices of MDOT's non-discrimination policies and information on the local and federal complaint process will be placed on the website and made available at public meetings.
- Provide training to MDOT staff on the requirements for providing meaningful access to services for LEP persons.
- Include an LEP policy in the updates of the MDOT Public Involvement Plan through 1) statements and notices that interpreters will be provided, upon prior request, for language assistance as well as for sign language, and 2) maintenance of a contact list for interpretation and translation providers.
- Utilize the MDOT Michigan Statewide Planning Process Participation Plan in conjunction with the MDOT LEP Plan to identify low-income populations, minority populations, the elderly, and the disabled who may be part of the LEP population.
- Distribute U.S. Census Bureau I-Speak Language Identification Cards to field personnel who may come into contact with LEP persons while performing their day-to-day job functions. I-Speak Cards may be obtained on the MDOT Title VI website at [www.Michigan.gov/TitleVI](http://www.Michigan.gov/TitleVI) or at <https://www.lep.gov/sites/lep/files/media/document/2022-06/i-speak-booklet.pdf>.

## VIII. LEP Plan Access

MDOT will post the LEP Plan on its website at [www.Michigan.gov/TitleVI](http://www.Michigan.gov/TitleVI). Interpretation and/or written translation will be provided upon request.

Any person, including social service and civic organization, nonprofits, law enforcement agencies, and other community partners with Internet access, will be able to access the plan. For those without personal Internet service, libraries may offer free Internet access and should be contacted to determine if this service is available. Copies of the LEP Plan will be provided to MDOT sub-recipients and stakeholders, the FHWA, the Federal Transit Administration, and any person or agency who requests a copy by contacting:

Orlando T. Curry, MSA  
Statewide Title VI Coordinator  
425 W. Ottawa

## **IX. Monitoring, Evaluation, and Reporting the LEP/LAP Plan**

This plan is subject to revision based on the changes in demographics as reported in the 2020 U.S. census and any EJ analysis done on a project. It should be considered in relationship to the need for LEP services provided by MDOT and should be viewed as an ongoing process. It is important to consider whether new documents and services need to be made accessible for LEP persons, and to monitor changes in demographics and types of services.

In addition, MDOT will monitor and evaluate the effectiveness of this language access plan and its policies and procedures. As part of this effort, MDOT will assess language use and language assistance needs on an ongoing basis. MDOT will also engage in ongoing community engagement/community feedback sessions to gather input on improvements to the language access plan and language assistance services. The department also will collect language access data, evaluate language plans and update the plan as necessary. MDOT will report this information to the Office of Global Michigan once every year.

MDOT will examine and update its LEP Plan based on the following:

- The number of LEP persons who were encountered annually via survey of public meetings and other transportation-related events or hearings.
- Determine how the needs of LEP persons have been addressed.
- Determine whether local language assistance programs have been effective and sufficient to meet the needs of LEP persons.
- Determine whether transit systems' financial resources are sufficient to fund language assistance resources needed during compliance reviews.
- Determine whether MDOT and its contractors have fully complied with the goals of the LEP Plan.
- Determine whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.
- Obtain input from customers and the general community via MDOT's Planning Study of the needs of the public.

## **X. Dissemination of MDOT's LEP Plan**

- The MDOT LEP Plan and the Title VI Plan may be accessed at [www.Michigan.gov/MDOT](http://www.Michigan.gov/MDOT). The plan will be made available in languages other than English; i.e., Arabic, Spanish, and other languages as warranted or requested.
- MDOT's LEP Plan will be shared with human service organizations, minority organizations, governmental entities, contractors, consultants, cities, villages, townships, MPOs, community advisory committees, and road commissions.

- Any person with Internet access will be able to access and download the plan from the MDOT website. Alternatively, any person or agency may request a copy of the plan via telephone, fax, mail, or in person, and shall be provided a copy of the plan at no cost.
- The plan may be published in Spanish, Arabic, and other languages when requested.

## **XI. Language Access Training**

MDOT is committed to providing language access training opportunities to all staff who come into contact with or may come into contact with LEP individuals. MDOT conducts ongoing training opportunities for staff related to the language access plan, its policies and procedures, and how to effectively deliver language assistance services in accordance with this language access plan. Training opportunities includes initial training, onboarding of new employees, and ongoing refresher training sessions for all identified staff. All MDOT staff are trained:

- How to obtain language services internally or from vendors.
- Protocols for responding to written communications from LEP individuals.
- Protocols for responding to LEP individuals who have in-person contact with staff.
- Collecting preferred language data for all unique public encounters.
- Indicating LEP status in data and information systems.
- Communicating information to the language access coordinator about perceived changes in language services needed by the population served and when.
- Review of federal and state law and polices related to language access.

## **XII. LEP Complaint Procedures**

Complaints of discrimination involving LEP, Title VI, and related statutes will be investigated using the MDOT Title VI complaint procedures included in this plan. For a more comprehensive look at MDOT's Title VI Plan, go to [www.Michigan.gov/TitleVI](http://www.Michigan.gov/TitleVI). In addition, MDOT will direct members of the public who would like to report and pursue remedy for instances of noncompliance with the Meaningful Language Access to State Services Act to the Office of Global Michigan. Complaints must be filled 180 days from the date of the alleged instance of noncompliance.

Questions or comments regarding this LEP Plan or questions related to Title VI should be directed to:

Michigan Department of Transportation  
Orlando T. Curry, MSA  
Statewide Title VI Coordinator  
425 West Ottawa  
Lansing, MI 48909  
Phone: 517-241-7462  
Fax: 517-335-0945  
[CurryO@Michigan.gov](mailto:CurryO@Michigan.gov)

## Introduction

Any person who believes that he or she, individually or as a member of any specific class or in connection with any Michigan Department of Transportation (MDOT) program, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964 and other related statutes, as stated in 49 C.F.R. 21.11(b), may file a complaint with the department or the Federal agency that provides funds for the program where the alleged discrimination occurred. A complaint may also be filed by a representative on behalf of a complainant.

## Receipt of Complaint

1. In order to have a complaint considered under this procedure, the complainant should file the complaint no later than:

- (a) 180 days after the date of the alleged act of discrimination; or
- (b) If you could not reasonably be expected to know the act was discriminatory within the 180-day period, you have 60 days after you became aware to file your complaint.

A designated federal or MDOT representative may extend the time for filing or waive the time limit in the interest of justice. The reason(s) for the extension of time must be documented in writing and retained with the file.

2. Complaints must be in writing and must be signed by the complainant or the complainant's designee or representative. The MDOT Title VI Complaint Form (#0112) may be used or any other signed document that alleges a complaint. The complaint must provide a complete explanation of the facts and circumstances surrounding the alleged discrimination. The individual receiving the complaint must date stamp the document immediately upon receipt in order to preserve the complainant's right to pursue resolution in another forum. Complaints against contractors, sub-contractors and other sub-recipients receiving federal financial assistance through MDOT must be reported to:

Title VI Coordinator  
Michigan Department of Transportation  
425 W. Ottawa St.  
Lansing, MI 48933  
517-241-7462  
[MDOT-TitleVI@Michigan.gov](mailto:MDOT-TitleVI@Michigan.gov)

3. Complaints received verbally or by other electronic media must be referred to the MDOT Title VI coordinator. If necessary, the MDOT Title VI coordinator will assist the complainant in reducing his/her complaint to writing and obtain the complainant's signature. The following are examples of sources that should not be considered a complaint, unless the source contains a signed cover letter specifically asking that the agency take action concerning the allegations:

- An anonymous complaint that is too vague to obtain required information.
- Inquiries seeking advice or information.
- Courtesy copies of court pleadings.
- Courtesy copies of complaints addressed to other local, state, or federal agencies.
- Newspaper articles.
- Courtesy copies of internal grievances.

4. Complaints are logged in by the MDOT Title VI coordinator or another individual designated by department.
5. Within 10 days the MDOT Title VI coordinator will acknowledge receipt of the complaint, and inform the complainant of the initial action taken or proposed action to process the allegation. If the correspondence indicates that the allegation is not within the jurisdiction of MDOT, the MDOT Title VI coordinator will send the complainant a letter stating that the issues presented do not come within the authority of this agency or department. The complainant will be advised regarding other avenues of redress available, such as the FHWA, FTA, FAA, the Department of Civil Rights, and the U.S. Department of Transportation. The department must make a good faith effort to refer the complaint to the appropriate agency to handle the case if it is not within MDOT's jurisdiction.

*Note: Appropriate assistance will be provided to individuals with disabilities and individuals who speak a language other than English. Also, complaints in alternate formats from individuals with disabilities may be accepted for example, complaints filed on computer disks, audio tape, or in Braille.*

#### Acceptance for Investigation

1. After initial review of the complaint by the MDOT Title VI coordinator and acceptance for investigation, a case file containing all documents and information pertaining to the case will be established. The MDOT Title VI coordinator will retain a copy of all documents on file.
2. A copy of the complaint and any relevant documents will be forwarded to the federal authority that provided the funding (FHWA, FTA or FAA). The federal funding source will oversee the investigation and determine to what extent MDOT will be involved in the investigation.

#### The Investigation

1. If the case is assigned to MDOT for investigation, the investigator assigned the case, must review the alleged facts to determine the course of the investigation. The investigation must be completed within 60 days after the case is assigned.

*For example: A complaint alleging discriminatory treatment resulting in loss to person or property, unfair compensation, inequitable benefits or other forms of hardship may involve an investigation of or review of:*

- *Public hearing procedures, including participation therein.*
- *The location, design, and access to a structure or facility constructed with federal financial assistance.*
- *Real estate and relocation activity.*

*In order to conduct a complete investigation, the investigator may determine the need to interview program managers, witnesses, or others named in the complaint.*

2. Once the investigation is completed, the investigator will prepare a written report of the assessment. The report will include a narrative of the incident, identification of individuals interviewed, findings, evidence reviewed, and recommendations for disposition.

3. Copies of the report will be provided to the federal organization with jurisdiction, MDOT management, and the MDOT Title VI coordinator. The complainant and the respondent will also receive a copy of the report. Each will have 10 working days in which to respond to the report.
4. A copy of the complaint and final determination will be forwarded to the federal entity with jurisdiction, the complainant, and the respondent within 60 days after the complaint was received by MDOT.

**B. Title VI Complaint Form**

Clear Form

Michigan Department  
of Transportation  
0112 (07/17)

**TITLE VI - COMPLAINT FORM**

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Title VI of the Civil Rights Act of 1964 states that, "No person in the United States shall on the basis of race, color, or national origin, be excluded from participation in, be denied the benefit of, or otherwise be subjected to discrimination in any program, service, or activity receiving federal financial assistance."

This form may be used to file a complaint with the Michigan Department of Transportation (MDOT) for alleged violations of Title VI of the Civil Rights Act of 1964. If you need assistance completing this form, please contact us by phone at 517-373-0980 or via fax 517-335-8841 or TDDiTTY through the Michigan Relay Center at 800-649-3777.

Only the complainant or the complainant's designated representative should complete this form.

NAME

STREET ADDRESS

CITY

STATE

ZIP CODE

HOME TELEPHONE

WORK TELEPHONE

FAX

Individual(s) discriminated against, if different from above (use additional page(s) if necessary):

NAME

STREET ADDRESS

CITY

STATE

ZIP CODE

HOME TELEPHONE NO.  
PLEASE EXPLAIN YOUR RELATIONSHIP

WORK TELEPHONE NO.  
TO THE INDIVIDUAL(S) INDICATED ABOVE

FAX NO.

Name of Agency and department or program that discriminated:

AGENCY AND DEPARTMENT NAME

NAME OF INDIVIDUAL (If known)

STREET ADDRESS

CITY

STATE

ZIP CODE

TELEPHONE NO.

FAX NO.

Date(s) of alleged discrimination:

DATE DISCRIMINATION BEGAN

LAST OR MOST RECENT DATE OF DISCRIMINATION

Alleged discrimination:

Complaints should be filed within 180 days of the alleged discrimination. If you could not reasonably be expected to know the act was discriminatory within the 180-day period, you have 60 days after you became aware to file your complaint.

If your complaint is in regard to discrimination in the delivery of services or discrimination that involved the treatment of you or others by the agency or department indicated above, please indicate below the basis on which you believe these discriminatory actions were taken. (Check all that apply)

*Example:* If you believe that you were discriminated against because you are African American, you would mark the box labeled *Race or Color* and write *African American* in the space provided.

*Example:* If you believe the discrimination occurred because you are female, you would mark the box labeled *sex* and write *female* in the space provided.

- Race: \_\_\_\_\_  Sex: \_\_\_\_\_  Disability: \_\_\_\_\_
- Color: \_\_\_\_\_  Religion: \_\_\_\_\_  Income: \_\_\_\_\_
- National origin: \_\_\_\_\_  Age: \_\_\_\_\_  Retaliation: \_\_\_\_\_

Explain:

Please explain as clearly as possible what happened. Provide the name(s) of witness(es) and others involved in the alleged discrimination. (Attach additional sheets if necessary and provide a copy of written materials pertaining to your case.)

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SIGNATURE

DATE

*Note: The laws enforced by this department prohibit retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by these laws. If you experience retaliation or intimidation separate from the discrimination alleged in this complaint or if you have questions regarding the completion of this form, please contact:*

MDOT Title VI Coordinator  
 Michigan Department of Transportation  
 425 W. Ottawa St.  
 Lansing, MI 48909  
 Phone: 517-241-7462  
 Fax: 517-335-0945  
[MDOT-TitleVI@Michigan.gov](mailto:MDOT-TitleVI@Michigan.gov)

## XII. APPENDICES

## A. MDOT LEP Volunteers

LANGUAGE	EMPLOYEE	PHONE	SPEAK	READ	WRITE
AMERICAN SIGN LANGUAGE					
ARABIC	Mohammad Hammad	517-636-0289	X	X	X
ARABIC	Ghazi Mustafa	517-335-3721	X	X	X
ARABIC	Najim Salman	517-241-2181	X	X	X
CANTONESE	Elaine Luo	517-335-2552	X	X	X
GERMAN	Diane Hayes	517-750-0404	X	X	X
HINDI	Mohammad Azam	517-636-0832	X	X	X
HINDI	Anu Sikka	517-241-3874	X	X	X
KANNADA	Mahesha Shivalingaiah	517-241-1211	X	X	X
MANDARIN	Zhizhen Liu	269-327-4499, ext. 223	X	X	X
MANDARIN	Elaine Luo	517-335-2552	X	X	X
PUNJABI	Anu Sikka	517-241-3874	X	X	X
SPANISH	Melissa Donoso	517-335-4562	X	X	X
SPANISH	Maritza Amaro	269-337-3955	X	X	X
SPANISH	Monica Uribe	517-335-4522	X	X	X
URDU	Mohammad Azam	517-636-0832	X	X	X
URDU	Anu Sikka	517-241-3874	X		
BRaille	Carrie Martin	517-373-9424	Michigan Commission for the Blind		

## B. Guidelines for Collecting Demographic Data at Public Meetings

One of the intents of Title VI of the Civil Rights Act of 1964 and the National Environmental Policy Act process is to involve the public early and often from project concept through completion by holding public meetings. Public meetings are defined as those meetings that MDOT hosts to inform and gather input from the public on a project, or list of projects, with potential benefits and/or adverse effects on the community. This document provides guidance for MOOT project managers, public involvement officers, region planners, and other department personnel to capture demographic information as required in 23 CFR 200.9 (b)(4).

### I. PURPOSE - NONDISCRIMINATION

Title VI of the Civil Rights Act of 1964 states 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 otherwise be subjected to discrimination under any program, service, or activity receiving federal financial assistance." Therefore, Title VI protects persons. Furthermore, Title VI was augmented by two Executive Orders issued by President Clinton to ensure nondiscrimination; Executive Order 12898, Environmental Justice (EJ), and Executive Order 13166, Limited English Proficiency (LEP). The Executive Orders are explained as follows:

1. Executive Order 12898, Environmental Justice, ensures that low-income populations and minority populations are not unfairly excluded from participation in processes that directly affect their quality of life. Therefore, the intent of Environmental Justice is to:
  - Avoid, minimize, or mitigate disproportionately high and adverse effects on minority and low-income populations, and
  - Ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
2. Executive Order 13166, Limited English Proficiency seeks to ensure that persons with limited ability to speak, read, or understand English are able to benefit from any program, service, or activity that receives federal financial assistance, having an impact on their quality of life.

MOOT is required by the Federal Highway Administration to request and collect certain demographic data from public meeting participants on a **voluntary basis**. This is done to help demonstrate that it has met the intent of Title VI and the Executive Orders, by targeting all persons of communities affected by projects, including the elderly, the disabled, minority populations, persons with limited ability to speak, write, or understand English, and low-income populations.

### II. SIGN-IN PROCEDURES (DEMOGRAPHIC DATA GATHERING)

#### 1. Welcoming Committee/Registration

Designate a person who will meet and greet participants. Provide the following information to each participant, as follows:

- Explain the purpose of the meeting.
- Explain the reason for data gathering.
- Display the "Title VI Public Involvement Survey" designed to capture demographic data, i.e., zip code, race, and gender, next to the MDOT Public Participation Sign-in Sheet which records contact information.
- Encourage voluntary participation to complete the Title VI Public Involvement Survey. Do not guess at gender or ethnicity.
  - o Read the following disclaimer to participants, if necessary:

*MDOT is required to capture this data to demonstrate its compliance with Federal Regulation 23 CFR 200.9 (b)(4), and more importantly, to consider the transportation needs of the community by hearing from you. Compliance is voluntary. However, in order to demonstrate compliance with the federal regulation, the information requested must be documented when provided. It will not be used for any other purpose, except to show that those who are affected by the project or have an interest in the project have been given an opportunity to provide input throughout the planning process.*

- Ensure information printed by participants is legible.
- Count the total number of public participants and record on the Title VI Public Involvement Survey Results sheet.

Note: Having a meeting participant sign-in sheet that reports the participants name and other contact information, in addition to using the Title VI Public Involvement Survey, is acceptable. it is understood that the participant sign-in sheet containing contact information is collected for the department to share future project data or other department initiatives. The participant sign-in sheet information will not be comingled with the demographic survey information.

2. Purpose of data collection:
  - To ensure that affected communities and interested persons are provided equal access to public involvement Federal regulation 23 CFR 200.9 (b)(4) requires that all state departments of transportation develop procedures for the collection of statistical data (race, gender, and national origin) of participants in, and beneficiaries of State transportation programs, i.e., relocatees, impacted citizens, and affected communities.
3. Provide Title VI brochure to participants, as appropriate.  
Brochures may be ordered from the Civil Rights Programs Assistant located in the Executive (see contact below). Submit your PCA and Index number when requesting brochures.
4. Emphasize voluntary compliance.
5. Explain that the data will be compiled by the MDOT Title VI Coordinator for submission to the Federal Highway Administration on an annual basis or as requested.
6. Display "I Speak" cards to promote involvement by community members, especially Limited English Proficient (LEP) persons. "I Speak" cards, the MDOT Limited English Proficiency Plan, including a list of language translators are available on the MDOT Title VI website at [www.Michigan.gov/TitleVI](http://www.Michigan.gov/TitleVI).
7. Let the participants know that an interpreter may be made available upon request within 7 days of future public participation meetings.

#### 8. Recording and Reporting Information

- Collect the MDOT Public Participation Sign-in Sheet and the Title VI Public Involvement Survey sheet(s) containing demographic data, i.e., ZIP code, race, and gender, at the end of the meeting.
- Complete the Title VI Public Involvement Survey Results sheet.
- Submit one copy of the forms to the MDOT Title VI compliance technician within 10 days after the meeting event:
  - Title VI Coordinator
  - Michigan Department of Transportation
  - 425 West Ottawa
  - Lansing, Michigan 48909
  - 517-241-7462
  - [MDOT-TitleVI@Michigan.gov](mailto:MDOT-TitleVI@Michigan.gov)
- Retain the original copy for the project records.
- A copy of all the required forms can be obtained from the MDOT Title VI website ([www.Michigan.gov/TitleVI](http://www.Michigan.gov/TitleVI)) or via the Bureau of Transportation Planning, via the Intranet (Connect MDOT).

C. Title VI Public Involvement Survey

Michigan Department  
Of Transportation  
5400 (03/17)

**TITLE VI PUBLIC INVOLVEMENT SURVEY**

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*Completing this form is voluntary but encouraged.  
You are not required to provide the information requested in order to participate in this meeting.*

Title VI of the Civil Rights Act of 1964 requires the Michigan Department of Transportation (MDOT) to provide opportunity for everyone to comment on transportation programs and activities that may affect their community. *Title VI specifically states 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 benefit of, or otherwise be subjected to discrimination under any program, service, or activity receiving federal financial assistance."*

By completing this form, you are helping MDOT to comply with Title VI and related statutes, which require the collection of statistical data to aid in assessing MDOT's outreach efforts among those who are affected or interested in this project.

Coordinators from the MDOT Bureau of Transportation Planning and the Bureau of Development will handle all information confidentially. Please call MDOT Title VI compliance technician at 517-241-7462 or [MDOT-TitleVI@Michigan.gov](mailto:MDOT-TitleVI@Michigan.gov), if you have any questions or concerns regarding this form.

MEETING PURPOSE	LOCATION OF MEETING	DATE
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**Please check all that apply. Check race/ethnic designation.**

	List ZIP Code	Indicate M = Male F = Female	White	African American	Hispanic/ Latino	Asian	Native American	Two or More Races	Other
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
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18									
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21									
22									
23									
24									
25									

**Thank you for your participation!**

**MDOT PUBLIC PARTICIPATION SIGN-IN SHEET**

By providing the following contact information you acknowledge your participation in this public meeting and assist MDOT in notifying you of future meetings on this project/topic.  
**(It will be kept separate from demographic information collected on Title VI Public Involvement Survey.)**

MEETING PURPOSE			LOCATION OF MEETING			DATE							
<b>Please Print * Please Print * Please Print * Please Print</b>													
NAME				NAME									
ADDRESS				ADDRESS									
CITY			STATE		ZIP		CITY			STATE		ZIP	
E-MAIL ADDRESS				E-MAIL ADDRESS									
REPRESENTING				REPRESENTING									
NAME				NAME									
ADDRESS				ADDRESS									
CITY			STATE		ZIP		CITY			STATE		ZIP	
E-MAIL ADDRESS				E-MAIL ADDRESS									
REPRESENTING				REPRESENTING									
NAME				NAME									
ADDRESS				ADDRESS									
CITY			STATE		ZIP		CITY			STATE		ZIP	
E-MAIL ADDRESS				E-MAIL ADDRESS									
REPRESENTING				REPRESENTING									
NAME				NAME									
ADDRESS				ADDRESS									
CITY			STATE		ZIP		CITY			STATE		ZIP	
E-MAIL ADDRESS				E-MAIL ADDRESS									
REPRESENTING				REPRESENTING									

**Please Print \* Please Print \* Please Print \* Please Print**

Michigan Department  
of Transportation  
5400 (03/17)

**TITLE VI PUBLIC INVOLVEMENT  
SURVEY RESULTS**

Clear Form

To Be Completed by the Designated Meeting Coordinator.

**COORDINATOR CONTACT INFORMATION**

NAME		PHONE	
PROJECT		PUBLIC MEETING DATE	REGION
TOTAL	DATA SETS		
	Record total number of public/community participants		
	Record total number of MDOT participants		
MEETING VENUE / LOCATION / ADDRESS			
PROJECT AREA ZIP CODES:			
PROVIDE BRIEF DESCRIPTION OF PROJECT. PLEASE SPELL OUT ACRONYMS.			

PLEASE PROVIDE A SYNOPSIS OF THE EFFORTS MADE TO ADVERTISE AND INFORM THE PUBLIC OF THIS MEETING (PLEASE ATTACH ANY RELATED DOCUMENTATION TO THIS FORM I.E. MEDIA, NEWSPAPER, DOOR-TO-DOOR, AND PUBLIC SERVICE ANNOUNCEMENTS).

1.	
2.	
3.	
LIST DATES OF ALL SCHEDULED PUBLIC MEETINGS FOR THIS PROJECT	
LIST ANY ADA REQUESTS FOR REASONABLE ACCOMMODATION	
1.	
2.	
LIST ANY LEP REQUESTS FOR INTERPRETERS OR TRANSLATED MATERIALS	
1.	
2.	

Meeting coordinators must submit the Title VI Involvement Survey Results, the MDOT Public Participation Sign-In Sheet, and the Title VI Public Involvement Survey to the MDOT Office of Business Development (OBD), attn: Title VI Compliance Technician, 425 W. Ottawa, Lansing, MI 48909, by e-mail to [MDOT-TitleVI@Michigan.gov](mailto:MDOT-TitleVI@Michigan.gov), or telephone 517-241-7462 within 10 days after the meeting.

Do not write below this line.

Section below to be completed by the MDOT Civil Rights Program Unit staff

Record Total Number of Public Participants by Race/Gender										
Male:	W	B	H	AI	M	Other				
Female:	W	B	H	AI	AA	Other				
Tally ZIP code of participants and provide totals for each [Ex. 48820— 5]										
ZIP Codes										