

# ***Title VI***

# ***Annual Accomplishment Report***

***April 1, 2010 - April 29, 2011***



Oklahoma Department of Transportation  
Civil Rights Division  
200 N.E. 21<sup>st</sup> Street, Rm. 1-C5  
Oklahoma City, Oklahoma 73105  
Phone: (405) 521-2072  
Toll Free: 1-800-788-4539  
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<http://www.okladot.state.ok.us/civil-rights/index.htm>

In accordance with 23 CFR 200.9(b)(10), the following is a report of the Oklahoma Department of Transportation's (ODOT) Title VI Accomplishments, a copy of the Title VI Plan, and Work Plan for May 1, 2011 - April 29, 2012.

## ACCOMPLISHMENTS

**TITLE VI WEBSITE:** A Title VI website was created to include general information, forms, and links for internal and public use. *(April 2010)*

**DISCRIMINATION COMPLAINT FORM:** The Title VI Discrimination Complaint form was created and is available online at <http://www.okladot.state.ok.us/civil-rights/title6/complaints.htm>. The form is included here as **Attachment A**. *(April 2010)*

**DISCRIMINATION COMPLAINT PROCEDURE:** The Title VI Discrimination Complaint procedure has been updated and is available online at <http://www.okladot.state.ok.us/civil-rights/title6/complaints.htm>. The procedure is included here as **Attachment B**. *(April 2010)*

**PUBLIC MEETING FORM:** The Title VI Public Meeting Form was created and is available on the website for internal use. Relevant information is being submitted by the appropriate Title VI Designee after each event. The form is included here as **Attachment C**. *(April 2010)*

**TITLE VI BROCHURE:** The Title VI brochure was developed and is available in English and Spanish versions online and in paper format. The brochures are available at each major division and at all public meetings. The brochures are included here as **Attachment D and E**. *(April 2010)*

**LIMITED ENGLISH PROFICIENCY:** A Limited English Proficient (LEP) survey was developed and distributed to all ODOT field divisions, residencies, and maintenance yards to identify employees that have the ability to interpret, translate, or are bilingual. A spreadsheet was developed from the survey results to quickly obtain employee information in the event a LEP individual comes into contact at ODOT. *(May 2010 – June 2010)*

A LEP Assessment was conducted using the Four Factor Analysis to identify language barriers, if any, that each of the nine (9) ODOT divisions may/have experienced with individuals from the public. A survey was sent out to all division receptionists to determine the frequency, reason of visit, and language(s) spoken of individuals from the public that enter their division offices. The Assessment identified the population of each division area throughout Oklahoma, languages most commonly spoken, and the number of LEP individuals. Using the Safe Harbor Provision, critical ODOT documents that need to be in multiple languages were identified. *(December 2010)*

A "Notice of Interpreter Services" flyer was created and posted throughout all ODOT divisions by elevators and main entrances. *(January 2011)*

A LEP packet was developed and distributed to all main ODOT receptionists and Title VI Designees. The packet included the Notice of Interpreter Services flyers, "I Speak" cards, example of LEP reporting form, and instructions on assisting a LEP individual. The documents are included here as [Attachment F](#). *(January 2011)*

**ODOT/LANGSTON UNIVERSITY INTERNSHIP:** The ODOT partnered with Langston University (LU) to provide a summer internship program for Langston students. Seven students participated in this internship from June 1, 2010-August 13, 2010. Students were placed in the following divisions: Legal, General Counsel, Environmental, Safe Routes to School, Information Technology, Traffic, and Right-of-Way (Utilities). All internships were funded by the LU. One intern was hired on full-time during the course of the internship and two others have had their internship extended until October 2010. *(May 2010-October 2010)*

The ODOT partnered with LU again to accept interns for the 2011 summer internship program. All internships are being funded by the LU. A list of intern qualifications and available positions was sent to LU in March 2011. Applications are due to the ODOT by April 29, 2011. All applicants will be interviewed by the specific division and the Office of Civil Rights before placement. A total of 10 (ten) internship positions at the ODOT are available. *(March 2011 – current)*

**NATIONAL SUMMER TRANSPORTATION INSTITUTE:** The 2010 National Summer Transportation Institute (NSTI) program was hosted by Langston University (LU) along with the ODOT and the FHWA. The high school program was held from June 6-30, 2010. A total of 19 (11 males and 8 females) high school students ranging from grades 9-12 were selected to participate in this program. Racial makeup of the participants included 17 African-Americans, 1 Asian, and 1 Caucasian. Students in the program visited from Oklahoma City, Tulsa, Midwest City, Langston, Woodward, Wellston, Spencer, and Waco, Texas. *(June 2010)*

The second year for the NSTI middle school/junior high program was also hosted by LU. This program ran from July 11-30, 2010. A total of 41 (20 males and 21 females) students ranging from grades 6-8 were selected to participate in this program. Racial makeup of the participants included 38 African-Americans, 1 Asian, 1 Native American, and 1 Caucasian. Students in the program visited from Oklahoma City, Edmond, Midwest City, Del City, Tulsa, Langston, Ardmore, Spencer, Coyle, and Charlotte, North Carolina. *(July 2010)*

For 2011, this was the first time a Request for Proposal (RFP) on the NSTI program was issued. In October 2010, a RFP was released for accredited schools to apply to host the 2011 NSTI high school and middle school program. An ODOT evaluation committee was formed and the submitted RFP was reviewed and Langston University was selected. The high school program was approved by FHWA and is scheduled to be conducted in June 2011. *(October 2010 – current)*

**TITLE VI DESIGNEES:** Identified a total of 37 Title VI designees from various divisions and locations for the agency. The Title VI Coordinator met with all the designees one-on-one to explain their roles and responsibilities.

Specialized monthly reports have been created for each designee that has been contacted to gather statistical data in accordance with **23 CFR 200.9(b)(4)**. These individualized reports are available for the designees on the intranet. *(April 2010 - current)*

**TITLE VI COMPLIANCE REVIEWS:** All major division areas were notified in November 2010 that Title VI Compliance reviews will be conducted in 2011. Division areas are given two weeks' notice prior to the actual on-site along with a copy of the questions that will be asked and documents that will be reviewed. After the on-site a Determination of Findings will be issued identifying any deficiencies. Divisions are required to develop a Corrective Action Plan to correct any deficiencies within a period of 90 days.

The areas that have been identified as high risk are: Pre-qualification process, Pre-bidding, Construction contracts, Relocation, Acquisition, Appraisal, Project Management contracts, Planning & Research, Environmental, Special Programs, Association of Central Oklahoma Governments, Indian Nations Council of Governments, Lawton Metropolitan Planning Organization, and Bi-State Metropolitan Planning Organization.

The Office of Engineer's Pre-qualification process review was concluded in March 2011. The Right-of-Way division's Relocation and Acquisition process is currently in review. *(January 2011 – current)*

**TITLE VI DESIGNEE TRAINING:** All ODOT Title VI Designees received CD-ROMs with Title VI training materials. *(September 2010)*

All ODOT Title VI Designees received a one day course on laws and regulations of Title VI and understanding their role and responsibility as the designee. *(March 2011)*

**TITLE VI NON-DISCRIMINATION CLAUSE & ATTACHMENTS:** All divisions are now consistent with the updated Title VI Non-Discrimination Clause that must be included in all Federal contracts. In addition, the Right-of-Way (ROW) division will include Appendix B from the Assurances to all deeds of conveyance relative to any properties acquired by the Department from the United States. The ROW division will also include Appendix C from the Assurances on short term leases and permits. *(August 2010 - current)*

**TITLE VI ADVERTISEMENT CLAUSE:** The following Title VI Advertisement clause was created (English & Spanish) to be included on all advertisements (brochures, posters, pamphlets, etc.) that are produced from ODOT's Reproduction division and distributed to the public *(June 2010 - current)*:

*The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, age, national origin, disability/handicap, or income status, 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 ODOT, its recipients, sub-recipients, and contractors.*

*"Ninguna persona en los Estados Unidos, por motivos de raza, color u origen nacional, se excluirá de la participación en, negar los beneficios de o ser sometida a discriminación bajo ningún programa o actividad que reciba asistencia financiera federal".*

**METROPOLITAN PLANNING ORGANIZATIONS:** The Title VI Coordinator has visited the facilities and met the staff at the: Association of Central Oklahoma Governments (ACOG), Lawton Metropolitan Planning Organization (LMPO), and BI-State Metropolitan Organization (BSMPO). Copies of the signed Title VI Assurances have been received and filed from ACOG, LMPO, and BSMPO. The Title VI requirements for the MPO's have been explained and now pending implementation.

The Title VI Coordinator will visit the Indian Nations Council of Government (INCOG) at the scheduled Title VI training. Title VI training for each of the MPO's is: LMPO – June 10, 2011; INCOG – June 21, 2011; BSMPO – June 23, 2011; and ACOG – July 8, 2011. *(October 2010 – current)*

**TITLE VI REPRESENTATION:** The Title VI Coordinator has attended various meetings of the Governor's Advisory Council on Asian-American Affairs, Governor's Advisory Council on Latin American and Hispanic Affairs, Oklahoma Alliance for Civil Rights, Metropolitan Planning Organization meetings, and the Oklahoma Diversity Officers/Practitioners Consortium. *(March 2010 - current)*

The Title VI Coordinator has represented ODOT and manned booths at various career fairs throughout Oklahoma. *(September 2010 – current)*

The Title VI Coordinator has assisted at various Construction Career Fair events for high school students in Oklahoma. *(October 2010-current)*

**COMPLAINTS:**

Complaints of Discrimination received in 2009/2010: 0

Complaints of Discrimination processed in 2009/2010: 0

# ATTACHMENT A

# TITLE VI COMPLAINT FORM

The Oklahoma Department of Transportation is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color, or national origin, as provided by the Title VI of the Civil Rights Act of 1964, as amended. The Title VI complaints must be filed within 180 calendar days from the date of the alleged discrimination.



Date of Filing:	
Name:	
Address:	
City, State, Zip Code:	
Work Phone:	
Home Phone:	
E-mail Address:	

**Oklahoma Department of Transportation**

**Civil Rights Division**

**200 N.E. 21st Street, Room 1-C5  
Oklahoma City, Oklahoma 73105**

**Phone: (405) 521-2072**

**Fax: (405) 522-2136**

<http://www.okladot.state.ok.us/>

Indicate on what ground(s) you believe you have been discriminated against (check all that apply):

- Race       Color       National Origin       Religion  
 Sex       Age       Disability

Indicate the person(s) who you believe discriminated against you:

Name(s):	
Work Location (if known):	
Work Phone:	
Date of alleged incident	

If you have an attorney representing you concerning the matters raised in this complaint, please provide the following:

Name:	
Address:	
Work Phone:	
E-mail Address:	

Explain why you believe discrimination has occurred. If there are witnesses, please provide names, addresses and telephone numbers. Be sure to include how other persons were treated differently than you. Attach additional pages as necessary and any written material pertaining to your case.

What remedy are you requesting? Please be specific:

Have you filed or do you intend to file a charge or complaint concerning the matters raised in this complaint with any other agencies (Federal, State, or local):

Yes

No

If so, please provide the following information:

Agency:

Address:

Name of Investigator (if known):

Phone Number:

E-mail Address:

Date Filed:

Status of case:

I confirm that I have read the above charge(s) and it is true to the best of my knowledge.

Print or typed name of complainant:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Completed forms must be submitted to the Oklahoma Department of Transportation's Civil Rights Division.  
If you require any assistance in filling out this form please contact the Title VI Coordinator at 405-521-2072.

Print Form

# ATTACHMENT B

## DISCRIMINATION COMPLAINT PROCEDURE

### A. OVERVIEW

The ODOT is responsible for investigating all Title VI discrimination complaints occurring within the federal-aid highway program or its activities, unless the complaint filed is against the ODOT. Complaints naming the ODOT as a respondent shall be forwarded to the FHWA. The procedures that the Office of Civil Rights will use to investigate such complaints are included in the ODOT's Title VI plan. All state level Title VI complaints are to be completed within sixty (60) calendar days of the acceptance of the formal complaint.

All findings from state investigations are preliminary and subject to the concurrence of the FHWA's Office of Civil Rights. The FHWA's Office of Civil Rights will render final decisions in all cases. There are no administrative appeal forums in the Title VI complaints.

Complaints may be filed by any person who believes that they have been excluded from participation in, been denied the benefits of, or otherwise subjected to discrimination under any ODOT service, program, or activity whether Federally funded or not, and believes the discrimination is based on race, color, national origin, gender, age, disability, economic status or Limited English Proficiency.

All allegations, regardless of where they are reported, shall be immediately forwarded to the ODOT Title VI Coordinator. In addition, these complaint processing requirements are passed down to sub-recipients and are reviewed for compliance during on-site reviews with those sub-recipients. ODOT has published these procedures for public view at:

<http://www.okladot.state.ok.us/civil-rights/index.htm>

The scope of Title VI covers all external activities at the ODOT. Adverse impacts resulting in the Title VI complaint can arise from many sources, including advertising, bidding, and contracts.

Complaints can originate from individuals or firms alleging inability to bid upon or obtain a contract with the ODOT for the furnishing of goods and/or services. Examples include advertising for bid proposals; prequalification or qualification; bid proposals and awards; selection of contractors, subcontractors, material and equipment suppliers, lessors, vendors, consultants, fee appraisers, universities, etc.; or the allocation of Federal Transit Administration funding.

Complaints can originate as a result of project impacts on individuals or groups. For example, social and economic, traffic, noise, air quality, access, accidents, and failure to maintain facilities.

### B. COMPLAINT PROCEDURE

The ODOT uses the following, detailed internal procedures for prompt processing and resolution of all Title VI complaints received directly by any of its divisions or field divisions having responsibilities under the Title VI and the related Nondiscrimination statutes. These procedures include but are not limited to:

1. Any person who believes that he or she, individually, as a member of any specific class, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, as amended, may file a complaint with the Title VI Coordinator with the Office of Civil Rights. A complaint may also be filed by a representative on behalf of such a person.
2. In order to have the complaint considered under this procedure, the complaint must be filed no later than 180 calendar days after:
  - The date of the alleged act of discrimination; or
  - Where there has been a continuing course of conduct, the date on which that conduct was discontinued
3. Complaints shall be filed using the department's Title VI Complaint Form (available at <http://www.okladot.state.ok.us/civil-rights/index.htm> or by contacting the Office of Civil Rights). Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of the recipient, the person shall be interviewed by the Title VI Coordinator. If necessary, the Title VI Coordinator will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled in the usual manner.

Complaints should be directed to:

**Oklahoma Department of Transportation  
Office of Civil Rights  
200 N.E. 21<sup>st</sup> Street, Room 1-C5  
Oklahoma City, OK 73105-3204**

4. Upon receipt of the signed complaint form, the Title VI Coordinator will log-in the complaint, determine the basis of the complaint, authority/jurisdiction, and who should conduct the investigation.
5. The Title VI Coordinator reviews and determines the appropriate action regarding every Title VI complaint. The department will not proceed with or continue a complaint investigation if:
  - a. The complaint is, on its face, without merit
  - b. The same allegations and issues of the complaint have been addressed in a recently closed investigation or by previous federal court decisions.
  - c. The complainant's or injured party's refusal to cooperate (including refusal to give permission to disclose his or her identify) has made it impossible to investigate further.
6. Within ten (10) business days, the Title VI Coordinator will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to be taken to process the allegation(s), and the complainant is advised of other avenues of redress available, such as the FHWA and the Department of Transportation. The notification letter contains:

- a. The basis of the complaint.
  - b. A brief statement of the allegation(s) over which the department has jurisdiction.
  - c. A brief statement of the department's jurisdiction over the recipient to investigate the complaint; and
  - d. An indication of when the parties will be contacted.
7. The Title VI Coordinator also notifies the FHWA's Division Office within ten (10) calendar days of receipt of the allegations. Generally, the following information will be included in every notification to the Office of Civil Rights:
  - a. Name, address, and phone number of the complainant.
  - b. Email address if available.
  - c. Basis of complaint (i.e., race, color, national origin, sex, age, disability/handicap).
  - d. Date of the alleged discriminatory act(s).
  - e. Date of complaint received by the recipient.
  - f. A statement of the complaint.
  - g. Other agencies (state, local or Federal) where the complaint has been filed.
  - h. An explanation of the actions the recipient has taken or proposed to resolve the issue(s) raised in the complaint.
8. Within sixty (60) calendar days from the date the original complaint was received, the Title VI Coordinator will conduct and complete an investigation of the allegation(s) and based on the information obtained, will render a recommendation for action in a report of findings to the FHWA's Division Office.
9. The Title VI Coordinator will conduct an in-depth, personal interview with the complainant(s). Information gathered in this interview includes: identification of each complainant by race, color, sex, age, national origin, disability/handicap, or income status; name of the complainant; a complete statement concerning the nature of the complaint, including names, places, and incidents involved in the complaint; the date the complaint was filed; and any other pertinent information the investigation team feels is relevant to the complaint. The interviews are recorded either on audio tape or by taking notes. The Title VI Coordinator arranges for the complainant to read, make necessary changes to, and sign the interview transcripts or interview notes. Every effort will be made to obtain early resolution of complaints at the lowest possible level.

10. Within ninety (90) calendar days of receipt of the complaint, the complainant receives a letter from the Director detailing the findings, conclusions, and any corrective action taken. All issues in the complaint are addressed.
11. The Title VI Coordinator forwards the final report to the FHWA's Division Office. Included with the reports is a copy of the complaint, copies of all documentation pertaining to the complaint, the date the complaint was filed, the date the investigation was completed, the disposition and the date of the disposition, and any other pertinent information. If, for some reason, the investigation cannot be completed within this timeframe, a status report shall be submitted to the FHWA at this stage and the report shall follow upon completion.
12. If the complaint cannot be resolved by the Department to the satisfaction of all parties concerned, the party not satisfied is advised of his or her right to appeal pursuant to Title 49, Code of Federal Regulations, Part 21. The appeal must be filed, in writing no later than 180 calendar days after the date of the alleged discrimination, unless the time for filing is extended by the Secretary to:

**U.S. Department of Transportation  
400 Seventh Street Southwest  
Washington, D.C. 20590**

A complaint may be filed with the Secretary; U.S. Department of Transportation, before, during, or after the complaint has been filed with the Oklahoma Department of Transportation.

# ATTACHMENT C

# Oklahoma Department of Transportation Title VI Public Meeting/Hearing Form



Information regarding public meetings/hearings must be documented for Title VI purposes. The Title VI Designee is responsible for completing this form and submitting it electronically to Jenny Chong, Title VI Coordinator, at [jchong@odot.org](mailto:jchong@odot.org) within three (3) days after the event.

Title VI Designee's Name:  Division:

Date of event:  Time event began:  Time event ended:

Location (include physical address):

### **Type of Meeting/Hearing :**

Informational       Hearing (Public Input Sought)       Scoping

Description:

The meeting was held within how many miles of the project site?

### **Type of Notice(s) for Meeting/Hearing :**

Paid Advertising       Public Service       Newspaper       Radio  
 Television       Internet       Landowner letter       Direct Mailing (postcard, brochure, etc.)

Other:

Will this project/issue impact minority groups?

Yes       No       Unknown

If yes, please explain:

Will there be relocations :  Yes  No  Unknown

Additional R/W?  Yes  No  Unknown

If yes, please explain:

What minority groups were represented?

<input type="checkbox"/> Native American	<input type="checkbox"/> Hispanics	<input type="checkbox"/> Asians	<input type="checkbox"/> Women
How many? <input type="text"/>	How many? <input type="text"/>	How many? <input type="text"/>	How many? <input type="text"/>
<input type="checkbox"/> African Americans	<input type="checkbox"/> Unknown	<input type="checkbox"/> Other	
How many? <input type="text"/>	How many? <input type="text"/>	How many? <input type="text"/>	

**At the Meeting/Hearing**

Were Title VI pamphlets available?  Yes  No

Were there any Title VI complaints received regarding the meeting/project? If yes, please forward a copy to the Civil Rights Division.  Yes  No

Did any members of the public make comments?  Yes  No

Total Number of Members from the public?

**Post Meeting/Hearing Observations**

Were there any language barriers?  Yes  No  Unknown

Was a translator/interpreter requested?  Yes  No

If yes, what language?

Was the facility accessible to the disabled?  Yes  No

If no, please explain why.

Other accommodations requested?  Yes  No

If yes, please explain why.

Were disabled persons present?  Yes  No  Unknown

**Print Form**

# ATTACHMENT D

## What if the recipient retaliated against me for asserting my rights or filing a complaint?

You should be aware that a recipient is prohibited from retaliating against you or any person because he or she opposed an unlawful policy or practice, or made charges, testified, or participated in any complaint action under the Title VI. If you believe that you have been retaliated against, you should immediately contact the ODOT.

## What is a recipient?

Any state, territory, possession, the District of Columbia, Puerto Rico, or any political subdivision, or instrumentality thereof, or any public or private agency, institution, or organization, or other entity, or any individual, in any state, territory, possession, the District of Columbia, or Puerto Rico, to whom Federal assistance is extended, either directly or through another recipient, for any program. Recipient includes any successor, assignee, or transferee thereof. The term *recipient* does not include any ultimate beneficiary under any such program.

"Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination."

-President John F. Kennedy, in his message calling for the enactment of Title VI, 1963

"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

Oklahoma Department of  
Transportation



YOUR RIGHTS UNDER  
**Title VI**  
*Of the Civil Rights Act of 1964*

### Oklahoma Department of Transportation

#### Civil Rights Division

200 N.E. 21st Street, Room 1-C5

Oklahoma City, OK 73105

<http://www.okladot.state.ok.us/>

Phone: 405-521-2072

Toll Free: 1-800-788-4539

Fax: 405-522-2136



## What is Title VI?

Title VI of the Civil Rights Act of 1964 is the Federal law that protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive Federal financial assistance.

## Title VI Covers...

- All Advertisements;
- Bid proposals, requests, and evaluations;
- Contracts/subcontracts;
- Title VI reports, issues, and complaint: Public meetings and internal meetings relating to Title VI will be documented and reports forwarded to the Title VI Coordinator;
- The Title VI contract provisions and other legal documents;
- Other office areas where discrimination may exist.

## What discrimination is prohibited by Title VI?

There are many forms of illegal discrimination based on race, color, or national origin that can limit the opportunity of minorities to gain equal access to services and programs. Among other things, in operating a federally assisted program, a recipient cannot, on the basis of race, color or national origin, either directly or through contractual means:

- Deny a program services, aids, or benefits;
- Provide a different service, aid, or benefit, or provide them in a manner different than they are provided to others; or
- Segregate or separately treat individuals in any matter related to the receipt of any service, aid, or benefit.

## How can I file a discrimination complaint?

Each Federal agency that provides Federal financial assistance as well as the ODOT as a recipient of Federal financial assistance is responsible for investigating complaints of discrimination on the basis of race, color, or national origin in the use of its funds. If you believe that you or others protected by Title VI have been discriminated against, you may file a complaint with the Federal agency that provides funds for the program where you believe the discrimination is occurring or the ODOT. Complaints filed with the ODOT should be directed to:

**Oklahoma Department of Transportation  
Civil Rights Division  
200 N.E. 2nd Street, Room 1-C5  
Oklahoma City, OK 73105-3204**

A signed, written complaint should be filed **within 180 days** of the date of the alleged discrimination. The Title VI Complaint form is available on the ODOT's website or by contacting the ODOT's Civil Rights Division. Information from the complaint should include:

1. Your name, address, and telephone number. Your complaint must be signed. If you are filing on behalf of another person, include your name, address, telephone number, and your relation to that person (e.g. friend, attorney, parent, etc.).
2. The name and address of the agency, institution, or department you believe discriminated against you.
3. How, why, and when you believe you were discriminated against. Include as much background information as possible about the alleged acts of discrimination. Include names of individuals whom you allege discriminated against you, if you know them.
4. The names of any persons, if known, that the investigating agency may contact for additional information to support or clarify your allegations.

## What will ODOT

## do with my complaint?

Once a complaint is filed, it will be reviewed by the department to determine whether it has jurisdiction to investigate the issues you have raised. If it is determined that ODOT has jurisdiction to investigate the complaint, the allegations will be investigated. If violations of the Title VI are found, the department will attempt to resolve them. If the complaint is against the ODOT it will be forwarded to the Federal agency which provided funds for the program or project in question.

## Who may file a Title VI Complaint?

Complaints may be filed by any individual or group who believes:

- That their rights, under the Title VI have been violated in a discriminatory manner.
- That the department's programs or activities do not comply with Federal civil rights laws.
- That they have been treated in a disparate manner.

### Discrimination:

An act (or action) whether intentional or unintentional through which a person in the United States, solely because of race, color, religion, gender, or national origin has been otherwise subjected to unequal treatment under any program or activity receiving financial assistance from the Federal Highway Administration, the Federal Transit Administration, or the Federal Aviation Administration.

### Disparate Treatment:

Inconsistent application of rules and policies to one group of people over another. Discrimination may result when rules and policies are applied differently to members of protected classes. Disciplining Hispanic and African-American employees for tardiness, while ignoring tardiness among other employees is an example of disparate treatment.

# ATTACHMENT E

## ¿Qué sucede si el destinatario tomó represalias contra mí para hacer valer mis derechos o presentar una queja?

Usted debe ser consciente de que un destinatario es prohibido represalias contra usted o cualquier persona porque él o ella se opuso a un ilegal política o práctica, o había hecho cargos, testificó, o participado en ninguna acción de denuncia bajo el título VI. Si usted cree que ha sido tomado represalias contra, debe comunicarse inmediatamente con la ODOT.

## ¿Qué es un destinatario?

Cualquier Estado, territorio, posesión, el distrito de Columbia, Puerto Rico, o cualquier subdivisión política, o Instrumentalidad, o cualquier organismo público o privado, institución, organización, o otra entidad o cualquier persona, en cualquier Estado, territorio, posesión, el distrito de Columbia o Puerto Rico, a quien se extiende asistencia federal, directamente o a través de otro destinatario, para cualquier programa. Destinatario incluye cualquier sucesor, cesionario o cesionario de los mismos. El destinatario del término no incluye a cualquier beneficiario final de cualquier programa de ese tipo.

"Simple justicia requiere que no se destine fondos públicos, a la que contribuyen todos los contribuyentes de todas las razas, de cualquier manera que alienta, entrenches, subvenciona o resultados en la discriminación racial."

-Presidente John f. Kennedy, en su mensaje pidiendo la promulgación del Título VI, 1963

# Title VI La Civil Rights Act de 1964

"ninguna persona en los Estados Unidos quedará en motivos de raza, color u origen nacional, excluida de la participación en, puede negar los beneficios de o ser sometida a discriminación bajo ningún programa o actividad que reciba asistencia financiera Federal."

Departamento de Oklahoma  
de Transporte



### Oklahoma Department of Transportation

#### Civil Rights Division

200 N.E. 21st Street, Rm. 1-C5  
Oklahoma City, OK 73105

<http://www.okladot.state.ok.us/>

Teléfono: 405-521-2072

Número de teléfono gratuito:

1-800-788-4539

Fax: 405-522-2136



## ¿Qué es el Título VI?

Título VI de la ley de Derechos Civiles de 1964, es la ley Federal que protege a los individuos contra la discriminación sobre la base de su raza, color u origen nacional en programas que reciben asistencia financiera Federal.

## Título VI de tapas

- Todos los anuncios;
- Las propuestas de la puja, solicitudes y evaluaciones;
- Contratos y subcontratos;
- Título VI informes, cuestiones y quejas; reuniones públicas y reuniones internas relacionadas con el Título VI se documentarán y informes remitidos al Título VI coordinador;
- Las disposiciones del contrato de Título VI y otros documentos legales;
- otras áreas de oficina donde puede existir discriminación.

## ¿Qué discriminación está prohibida por el Título VI?

Hay muchas formas de discriminación ilegal basada en la raza, el color o el origen nacional que puede limitar la oportunidad de las minorías para obtener igualdad de acceso a servicios y programas. Entre otras cosas, en el funcionamiento de un programa federalmente asistido, un destinatario no, sobre la base de la raza, el color o el origen nacional, ya sea directamente o a través de medios contractuales:

- Un programa de denegar servicios, ayudas o beneficios;
- Proporcionar un servicio diferente, ayuda o beneficios, o les proporcionan de manera diferente a la se ofrecen a los demás; o
- Segregan o por separado tratar individuos en cualquier asunto relacionado con la recepción de cualquier servicio, ayuda o beneficio.

## ¿Cómo puedo presentar una queja de discriminación?

Cada agencia Federal que proporciona asistencia financiera federal, así como la ODOT como un receptor de asistencia financiera Federal es responsable de investigar las denuncias de discriminación sobre la base de la raza, el color o el origen nacional en el uso de sus fondos. Si usted cree que usted u otros protegidos en el Título VI han discriminado, puede presentar una queja con la Agencia Federal que proporciona fondos para el programa donde crees que se está produciendo la discriminación o la ODOT. Las quejas presentadas con el ODOT deben dirigirse a:

**Oklahoma Department of Transportation  
Civil Rights Division  
200 N.E. 21st Street, Rm. 1-C5  
Oklahoma City, OK 73105-3204**

Debe presentarse una queja firmada y por escrito **dentro de los 180 días** de la fecha de la supuesta discriminación. El formulario de queja de título VI está disponible en el sitio web de la ODOT o por ponerse en contacto con la División de Derechos Civiles de la ODOT. Información de la denuncia debe incluir:

1. Su nombre, dirección y número de teléfono. Su queja debe ser firmada. Si están presentando en nombre de otra persona, incluya su nombre, dirección, número de teléfono y su relación con esa persona (por ejemplo, amigo, abogado, padre, etc).
2. El nombre y la dirección de la Agencia, institución o departamento que usted cree discriminado contra usted.
3. Cómo, por qué y cuándo cree usted que fueron discriminados. Incluir tanta información como sea posible acerca de los alegados actos de discriminación. Incluir nombres de personas que se alegan que discrimina contra usted, si sabes les.
4. Los nombres de las personas, si se conoce, que la Agencia Investigadora puede contactar para que obtener información adicional apoyar o aclarar sus denuncias.

## ¿Qué hara ODOT con mi queja?

Una vez que se presenta una queja, será revisado por el departamento para determinar si tiene jurisdicción para investigar las cuestiones que se ha planteado. Si se determina que el ODOT tiene jurisdicción para investigar la denuncia, se investigarán las denuncias. Si se encuentran violaciones del Título VI, el departamento intentará resolverlos. Si la denuncia es contra el ODOT se remitirá a la Agencia Federal que proporciona fondos para el programa o proyecto en cuestión.

## ¿Quién puede presentar una Queja de Título VI?

Quejas pueden ser presentadas por cualquier persona o grupo que cree:

- Que se han violado sus derechos, bajo el Título VI de manera discriminatoria.
- Que del departamento programas o actividades no cumplen con las leyes Federales de los derechos civiles.
- Que han sido tratadas de manera dispar.

### Discriminación:

Un acto (o acción) ya sea intencional o no intencional a través de que una persona en los Estados Unidos, únicamente debido a la raza, color, religión, sexo u origen nacional ha sido lo contrario sometidos a un trato desigual en virtud de cualquier programa o actividad que recibe asistencia financiera desde la autopista Federal Administration, la Administración Federal de Tránsito o la Administración Federal de Aviación.

### Tratamiento Dispar:

Aplicación arbitraria de las normas y políticas a un grupo de personas sobre otro. Discriminación se puede producir cuando las normas y políticas se aplican de forma diferente a los miembros de las clases protegidas. Disciplining Hispanos y Afroamericanos empleados para la tardanza, ignorando la tardanza entre otros empleados es un ejemplo de tratamiento dispar.

# ATTACHMENT F



Oklahoma Department of Transportation  
Civil Rights Division  
200 NE 21<sup>st</sup> Street, Room 1-C5  
Oklahoma City, OK 73105

## Employee Guide

### Process of Assisting a Limited English Proficient (LEP) individual

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This document provides guidelines on assisting a Limited English Proficient (LEP) individual that contacts the department for services or requests. (This form is also available on the intranet and at [U:\Civil\\_RI\Title VIII\Limited English Proficient.](#))

LEP – an individual who does not speak English as their primary language, and has a limited ability to read, speak, write, or understand English. These individuals may be entitled language assistance with respect to a particular type of service, benefit, or encounter.

#### In-Person

1. Use the "I Speak" cards located within this packet and ask the individual(s) to point to the language they speak.
2. Check the LEP-Interpreter-Translator Database located at [U:\Civil\\_RI\Title VIII\Limited English Proficient\LEP-Interpreter-Translator Database](#) and contact the individual that speaks the requested language:

(should check in this order)

1. ODOT employee
2. Volunteer
3. Vendor (All statewide approved vendors for 7/1/10-11/30/11 are listed alphabetically)

3. If contacting the vendor (405-946-1624/(877)488-1559), the operator can help you identify the language if you need assistance. Provide the vendor with your contact information, department, and the contract information listed on the database sheet. The phone interpreter will ask to speak to the LEP individual and will speak with that person to determine the nature of the request. You may respond through the interpreter and ask follow-up questions of your own.

4. Following the phone conversation, complete the LEP reporting form to document the occurrence and how it was resolved.

5. Complete and submit the "LEP Reporting Form" to Jenny Chong, Title VI Coordinator, in the Civil Rights Division or via email [jchong@odot.org](mailto:jchong@odot.org).

### Translation via phone

1. Place the LEP caller on hold.
2. If you can determine the language being spoken, contact an ODOT employee or volunteer from the **LEP-Interpreter-Translator Database** located at [U:\Civil\\_Rt\Title VIII\Limited English Proficient\LEP-Interpreter-Translator Database](#) and use the 3-way conference calling process:

#### Conference calling instructions

Ask the caller to hold

Press the conference/transfer button

Dial the number for the ODOT employee or volunteer

Press the conference/transfer button again and all callers should be on the phone

### OR

- If you cannot determine the language spoken, contact the vendor (All statewide approved vendors for 7/1/10-11/30/11 are listed alphabetically) listed on the **LEP-Interpreter-Translator Database** located at [U:\Civil\\_Rt\Title VIII\Limited English Proficient\LEP-Interpreter-Translator Database](#) and use the 3-way conference calling process:

#### Conference calling instructions

Ask the caller to hold.

Press the conference/transfer button

Dial the number for the vendor

Press the conference/transfer button again and all callers should be on the phone

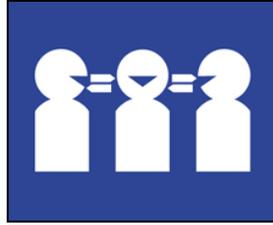
If contacting the vendor, the operator can help you identify the language if you need assistance. Provide the vendor with your contact information, department, and the contract information listed on the database sheet. The phone interpreter will speak to the LEP individual and determine the nature of the request. You may respond through the interpreter and ask follow-up questions of your own.

3. Following the phone conversation, complete the LEP reporting form to document the occurrence and how it was resolved.
4. Complete and submit the "LEP Reporting Form" to Jenny Chong, Title VI Coordinator, in the Civil Rights Division or via email [jchong@odot.org](mailto:jchong@odot.org).

### Translation for written documents

Any in-coming correspondence (such as e-mails, fax, or letters) that require translation should be forwarded to Jenny Chong, Title VI Coordinator, in the Civil Rights Division. Identified vital documents will be translated as required by the Title VI program.

# NOTICE OF INTERPRETER SERVICES



## NOTICE OF INTERPRETER SERVICES [ENGLISH]

If you do not speak the English language or are hearing impaired, you may ask for an interpreter to assist you. Please tell one of the workers that you need an interpreter and help them in identifying the language you speak. If you are unable to get the workers to provide you with an interpreter or are not satisfied with the interpreter services that is provided to you, please contact the person listed below for assistance:

**Name: Jenny Chong, Title VI Coordinator**

**Telephone Number: (405) 521-2072**

**Name: Trinia Mullins, Americans with Disabilities Act Coordinator**

**Telephone Number: (405) 521-4140**

## AVISO DE SERVICIOS DE INTERPRETE [SPANISH]

Si no hablan inglés o tienen problemas de audición, puede pedir un intérprete para ayudarle. Por favor dígame a uno de los trabajadores que necesita un intérprete y ayúdales a identificar el idioma que habla. Si no se ha podido obtener los trabajadores para proporcionarle un intérprete o no está satisfecho con los servicios de intérprete que es proporcionado a usted, por favor comuníquese con:

**Jenny Chong al**

**Número de teléfono (405) 521-2072**

O

**Trinia Mullins al**

**Número de teléfono (405) 521-4140**

**\*Other Non-English Languages are available upon request**

*The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, age, national origin, disability/handicap, or income status, 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 ODOT, its recipients, sub-recipients, and contractors.*

# Limited English Proficient Form

Under Title VI of the 1964 Civil Rights Act, public agencies are obligated to provide competent language assistance to limited-English-proficient individuals. If an interpreter or translator is needed, please have the individual(s) select the appropriate box and contact Jenny Chong, Title VI Coordinator at 405-521-2072.

- |                          |  |                        |
|--------------------------|--|------------------------|
| <input type="checkbox"/> | ضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.                          | 1. Arabic              |
| <input type="checkbox"/> | Խոսողում եմք նշում կատարեք այս քառակուսում, եթե խոսում կամ կարդում եք հայերեն: | 2. Armenian            |
| <input type="checkbox"/> | যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।                         | 3. Bengali             |
| <input type="checkbox"/> | ឈ្មួញពាក់កណ្តាលប្រអប់នេះ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ ។                          | 4. Cambodian           |
| <input type="checkbox"/> | Motka i kakhon ya yangin ûntûngnu' manaitai pat ûntûngnu' kumentos Chamorro.   | 5. Chamorro            |
| <input type="checkbox"/> | 如果你能读中文或讲中文，请选择此框。   | 6. Simplified Chinese  |
| <input type="checkbox"/> | 如果你能讀中文或講中文，請選擇此框。   | 7. Traditional Chinese |

Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.

8. Croatian

Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.

9. Czech

Kruis dit vakje aan als u Nederlands kunt lezen of spreken.

10. Dutch

Mark this box if you read or speak English.

11. English

اگر خواندن و نوشتن فارسی بلد هستید، این مربع را علامت بزنید.

12. Farsi

Cocher ici si vous lisez ou parlez le français.

13. French

Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.

14. German

Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.

15. Greek

Make kazyè sa a si ou li oswa ou pale kreyòl ayisyen.

16. Haitian  
Creole

अगर आप हिन्दी बोलते या पढ़ सकते हैं तो इस बक्स पर चिह्न लगाएँ।

17. Hindi

Kos lub voj no yog koj paub twm thiab hais lus Hmoob.

18. Hmong

Jelölje meg ezt a kockát, ha megérti vagy beszéli a magyar nyelvet.

19. Hungarian

Markaam daytoy nga kahon no makabasa wenno makasaoka iti Ilocano.

20. Ilocano

Marchi questa casella se legge o parla italiano.

21. Italian

日本語を読んだり、話せる場合はここに印を付けてください。

22. Japanese

한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.

23. Korean

ໃຫ້ໝາຍໃສ່ຊ່ອງນີ້ ຖ້າທ່ານອ່ານຫຼືປາກເວົ້າລາວ.

24. Laotian

Prosimy o zaznaczenie tego kwadratu, jeżeli posługuje się Pan/Pani językiem polskim.

25. Polish

Assinale este quadrado se você lê ou fala português.

26. Portuguese

Însemnați această căsuță dacă citiți sau vorbiți românește.

27. Romanian

Пометьте этот квадратик, если вы читаете или говорите по-русски.

28. Russian

Обележите овај квадратик уколико читате или говорите српски језик.

29. Serbian

Označte tento štvorček, ak viete čítať alebo hovoriť po slovensky.

30. Slovak

Marque esta casilla si lee o habla español.

31. Spanish

Markahan itong kuwadrado kung kayo ay marunong magbasa o magsalita ng Tagalog.

32. Tagalog

ให้กาเครื่องหมายลงในช่องถ้าท่านถ่านพูดภาษาไทย.

33. Thai

Maaka 'i he puha ni kapau 'oku ke lau pe lea fakatonga.

34. Tongan

Відмітьте що клітинку, якщо ви читаете або говорите українською мовою.

35. Ukrainian

اگر آپ اردو پڑھتے یا بولتے ہیں تو اس خانے میں نشان لگائیں۔

36. Urdu

Xin đánh dấu vào ô này nếu quý vị biết đọc và nói được Việt Ngữ.

37. Vietnamese

באצייכנט דעם קעסטל אויב איר לייענט אדער רעדט אידיש.

38. Yiddish

# Oklahoma Department of Transportation



**Civil Rights Division**  
200 N.E. 21st Street, Room 1-C5  
Oklahoma City, OK 73105  
Phone: (405) 521-2072  
Fax: (405) 522-2136

## Limited English Proficient (LEP) Reporting Form

The Limited English Proficient (LEP) form is to be filled out when a LEP individual contacts the department for services or resources. The reporting information is vital for the Title VI program's reporting requirements to the Federal Highway Administration (FHWA).

Name:  Division:  Date:

How did the LEP individual contact you?

Telephone  In person  In Writing

If other, please explain:

Reason of contact at ODOT:

Service(s) provided:

Interpreter  Translator

Service(s) conducted by:

ODOT employee  Volunteer  Fee service

Name:  Name:  Name:

Vendor

Name:

If other, please explain:

Language:

Length of time to provide service:

Completed forms must be submitted to Jenny Chong in the Civil Rights Division or emailed to [jchong@odot.org](mailto:jchong@odot.org).  
If you have any questions or require any assistance in filling out this form please contact Jenny Chong, Title VI Coordinator, at 405-521-2072.

## WORK PLAN *(May 2011 – April 2012)*

- Complete all Title VI Compliance Reviews internally and externally;
- Attend ODOT and MPO scheduled public meetings when possible;
- Work with the divisions to ensure efforts are made to increase participation from females, minorities, and socially-economically disadvantaged-owned firms for contracted projects;
- Increase awareness to other accredited colleges/universities on the National Summer Transportation Institute program to encourage additional host sites;
- Continue to meet with all Title VI Designees to ensure responsibility of compliance within their own divisions;
- Ensure that all ODOT divisions understand the results from the LEP Assessment for implementation;
- Complete training for all the Metropolitan Planning Organizations and other recipients as necessary; and
- Compile statistical data received from monthly reports and analyze results to identify any Title VI issues.

*The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, age, national origin, disability/handicap, or income status, 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 ODOT, its recipients, sub-recipients, and contractors.*