



OHIO DEPARTMENT OF TRANSPORTATION

Annual Title VI Goals and Accomplishments Report 2012 – 2013

John R. Kasich
Governor

Jerry Wray
Director

Patrick J. Piccininni
Deputy Director &
Chief Legal Counsel

An Equal Opportunity Employer and Provider of Services

December 2012

Annual Title VI Update Accomplishment Report

I. Policy Statement

The Equal Opportunity Policy Statement signed by Director Wray in August 2011 remains in effect. See [Attachment 1](#).

II. Organization, Staffing, Structure

The Title VI Coordinator continues to report to Patrick J. Piccininni, as the Deputy Director and Chief Legal Counsel for the Division. The Title VI Coordinator reports directly to Mr. Piccininni and has easy access to Director Wray. See [Attachment 2](#).

The following is a listing of staff responsible for Title VI compliance monitoring:

Division of Chief Legal Counsel & Equal Opportunity

Name	Title	Race	Gender
Patrick J. Piccininni	Deputy Director and Chief Legal Counsel	White	Male
Kimberly A. Watson	Administrator Office of Equal Opportunity Title VI & ADA/504 Coordinator	White	Female
Sarah E. Johnson	Title VI & ADA/504 Specialist	White	Female
Treneé L. Pruitt	EO Investigator	Black	Female

Title VI Liaisons

Name	Title	Race/Gender	Division
Jana Cassidy	Fiscal Officer 4	White/Female	Finance
Dushon Johnson	Program Administrator 2	Black/Female	Operations
Sarah Lee	DBE Program Manager & ADC Supervisor	White/Female	Construction Management
Brett Harris	Compliance and Training Officer	White/Male	Planning – Office of Transit
Aisha Powell	Assistant Legal Counsel/Affirmative Action Officer	Black/Female	Chief Legal Counsel & Equal Opportunity liaison for Human Resources
Dave Seech	Special Projects Planner	White/Male	Planning – Office of Transit
Jim Viau	Manager, Relocation and Title VI Section	White/Male	Engineering
Julie Walcoff	Safe Routes to School Program Manager	White/Female	Planning

III. Title VI Monitoring and Review Process

Although the Office of Equal Opportunity has not yet conducted Title VI reviews of divisions, recipients, and/or sub-recipients, the Title VI Coordinator developed the procedure to be used to do so. In 2013, the Title VI Coordinator, with assistance from the Title VI Specialist, will develop the Quality Assurance Review instrument to be used in evaluating Central Office divisions responsible for monitoring the districts, recipients, and sub-recipients. The Office of Equal Opportunity has partnered with the Office of Local Programs to develop a procedure to best monitor sub-recipients. The Office of Equal Opportunity is in the process of developing a Title VI checklist to be provided to sub-recipients. The Office of Local Programs will then include those requirements as part of the Quality Assurance Review (QAR) it performs on recipients.

As noted below, the Office of Equal Opportunity has partnered with the Local Technical Assistance Program (LTAP) in the Office of Local Programs to develop

online training for sub-recipients. Completion of Title VI training will be a prerequisite for receiving financial assistance through the Department.

IV. Complaints

There was one formal Title VI complaint filed with the Federal Highway Administration (FHWA), Office of Civil Rights, and/or the United States Department of Transportation, Office of Civil Rights.

- On or about March 13, 2012, Anita Hinkle against the Department

The complaint alleged the Department discriminated against Ms. Hinkle based on low-income status as it related to the Cleveland Innerbelt Bridge Project. However, FHWA advised the issues raised in the complaint were not Title VI violations and referred the matter to its Ohio Division. Because it was determined that the allegations were not Title VI violations, the Office of Equal Opportunity lacked jurisdiction to investigate the allegations. On April 11, 2012, Mark L. Vonder Embse, FHWA, Ohio Division, met with Ms. Hinkle to discuss her concerns. On May 21, 2012, FHWA sent a letter to Ms. Hinkle responding to her concerns and closing the matter. See [Attachment 3](#).

V. Accomplishment Report for Each Program Area

Beginning in its 2013 Annual Update Accomplishment Report, the Department will include the following information in this section:

A. Planning

- How many consultant projects for planning were awarded and the dollar value?
- Describe efforts made to utilize minority and female consultants and subcontractors in federal funded contracts.
- Describe any studies conducted to provide data relative to minority persons, neighborhoods, income levels, physical environments, and travel habits. What assistance did the Title VI Coordinator provide to ensure that Title VI considerations were included in the planning stage?
- Identify the number of planning hearings held. Describe efforts to ensure citizen participation in the hearings, particularly by minorities and women. How many minorities and women both individually

and through organizations were represented? Describe their role(s) in the citizen participation effort.

B. Research

- How many research projects are currently underway?
- List of universities and/or consultants currently conducting research projects.
 - Universities
 - Consultants
 - Federal
- Provide a summary of actions taken to encourage universities to utilize minority and women students to participate on highway research projects.
- Provide a summary of actions taken to increase minority and women consultant firms in obtaining research projects.
- List any significant actions to be taken during the ensuing year.

C. Location

- Describe complaints filed, if any, resulting from the choice of highway location decisions, or the procedure used for arriving at the decisions.
- Identify the titles, race, and gender of employees, and any vacancies, in the Location Program (?) area. Describe efforts of the Title VI Coordinator to increase the representation of minorities and women if this is an area of under representation. Describe efforts to encourage adequate representation of minorities and women on boards and committees involved in the development of transportation projects.
- How many Environmental Impact Studies (EIS) were reviewed? Summarize comments provided on the EIS about adverse impacts on minority, disabled, elderly, etc., communities.
- How many consultants currently have contracts involving project development activities and what are the dollar values? How many are minority consultants and what are the dollar values? Where minority and women participation is low, describe efforts to increase participation.

- How many project location public hearings were held? Describe how these hearings were advertised, including efforts to provide notification to minorities.
- Describe efforts to identify minority leaders and encourage them to provide suggestions and ask questions about the location of highways.
- Was there a need to utilize bilingual advertisements, announcements, notices, etc.?

D. Design

- How many consultant firms currently have design contracts and what are the dollar values? How many of these are held by minority and women-owned firms and what are the dollar values?
- Describe efforts to increase minority and female participation in consultant contracts. Does the agency maintain a list of minority and women consultants? If so, how many firms are on the list? How many are receiving contracts?
- How many highway design phase public hearings were held? Describe minority individuals, groups, and organizations that participated in the hearings, including efforts to involve them. Provide a summary of concerns and issues raised, if any, related to minority communities. Describe actions taken by the Title VI Coordinator to facilitate and/or address these concerns.
- Identify the Design Program employees by title, race, and gender and identify any vacant positions. Describe efforts to increase minority and female representation where it is low.
- Identify Title VI complaints filed, if any, in the Design Program area. Provide a summary of each with basis, status, actions proposed, and actions taken.
- Identify any significant Title VI problem areas, accomplishments, and actions to take during the ensuing year.

E. Right-of-Way

- Identify the number of civil rights complaints filed, if any, in each of the following Right-of-Way functional areas:
 - Appraisals
 - Negotiations

- Relocation Assistance and Payments
- Property Management
- How many appraisers were utilized and how many were minority and women? What efforts were made by the Title VI Coordinator to increase minority and women representation if low?
- Identify the number of negotiations. Does the negotiator's log reflect any disparity in negotiations with minorities as compared to non-minorities?
- Explain concerns, if any, raised by minorities or women about options in the negotiation phase.
- Identify the number of relocations.
- Describe concerns, if any, raised by minorities or women on replacement housing, referral housing, and advisory services.
- Identify the number of contracts awarded for providing relocation assistance, the opportunities given to minorities and women to obtain these, and how many they received.
- Describe special efforts made to comply with Title VI regulations.
- Identify Right-of-Way staff by name, job, title, race, and gender.

F. Construction, Maintenance, and Contract Administration

- Describe civil rights complaints, if any, the agency received on its competitive bidding procedures and the corrective action, if needed, that the agency has taken. Provide a summary of any concerns raised by minority or women-owned business enterprises about licensing, pre-qualifications, lack of sub-contracting opportunities, etc.
- Summarize the efforts of the Title VI Coordinator to encourage the use of minority individuals, firms, or agencies for maintenance agreements or construction contracts.
- Describe any agency procedures that were reviewed to assure Title VI compliance in sub-contract agreements, first and second tier, material supply and equipment lease agreements.
- List any significant accomplishment goals and/or actions items to be taken during the ensuing year.

G. Education and Training

- Describe efforts made to encourage participation by minorities and women in National Highway Institute (NHI) educational and training program(s).
- Identify the type of NHI programs the agency staff attended, whether the agency sponsored or co-sponsored the programs, the number of agency staff that attended, and how many of these were minorities and women.
- Identify agency staff responsible for training by job title, race, and gender.
- Describe civil rights complaints filed, if any, concerning training and educational opportunities, and the corrective actions taken, if any. Provide a summary of concerns raised, complaints filed, status, etc.

As noted above, the Office of Equal Opportunity has partnered with the LTAP to develop online Title VI and Environmental Justice Training, which will be available to sub-recipients and anyone else interested in taking the courses. In addition, LTAP is working on hosting a Designing Pedestrian Facilities for Accessibility (DPFA) course in late summer or early fall 2013. After that time, LTAP plans on developing online modules of the DPFA training.

Office of Equal Opportunity – Accomplishments (2012)

- In October, November, and December 2011, The Title VI & ADA/504 Coordinator, the Title VI & ADA/504 Specialist, the Affirmative Action Officer, and EO Investigator attended the EEO Academy hosted by the Department of Administrative Services, Equal Opportunity Division.
- In December 2011, the following occurred:
 - The Title VI & ADA/504 Coordinator submitted to FHWA the Department's Annual Title VI Goals and Accomplishments Report for 2011-2012.
 - The Title VI & ADA/504 Coordinator submitted to FHWA the Department's updated Standard Operating Procedure for its Title VI Program.

- The Title VI & ADA/504 Specialist and Affirmative Action Officer attended the 2011 National Civil Rights Symposium in Washington, D.C. at FHWA Headquarters.
- In February 2012, the Title VI & ADA/504 Coordinator along with the Title VI & ADA/504 Specialist published the Department's ADA/504 Transition Plan.
- In April 2012, FHWA approved the Department's Annual Title VI Goals and Accomplishment Report for 2011-2012. A copy of the approval letter is attached hereto as [Attachment 4](#).
- In May 2012, EO Investigator Treneé Pruitt attended a webinar entitled: "Moving to High Performance: the New Focus of Diversity & Inclusion Work." The webinar provided some useful diversity and inclusion tools that can contribute to increased morale and productivity in the workplace.
- In October 2012, the Title VI & ADA/504 Coordinator and Title VI & ADA/504 Specialist participated in a meeting with LTAP in order to collaborate and work toward implementing an online Title VI sub-recipient training module; an ADA Summit (Designing Pedestrian Facilities for Accessibility), including an interactive eLearning training program for sub-recipients and ODOT staff; and to develop an Environmental Justice online training module.

Office of Equal Opportunity – Goals (2013)

- The ADA/504 Transition Plan will be updated.
- The Title VI & ADA/504 Coordinator, with assistance from the Title VI & ADA/504 Specialist, will work to develop a specific QAR monitoring instrument and to implement the QAR process. As part of the QAR process, the Title VI & ADA/504 Coordinator and the Title VI & ADA/504 Specialist will review the Central Office emphasis program areas. The Title VI Liaisons will be responsible for monitoring the districts and sub-recipients (with assistance from the Title VI & ADA/504 Coordinator and Title VI & ADA/504 Specialist as needed) within their program areas. The Office of Equal Opportunity worked with the Office of Transit on implementing FTA Circular 4702.1B, which went into effect on October 1, 2012. The Office of Equal Opportunity also collaborated with the

Office of Local Projects and the Office of Transit to provide checklists to the Department's sub-recipients related to compliance with Title VI. The Office of Transit's [checklist](#) is attached. A similar checklist is being developed for other sub-recipients. **The monitoring process will be implemented by the next reporting period.**

- The Title VI & ADA/504 Coordinator will establish a quarterly meeting with Title VI Liaisons.
- The Title VI & ADA/504 Coordinator will continue her involvement with public information meetings for those projects with adverse impacts on minority and/or low-income populations.
- As noted above, the Office of Equal Opportunity has partnered with LTAP to develop Title VI and Environmental Justice Training for the Department' sub-recipients. In addition, LTAP is planning to host a DPFA training in late summer/early fall 2013.