

FTA

F E D E R A L T R A N S I T A D M I N I S T R A T I O N

Illinois Department of Transportation (IDOT)
Title VI Compliance Review

Final Report
November 2019



U.S. Department of Transportation
Federal Transit Administration

This page intentionally left blank to facilitate duplex printing.

Table of Contents

Executive Summary	1
1. General Information	3
2. Jurisdiction and Authorities	5
3. Purpose and Objectives	7
3.1 Purpose	7
3.2 Objectives.....	7
4. Introduction to Illinois Department of Transportation	9
4.1 Introduction to Illinois Department of Transportation and Organizational Structure	9
5. Scope and Methodology	11
5.1 Scope	11
5.2 Methodology	11
5.3 Stakeholder Interviews	15
6. Findings of General Reporting Requirements.....	16
6.1 Inclusive Public Participation	16
6.2 Language Access to LEP Persons.....	17
6.3 Title VI Complaint Procedures and Complaint Form	18
6.4 Record of Title VI Investigations, Complaints, and Lawsuits	18
6.5 Notice to Beneficiaries of Protection under Title VI	19
6.6 Annual Title VI Certification and Assurance	20
6.7 Monitoring Subrecipients and Providing Assistance to Subrecipients	20
6.8 Minority Representation on Planning or Advisory Bodies	21
6.9 Determination of Site or Location of Facilities	22
6.10 Submit Title VI Program.....	22
7. Findings of the Program-Specific Requirements for States	27
7.1 Statewide Planning Activities	27
7.2 Program Administration	27
8. Summary of Findings/Corrective Actions.....	31
Attachment A: FTA Notification Letter to the Illinois DOT	35

This page intentionally left blank to facilitate duplex printing

Executive Summary

Objective and Methodology – This report details the findings of a Compliance Review of Illinois Department of Transportation’s (IDOT) Title VI program implementation. The Compliance Review examined this agency’s Title VI program procedures, management structures, actions, and documentation. Documents and information were collected from the Federal Transit Administration (FTA) and IDOT. In addition, the following entities were interviewed as part of this review: IDOT officials and other stakeholders. The three-day review included interviews, assessments of data collection systems, and review of program and contract documents.

IDOT’s Title VI Program includes the following administrative deficiencies –

Administrative Deficiencies

- IDOT codes all Civil Rights complaints as Title VI and does not clearly delineate EEO, ADA, or DBE complaints from Title VI complaints.
- IDOT did not explicitly state in the Title VI Program submission that it does not have any non-elected planning or advisory boards.

IDOT’s Title VI Program includes the following substantive deficiencies –

Substantive Deficiencies

- IDOT has not implemented a subrecipient monitoring process that ensures compliance with Title VI.
- IDOT did not prepare a demographic profile of the state that identifies minority populations in the aggregate; prepare demographic maps and charts that analyze the impacts of federal and state funding distribution; or perform an analysis of the pass through of federal and state funding to identify disparate impacts of the distribution of funding.
- IDOT did not describe the methodology used to ensure the equitable distribution of funds to subrecipients that serve predominately minority populations.

This page intentionally left blank to facilitate duplex printing.

1. General Information

This chapter provides basic information concerning this Compliance Review of Illinois Department of Transportation. Information on IDOT, the review team, and the dates of the review are presented below.

Grant Recipient:	Illinois Department of Transportation (IDOT)
City/State:	Springfield, IL
Grantee Number:	1177
Executive Official:	Omer Osman
On-site Liaison:	Carlos Ramirez
Report Prepared By:	Milligan & Company, LLC
Dates of On-site Visit:	June 25-27, 2019
Compliance Review Team Members:	Kristin Tighe, Habibatu Atta, Byron Rothwell

This page intentionally left blank to facilitate duplex printing.

2. Jurisdiction and Authorities

The Federal Transit Administration (FTA) Office of Civil Rights is authorized by the Secretary of Transportation to conduct civil rights compliance reviews. IDOT is a recipient of FTA funding assistance and is therefore subject to the Title VI compliance conditions associated with the use of these funds pursuant to the following:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d)
- Federal Transit Laws, as amended (49 U.S.C. Chapter 53 et seq.)
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601, et seq.)
- Department of Justice regulation, 28 CFR part 42, Subpart F, “Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs” (December 1, 1976, unless otherwise noted)
- DOT Regulation, 49 CFR part 21, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964”
- FTA Circular 4702.1B “Title VI Requirements and Guidelines for Federal Transit Administration Recipients”
- FTA Circular 4703.1 “Environmental Justice Policy Guidance for Federal Transit Administration Recipients”
- DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient Persons (December 14, 2005)
- Executive Order 13166: “Improving Access to Services for Persons with Limited English Proficiency”
- Section 12 of FTA’s Master Agreement 25 (October 1, 2018)

This page intentionally left blank to facilitate duplex printing.

3. Purpose and Objectives

3.1 Purpose

The Federal Transit Administration (FTA) Office of Civil Rights periodically conducts discretionary reviews of grant recipients and subrecipients to determine whether they are honoring their commitments, as represented by certification, to comply with the requirements of 49 U.S.C. 5332. In keeping with its regulations and guidelines, FTA determined that a Compliance Review of the Illinois Department of Transportation's Title VI Program was necessary.

The Office of Civil Rights authorized Milligan and Company, LLC to conduct the Title VI Compliance Review of the Illinois Department of Transportation (IDOT). The primary purpose of this Compliance Review was to determine the extent to which IDOT has met its general reporting and program-specific requirements and guidelines, in accordance with FTA Circular 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients." Members of the Compliance Review team also discussed with IDOT the requirements of the DOT Guidance on Special Language Services to Limited English Proficient (LEP) Beneficiaries that is contained in Circular 4702.1B. The Compliance Review had a further purpose to provide technical assistance and to make recommendations regarding corrective actions, as deemed necessary and appropriate. The Compliance Review was not an investigation to determine the merit of any specific discrimination complaints filed against IDOT.

3.2 Objectives

The objectives of FTA's Title VI Program, as set forth in FTA Circular 4702.1B, dated October 1, 2012, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients" are to:

- Ensure that the level and quality of public transportation service is provided in a nondiscriminatory manner;
- Promote full and fair participation in public transportation decision-making without regard to race, color, or national origin; and
- Ensure meaningful access to transit-related programs and activities by persons with limited English proficiency.

This page intentionally left blank to facilitate duplex printing.

4. Introduction to Illinois Department of Transportation

The Illinois Department of Transportation (IDOT) is a multi-modal transportation agency with various levels of responsibility for highways and bridges, public transit, aeronautics, rail freight, passenger transportation, and traffic safety. The major objective of the Department is to ensure that all transportation systems in Illinois are developed and maintained to provide for the safe and efficient movement of people and products. In addition the Department is charged with allocating public resources and setting policy that will lead to a balanced and coordinated transportation system.

The Department accomplishes these objectives by carrying out its responsibility for statewide transportation planning; the allocation of resources and funds; development, construction, operation, and maintenance of transportation facilities; and administration of grants and programs to local units of government.

4.1 Introduction to Illinois Department of Transportation and Organizational Structure

The Illinois Secretary of Transportation is enabled by 20 ILCS 2705-15(a) to establish the Illinois Department of Transportation to carry out programs and policies that have been authorized and funded by the Illinois General Assembly. IDOT operates with its central headquarters in Springfield and five transportation regions across the state. Throughout each region, IDOT plans and programs road, bridge, public transportation, rail, and aviation projects to accomplish its primary objectives of preservation and maintenance of all existing transportation systems, upgrades of existing facilities as needed, and system expansion across all modes. The five regions host a total of nine highway districts, strategically located to best access and oversee Illinois transportation infrastructure.

The Office of Intermodal Project Implementation administers the FTA funding programs and is located in Chicago. This office provides technical assistance and administers state and Federal funding to public transit systems throughout the state, including the three bus and rail transit systems under the Regional Transportation Authority in northeastern Illinois. The funding administered by the Department provides both capital and operating grants. In addition, the office assists non-profit agencies throughout the state in purchasing special transit vehicles and equipment to serve the elderly and individuals with disabilities.

Per the 2010 Census, the population of the State of Illinois is 12,843,166. The median household income is approximately \$72,022, with 13.8 percent of persons below the poverty level.

Table 4.1 – 2010 Census State of Illinois by Race

Race	Percentage of Population
Caucasian	71.1%
African American	15.2%
Asian	5.2%
American Indian/Alaska Native	0.5%
Native Hawaiian/Pacific Islander	0.1%
Two or More Races	1.4%
Some Other Race	6.5%
Hispanic or Latino	15.9%

IDOT's Bureau Chief, Affirmative Action/Equal Employment Opportunity Officer is responsible for administration of the Title VI Program and is the designated Title VI Officer. As the Title VI Officer, he is responsible for the following:

- Monitoring and documenting IDOT's Title VI program to ensure full compliance with all provisions of Title VI of the Civil Rights Act and all applicable laws, rules and regulations
- Ensuring all Civil Rights complaints are expeditiously and correctly processed in accordance with IDOT's complaint procedures
- Reviewing all policies, procedures, and practices to ensure adherence to Title VI directives
- Providing legal advice, counseling, and training to IDOT management and employees, so that all levels of employees are informed of their rights and obligations under the Civil Rights Act of 1964, as amended

The Bureau Chief reports to the Director of Business and Workforce Diversity. In addition to Title VI, the Bureau Chief is responsible for developing and implementing IDOT's Equal Employment and Affirmative Action programs for compliance with Federal and state law. The Bureau Chief is solely responsible for Title VI compliance. IDOT has a Title VI Coordinator position that has been vacant since 2015.

During interviews with both the Bureau of Civil Rights and Transit Operations staff, staff noted that the Bureau of Civil Rights, along with other IDOT departments, has been critically understaffed since 2015 and currently lacks the capacity to adequately implement the Title VI Program. Through the Office of the Inspector General (OIG), IDOT has been subject to a court appointed federal hiring monitor for all professional technical advisor and non-union manager positions. The IDOT Title VI Coordinator, which is a technical position, has been vacant since 2015. IDOT has unsuccessfully petitioned the court on multiple occasions to remove the hiring restrictions causing critical capacity constraints in divisions such as the Bureau of Civil Rights and there is currently no date set by the court to remove the hiring restrictions.

5. Scope and Methodology

5.1 Scope

The Title VI Compliance Review of the Illinois Department of Transportation (IDOT) examined the following requirements and guidelines as specified in FTA Circular 4702.1B:

General Reporting Requirements and Guidelines – All applicants, recipients and subrecipients shall maintain and submit the following:

- Annual Title VI Certification and Assurance
- Title VI Complaint Procedures
- Record of Title VI Investigations, Complaints, and Lawsuits
- Language Access to LEP Persons
- Notice to Beneficiaries of Protections under Title VI
- Monitoring Subrecipients
- Title VI Program
- Determination of Site or Facilities Location
- Minority Representation on Planning or Advisory Bodies
- Inclusive Public Participation

Requirements for States:

- Planning
- Program Administration

5.2 Methodology

Initial interviews were conducted with the FTA Headquarters Civil Rights staff and the FTA Region V Civil Rights Officer to discuss specific Title VI issues and concerns regarding IDOT. The FTA Office of Civil Rights sent a notification letter (Attachment A) to IDOT advising it of the site visit and indicating additional information that would be needed and issues that would be discussed. The review team focused on the General Reporting Requirements and Guidelines that are contained in FTA Title VI Circular 4702.1B that became effective on October 12, 2012. The General Reporting Requirements and Guidelines included implementation of the Limited English Proficiency (LEP) Executive Order.

IDOT was requested to provide the following documents in advance of the site visit:

1. Current Title VI Program (which should include the IDOT organization chart).
2. A narrative that describes the individuals and resources dedicated to implementing the Title VI requirements, handling any Title VI inquiries, and educating the agency's staff on Title VI.

3. Demographic profile and demographic maps of the State of Illinois identifying minority and non-minority populations.
4. Any studies or surveys conducted by IDOT, its consultants or other interested parties (MPO, colleges or universities, community groups, etc.) regarding information on the race, color, national origin, English proficiency, language spoken at home, household income, and travel patterns, during the past five years.
5. Description of the statewide transportation planning process and public participation plan.
6. Documentation of efforts made by IDOT to notify members of the public of the protections against discrimination afforded to them by Title VI.
7. A list of any siting, locating, and/or constructing of transit-related facilities, and any associated Title VI equity analyses within the last three (3) years.
8. Current Title VI complaint/lawsuit or investigation list.
9. IDOT's procedures for identifying, investigating, and tracking Title VI complaints and documentation that the procedures for filing complaints are available to members of the public upon request.
10. Copy of the IDOT's Language Assistance Plan and four factor analysis of the needs of persons with Limited English Proficiency.
11. Table of IDOT non-elected planning, advisory boards, or committees depicting the racial breakdown of members and description of efforts to encourage minority participation.
12. Description of technical assistance provided to potential and current sub-recipient(s).
13. List of current sub-recipient(s) and their respective Title VI program status.
14. Copies of sub-recipient Title VI programs.
15. Analysis of the distribution of state and federal public transportation funding and identification of any disparate impacts on race, color, or national origin for the past three years.
16. A list of all sub-recipient funding requests and funding status for the past three years.
17. Description of method used to ensure equitable distribution of funds and criteria for selecting subrecipients for FTA funding.
18. Names, titles, telephone numbers, and email addresses of interested parties (external organizations) with which IDOT has interacted on Title VI matters.

19. Other pertinent information determined by IDOT staff to be pertinent and demonstrative of its Title VI compliance efforts.

IDOT assembled the documents prior to the site visit and provided them to the review team for advance review. A detailed schedule for the three-day site visit was developed.

The site visit to IDOT began on June 25, 2019 with an opening conference, held at 9:00 a.m. in the IDOT offices at 69 W. Washington Street, Suite 2100. The following people attended the meeting:

Federal Transit Administration	
John Day	Program Manager for Policy & Technical Assistance (by phone)
Marjorie Hughes	Regional Civil Rights Officer, Region 5
Shavon Nelson	Equal Opportunity Specialist (by phone)
Illinois Department of Transportation	
Carlos Ramirez	Bureau Chief and EEO / AA Officer
Carrie Cooper	Deputy Director of Transit
John Marrella	Bureau Chief of Transit Operations
Christian Del Aguila	Transit Program Controls Specialist
Aracely Lara	Transit Operating Compliance Project Manager - Northern Section
Zoe Keller	Transit Operating Compliance Project Manager - Northern Section
Joseph Iacullo	Section Chief NE Illinois Transit
Jeffrey Waxman	Project Manager
Gina Balding	Technical Manager III
Robert Innis	Technical Manager III
Glen Groesch	Civil Engineer IV
Milligan & Company, LLC	
Sandra Swiacki	Project Director (by phone)
Kristin Tighe	Lead Reviewer
Habibatu Atta	Reviewer
Byron Rothwell	Reviewer

Following the Entrance Conference, the review team met with the Illinois Department of Transportation staff responsible for Title VI Compliance. During this meeting, discussions focused on a detailed examination of documents submitted in advance of the site visit and documents provided at the site visit by IDOT. The review team then met with IDOT staff from the Transit Operations and the Planning divisions to discuss how IDOT incorporated FTA Title VI requirements into its statewide planning process.

The exit conference took place on June 27, 2019 at 3:00 p.m. at the IDOT office. Attending the conference were:

Federal Transit Administration	
John Day	Program Manager for Policy & Technical Assistance (by phone)
Marjorie Hughes	Regional Civil Rights Officer, Region 5
Shavon Nelson	Equal Opportunity Specialist (by phone)
Tony Greep	Community Planner
Illinois Department of Transportation	
Carlos Ramirez	Bureau Chief and EEO / AA Officer
Carrie Cooper	Deputy Director of Transit
John Marrella	Bureau Chief of Transit Operations
Christian Del Aguila	Transit Program Controls Specialist
Milligan & Company, LLC	
Sandra Swiacki	Project Director (by phone)
Kristin Tighe	Lead Reviewer
Habibatu Atta	Reviewer
Byron Rothwell	Reviewer

IDOT was provided with a draft copy of the report for review and response. No comments to the draft report were provided.

5.3 Stakeholder Interviews

The review team contacted seven organizations serving various regions of the state of Illinois. The purpose of this activity was to invite agencies to participate in stakeholder interviews to determine the level of public outreach, whether any discrimination complaints had been filed with the transit agency, and identify practices that would require further attention and analysis during the review.

The following local organizations were contacted to participate in the stakeholder interviews:

- Black Hawk Hill Regional Council
- Dekalb County
- Rides Mass Transit District
- South Central Illinois Mass Transit District
- North Central Illinois Council of Governments
- Springfield-Sagamon County Regional Planning Commission
- West Central Development Council

The representatives were asked questions regarding:

- Knowledge of IDOT's Title VI Program
- Right to file discrimination complaints
- IDOT's public engagement efforts
- IDOT's interaction with LEP communities

Representatives from three of the seven agencies responded and agreed to participate. All the respondents stated that they had a good relationship with IDOT and were notified of funding opportunities. All of the agencies were aware of Title VI and one agency stated that it was asked to participate in the development of IDOT's Title VI Program in 2016. All three agencies also indicated that there have not been any complaints brought to their attention by their constituents. One agency, West Central Development Council, stated that they have not met with IDOT regarding Title VI and that more information regarding Title VI would be helpful.

6. Findings of General Reporting Requirements

6.1 Inclusive Public Participation

Requirement

FTA recipients must integrate the content and considerations of Title VI, the Executive Order on LEP, and the DOT LEP Guidance into their public participation plan. This includes seeking out and considering the viewpoints of minority, low-income, and LEP populations in the course of conducting public outreach and involvement activities. While what efforts are made are generally at the discretion of the agency, efforts to include minority and LEP populations in public participation activities can include both comprehensive measures, as well as targeted measures to address specific barriers that may prevent minority and LEP persons for effectively participating in a recipient's decision-making process. (FTA C 4702.1B, Chap. III-5, Sec. 8).

Discussion

During this compliance review, no deficiencies were found with this requirement.

As a state DOT, IDOT's primary interaction with the public regarding public transportation is through the Statewide Transportation Improvement Program (STIP). The STIP process is managed by IDOT's Office of Planning and Programming (OP&P). The Title VI Program outlines the following public participation process:

- Each Metropolitan Planning Organization (MPO) is required to hold its own public participation process in the development and approval of their individual Transportation Improvement Programs (TIP).
- The MPOs submit their approved TIPS to IDOT for evaluation and inclusion in the development of IDOT's STIP. For the non-metropolitan areas of the state, projects vetted through IDOT's annual and multi-year improvement programs are included. These project also have their own public participation process.
- IDOT publishes a draft STIP for public comment. Press releases are sent to media outlets across the state, including 74 newspapers, and is available on IDOT's website. Region 1, which includes the city of Chicago, has the densest population and the largest minority population. For this region, notification of the draft STIP is published in additional newspapers with minority readership, Spanish-language, and other LEP-focused publications.
- IDOT's Bureau of Statewide Program Planning collects and responds to public comments, modifying the STIP as necessary to address the public comments received.

Additionally, IDOT has a network of Human Service Transportation Plan Coordinators who hold advertised quarterly public meetings. The IDOT website also provides the public the opportunity to submit concerns, comments, and suggestions via an on-line web form in addition to taking comments or concerns over the telephone. These inquiries are generally handled by IDOT's Office of Communications unless they need to be directed to a specific division for a response. IDOT commits to sending a response within 10 business days for any comment requesting a response.

6.2 Language Access to LEP Persons

Requirement

FTA recipients must take responsible steps to ensure meaningful access to benefits, services, information, and other important portions of its programs and activities for individuals who are Limited English Proficient (LEP). Language access to LEP persons is not limited to only fixed-route services, but will also include paratransit service and any other demand response services the grantee makes available to the public. Recipients must use the information obtained in the Four Factor Analysis to determine the specific language services that are appropriate to provide. (FTA C 4702.1B, Chap. III-6, Sec. 9).

Discussion

During this compliance review, no deficiencies were found with this requirement. Compliance with the required Title VI language access elements are listed in Table 6.2 below.

IDOT conducted the required LEP four factor analysis and developed a Language Assistance Plan (LAP). IDOT broke out the Census data for the population that speaks English less than “very well” by the nine IDOT Districts. District 1 has the highest percentage of LEP persons at 8.48 percent, followed by District 2 at 3.02 percent LEP, and District 3 with 2.75 percent LEP. The remaining six IDOT Districts have LEP populations of one percent or less. The analysis shows that the most frequently encountered language is Spanish. Other languages encountered infrequently include Hattian Creole, Polish, Russian, and Chinese. IDOT uses a language line service and also has employees who are bilingual in Spanish, French, Hindi, and Chinese available to assist LEP persons as needed. IDOT provides the Title VI Notice to Beneficiaries, complaint form, and complaint procedures in Spanish. Any IDOT documents may be translated into another language upon request. IDOT provides training to staff on how to use I Speak cards, how to handle in person encounters and telephone calls from LEP persons, and how to fulfill a document translation request. Bilingual staff who have identified themselves as available to provide LEP assistance receive additional training on serving as interpreters.

Table 6.2 – LEP Four-Factor Analysis and Language Assistance Plan

Elements Required (per FTA C. 4702.1B)	Included in Plan
Part A – Results of Four-Factor Analysis	
Demography – Number or proportion of LEP persons eligible to be served or likely to be encountered	Yes
Frequency of contact – Frequency with which LEP individuals come into contact with the program	Yes
Importance – Nature and importance of program, activity, or service to people’s lives	Yes
Resources – Resources available and costs of outreach	Yes
Part B – Develop Language Assistance Plan	
Identification of LEP persons	Yes
Language assistance measures	Yes
Identification of vital documents/prioritization of vital documents	Yes

Elements Required (per FTA C. 4702.1B)	Included in Plan
Provide notice to LEP persons of availability of services	Yes
Monitors, evaluates, and updates LAP	Yes
Training of staff to provide timely and reasonable language assistance to LEP population	Yes

6.3 Title VI Complaint Procedures and Complaint Form

Requirement

FTA recipients and subrecipients must develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public upon request. Recipients must also develop a Title VI complaint form, and the form and procedure for filing a complaint shall be available on the recipient's website. (FTA C 4702.1B, Chap. III-5, Sec. 6).

Discussion

During this compliance review, no deficiencies were found with this requirement. IDOT uses a general discrimination complaint form which covers the Title VI requirements. The complaint form and process for filing a complaint are easily accessed on the IDOT website. Additionally, customers can request a complaint form over the phone. Staff within the Bureau of Civil Rights are available to assist in taking a complaint over the phone, if necessary. Both the complaint form and procedures are also provided in Spanish.

6.4 Record of Title VI Investigations, Complaints, and Lawsuits

Requirement

FTA recipients must prepare and maintain a list of any active investigations (conducted by entities other than FTA), lawsuits, or complaints naming the recipients that allege discrimination on the basis of race, color, or national origin. This list must include the date that the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response to the investigation, lawsuit, or complaint. (FTA C 4702.1B, Chap. III-5, Sec. 7).

Discussion

During this compliance review, deficiencies were found with this requirement. IDOT's Title VI Program Plan identified a total of six complaints by name, date received, type, issue, basis, and status. In preparation for the site visit, IDOT provided an additional list to include nine complaints also by name, date received, type, issue, basis and status. However, neither document clearly identified or categorized whether the complaints were employment, transit-related, or highway division-related for tracking purposes. All civil rights related complaints for both Transit Operations and Highways are generally categorized as "Title VI". During the site visit the review team discussed each complaint with staff in the Bureau of Civil Rights and

determined that none of the complaints filed with IDOT were Title VI-related and, with the exception of one complaint, all complaints were related to the Highways division.

Corrective Actions and Schedule

Within 60 days of the issuance of the final report, IDOT must submit to the FTA Office of Civil Rights a revised process for correctly classifying, separating, and tracking Title VI complaints from employment and other Civil Rights complaints. This process should also delineate transit-related complaints from highway-related complaints.

6.5 Notice to Beneficiaries of Protection under Title VI

Requirement

FTA recipients must provide information to the public regarding their Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by Title VI. At a minimum, recipients must disseminate this information to the public through measures including a posting on its website, in public areas of the agency's office, and in stations, at stops, and on transit vehicles. Furthermore, notices will detail a recipient's Title VI obligations into languages other than English, as needed and consistent with the DOT LEP Guidance and the recipient's LAP. (FTA C 4702.1B, Chap. III-4, Sec. 5).

Discussion

During this compliance review, no deficiencies were found with this requirement. IDOT's Title VI Program contains the IDOT Title VI Notice to Beneficiaries. The notice includes the required non-discrimination statement, how the public can request additional information on the program, and how to file a discrimination complaint. The notice is also available in Spanish. The notice is posted in a prominent place on the agency's website and in the lobby of the IDOT office.

Table 6.5 – IDOT Notice to Beneficiaries of Protection under Title VI

Elements Required (per FTA Circular 4702.1B)	Included in Notice
Statement that agency operates Programs without regard to race, color, and national origin.	Yes
Description of procedures that members of the public should follow to request additional information on recipient's nondiscrimination obligations.	Yes
Description of procedures that members of the public should follow to file a discrimination complaint against recipient.	Yes
Notice translated into languages other than English	Yes

6.6 Annual Title VI Certification and Assurance

Requirement

FTA recipients must submit an annual Title VI certification and assurance as part of their Annual Certifications and Assurances submission to FTA (in the FTA Web-based Transit Award Management System (TrAMS) grants management system). (49 CFR § 21.7(a) and FTA C 4702.1B, Chap. III-1, Sec. 2).

Discussion

During this compliance review, no deficiencies were found with this requirement. IDOT executed the FY 2019 Certifications and Assurances in TrAMS on June 26, 2019. The Affirmation was executed by IDOT's Chief of Staff as the designated official and countersigned by IDOT's Legal Counsel.

6.7 Monitoring Subrecipients and Providing Assistance to Subrecipients

Requirement

Primary recipients must assist their subrecipients in complying with DOT's Title VI regulations, including the general reporting requirements. Primary recipients must provide to the subrecipients, at a minimum, the documents required by FTA C 4702.1B, Chap. III-10, Section 11.

Primary recipients must monitor their subrecipients for compliance with the regulations. Importantly, if a subrecipient is not in compliance with Title VI requirements, then the primary recipient is also not in compliance. This includes documenting a process for ensuring all subrecipients are complying with its Title VI Program requirements, and collecting and reviewing the Title VI Programs of subrecipients. (FTA C 4702.1B, Chap. III-10, Sec. 12).

Discussion

During this compliance review, deficiencies were found with this requirement. IDOT has not implemented a subrecipient monitoring process that ensures compliance with the Title VI requirements. At the time of the review, IDOT had 43 Section 5311 subrecipients. Annually, IDOT collects a Title VI Subrecipient's Questionnaire that includes information on the subrecipient's Title VI program and the subrecipient's designated Title VI Coordinator. The subrecipients are requested to electronically send the form along with a copy of their Title VI program, complaint form, complaint procedures, Notice to Beneficiaries, and LAP Plan or LEP Policy. Each state and federal grant subrecipient is also contractually required to designate a Program Compliance Oversight Monitor (PCOM). The designated PCOM is responsible for submitting quarterly compliance reports to IDOT's Department of Intermodal Project Implementation as well as monitoring the public transportation service being provided, attending trainings and local coordination meetings, and providing complaint resolution. The designated PCOM is typically a senior member of the subrecipient's staff.

The 2017 Title VI Program submission included a copy of the annual Title VI Subrecipients' Questionnaire but it did not include a list of subrecipients with the date and status of each subrecipient Title VI program. Prior to the site visit, IDOT provided the review team with a

tracking sheet showing subrecipient names, contact information, date of Title VI Program submission, and notes indicating that IDOT did an initial review of each program requirement. The Title VI tracking sheet showed that the subrecipient program submission dates all occurred in 2014. The tracking sheet noted that many of the Title VI submissions required follow up. IDOT could not provide documentation that follow-up on missing subrecipient Title VI information had occurred since 2014, which is beyond the required three-year submission schedule.

During the site visit, the review team requested and IDOT staff provided five subrecipient files for review. The five subrecipient files contained information covering Fiscal Year 2019, however the Title VI information collected in each file was inconsistent. Three of the five files reviewed contained full Title VI Program submissions while the remaining two files contained only complaint information, a Title VI policy statement, and an executed annual certification and assurance. Upon review of the documentation provided, the review team noted that a portion of the Title VI information provided by all subrecipients was either incorrect or missing required elements. IDOT has a process in place to monitor subrecipients but is not implementing the process effectively.

Corrective Actions and Schedule

Within 60 days of the issuance of the final report, IDOT must submit to the FTA Office of Civil Rights a plan for effectively collecting and reviewing subrecipients' Title VI Programs for compliance with FTA C 4702.1B.

For the next Title VI Program submission due on February 1, 2020, IDOT must submit to the FTA Office of Civil Rights documentation of Title VI subrecipient monitoring.

6.8 Minority Representation on Planning or Advisory Bodies

Requirement

FTA recipients may not deny an individual the opportunity to participate as a member of a transit-related, non-elected planning, advisory, committee, or similar body, on the basis of race, color, or national origin. FTA recipients must provide a table depicting the racial breakdown of the membership of those committees, and a description of the efforts made to encourage the participation of minorities on such committees. (FTA C 4702.1B, Chap. III-9, Sec. 10).

Discussion

During this compliance review, an advisory comment was made with this requirement. IDOT does not have any transit-related non-elected planning, advisory, committee or similar body. This was not specifically stated in IDOT's current Title VI Program but was confirmed during on-site interviews with IDOT personnel. It is recommended that IDOT state that there are no transit-related non-elected advisory boards or committees in the update of their next Title VI program submission.

6.9 Determination of Site or Location of Facilities

Requirement

FTA recipients must complete a Title VI equity analysis during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color, or national origin. A recipient must also engage in outreach to persons potentially impacted by the siting of facilities. The analysis must compare the equity impacts of various siting alternatives, and must occur before the selection of the preferred site. (FTA C 4702.1B, Chap. III-11, Sec. 13).

Discussion

During this compliance review, an advisory comment was made with this requirement. IDOT did not locate or site any projects in the period from 2014 to 2017 and no facilities are planned within the next three-year period. This was not specifically stated in IDOT's current Title VI Program but was confirmed during on-site interviews with IDOT personnel. It is recommended that IDOT clearly state whether any project has been located, cited or planned in the three year period with the update of their next Title VI program submission.

6.10 Submit Title VI Program

Requirement

All direct and primary recipients must document their compliance with DOT's Title VI regulations by submitting a Title VI Program to their FTA regional civil rights officer once every three years or as otherwise directed by FTA. For all recipients (including subrecipients), the Title VI Program must be approved by the recipient's board of directors or appropriate governing entity or officials responsible for policy decisions prior to submission. (FTA C 4702.1B, Chap. III-1, Sec. 4).

Discussion

During this compliance review, deficiencies were found with this requirement. IDOT's Title VI Program Plan was submitted to FTA on June 1, 2017. At FTA's request, IDOT provided additional information on January 11, 2018. As of July 27, 2018, the plan remains under FTA review. IDOT's next program submission is due on February 1, 2020 with an expiration date of March 31, 2020.

Table 6.10A – Title VI Program General Reporting Requirements and Guidelines

General Reporting Requirements/Guidelines (per FTA Circular 4702.1B)	Included in Program Submittal
Copy of agency's notice to the public that indicates it complies with Title VI and instructions to the public on how to file a discrimination complaint.	Yes
Copy of agency's instructions to the public regarding how to file a Title VI complaint, including a copy of the complaint form.	Yes

General Reporting Requirements/Guidelines (per FTA Circular 4702.1B)	Included in Program Submittal
List of any Title VI investigations, complaints, or lawsuits filed with the agency since time of last submission. Should include only those investigations, complaints, or lawsuits that pertain to the agency submitting report, not necessarily larger agency or department of which entity is a part.	Yes
A public participation plan that includes an outreach plan to engage minority and LEP populations and involvement activities undertaken since last submission.	Yes
Copy of agency's plan for providing language assistance to persons with limited English proficiency, based on DOT LEP Guidance.	Yes
Copy of the agency's table depicting the racial breakdown of the transit-related, non-elected planning and advisory bodies, and a description of efforts made to encourage the participation of minorities on such committees.	No
List of any subrecipients and when their Title VI Program is due. Also included is how the primary recipient stores the submitted Title VI Programs, and a summary of the efforts undertaken to ensure subrecipients comply with their Title VI obligations.	No
Copy of any conducted Title VI equity analyses related to the siting or location of facilities.	Not Applicable
Additional information as specified in Chapters IV, V, and VI, depending on whether the recipient is a fixed-route transit provider, a State, or an MPO.	No

As discussed in Section 6.4 of this report, IDOT did not correctly classify and separate Title VI complaints from other Civil Rights complaints (EEO, ADA, DBE) nor did IDOT separate FTA-related complaints from FHWA complaints. The corrective action for this deficiency is included in Section 6.4.

As discussed in Section 6.7 of this report, IDOT did not include the required list of subrecipients, tracking of Title VI Program submission due dates, or a summary of efforts to ensure subrecipients' compliance with their Title VI obligations. The corrective action for this deficiency is included in Section 6.7.

As discussed in Section 6.8 of this report, IDOT did not address the required information regarding transit-related, non-elected advisory boards. Since IDOT does not have any such boards or committees, an advisory comment is discussed in Section 6.8.

Table 6.10B - Title VI Program State Reporting Requirements and Guidelines

State Specific Reporting Requirements/Guidelines (per FTA Circular 4702.1B)	Included in Program Submittal
All requirements for transit providers set out in Chapter IV of this Circular if the State is a provider of fixed route public transportation services.	Not Applicable
A demographic profile of the State that includes identification of the locations of minority populations in the aggregate.	Yes

State Specific Reporting Requirements/Guidelines (per FTA Circular 4702.1B)	Included in Program Submittal
Demographic maps that overlay the percent minority and non-minority populations as identified by Census or American Community Survey data at Census tract or block group level, and charts that analyze the impacts of the distribution of State and Federal funds in the aggregate for public transportation purposes, including Federal funds managed by the State as a designated recipient.	No
An analysis of impacts identified in paragraph d that identifies any disparate impacts on the basis of race, color, or national origin, and, if so, determines whether there is a substantial legitimate justification for the policy that resulted in the disparate impacts, and if there are alternatives that could be employed that would have a less discriminatory impact.	No
A description of the statewide transportation planning process that identifies the transportation needs of minority populations.	Yes
A description of the procedures the State uses to pass through FTA financial assistance to subrecipients in a non-discriminatory manner.	Yes
A description of the procedures the State uses to provide assistance to potential subrecipients applying for funding, including its efforts to assist applicants that would serve predominantly minority populations.	Yes

In addition to the required general elements outlined in FTA Circular 4702.1B-III-4 and discussed in Table 6.10B, IDOT did not include the following information for states as required by FTA Circular 4702.1B-V-2 in the Title VI Program submission:

- A demographic profile of the state that identifies minority populations in the aggregate;
- A demographic maps and charts that analyze the impacts of federal and state funding distribution; or
- An analysis of the pass through of federal and state funding to identify disparate impacts of the distribution of funding.

The 2017 Program submission does not include a description of the demographic profile of the State of Illinois based upon U.S. Census data that identifies the locations of minority populations in the aggregate. The 2017 Program did include maps of each individual county identifying the percentage of the minority population in that county. However, FTA C 4702.1B-V-2d requires that demographic maps be prepared at the Census tract or block group level that overlays the percent of minority and non-minority populations using the most recently available U.S. Census or American Community Survey data. Using the demographic maps, IDOT is also required to prepare and present charts that analyze the impacts of distribution of both state and Federal public transportation funding. Also required by FTA C 4702.1B-V-2e, but not included in the 2017 Program submission, is an analysis of the funding distribution to identify any disparate impacts created by the funding distribution policy along with alternatives to mitigate these impacts or a substantial legitimate justification for the disparate impacts.

Corrective Actions and Schedule

For the next Title VI Program submission due on February 1, 2020, IDOT must submit to the FTA Office of Civil Rights:

- A demographic profile of the state that identifies minority populations in the aggregate;
- Statewide and regional demographic maps at the Census tract or block group level with sufficient detail to clearly show the locations of minority populations within the state compared to non-minority populations;
- Charts analyzing the impact of the distribution of state and Federal public transportation funding for the previous three years in the aggregate;
- An analysis of the previous three-years of state and Federal public transportation funding distributed by IDOT to determine if the funding distribution policy caused any disparate impacts on the basis of race, color, or national origin. If the analysis determines that a disparate impact has occurred, IDOT must submit alternatives that would have a less discriminatory impact or determine if there is a substantial legitimate justification for the disparate impact.

This page intentionally left blank to facilitate duplex printing.

7. Findings of the Program-Specific Requirements for States

7.1 Statewide Planning Activities

Requirement

All States are responsible for conducting planning activities that comply with 49 U.S.C. Section 5304, Statewide Transportation Planning, as well as subpart B of 23 CFR part 450, Statewide Transportation Planning and Programming. Since States “pass through” planning funds to the MPO, the State as primary recipient is responsible for collecting Title VI Programs from MPOs on a schedule to be determined by the State. Collection and storage of subrecipient Title VI Programs may be electronic at the option of the State. The State is thus responsible for monitoring the Title VI compliance of the MPO for those activities for which the MPO is a subrecipient.

Discussion

During this compliance review, no deficiencies were found with this requirement.

FTA Circular 4702.1B-V-3 states that “Since States “pass through” planning funds to the MPO, the State as primary recipient is responsible for collecting Title VI programs from MPOs on a schedule to be determined by the State.” As of 2016, all new federal grants for planning activities that IDOT passes through to MPOs originate with FHWA.

At the time of the site visit, IDOT had one open Section 5305 grant awarded in 2015, IL-80-0012-02, of which all but \$798,785 has been deobligated due to the 2015 Illinois state budget impasse. At the time of the review, the IDOT staff interviewed were not aware that the full grant had not been deobligated. The original grant included funding for 16 MPO subrecipients: Bloomington, Cape Girardeau, Carbondale, Champaign, Chicago, Danville, Decatur, DeKalb, Dubuque, Kankakee, Peoria, Rock Island, Rockford, South Beloit, Springfield, and St. Louis. The review team verified that the Bureau Chief of Civil Rights collected and has on file copies of all MPO Title VI Plans. The MPO plans are no longer monitored for compliance with FTA C 4702.1B since all federal funds passed through to the MPOs now originate from FHWA.

7.2 Program Administration

Requirement

States shall document that they pass through FTA funds under the Enhanced Mobility for Seniors and Individuals with Disabilities (Section 5310) program, the Formula Grants for Rural Areas (Section 5311) program, and any other FTA funds, to subrecipients without regard to race, color, or national origin, and assure that minority populations are not being denied the benefits of or excluded from participation in these programs.

Discussion

During this compliance review, deficiencies were found with this requirement.

The following table contains guidance for conducting subrecipient Program Administration and whether IDOT satisfactorily followed the guidance.

Table 7.2 – Guidance on Program Administration

Guidance on Program Administration (per FTA C. 4702.1B, V, 4, a. – c.)	In IDOT Process
A record of funding requests received from private non-profit organizations, State or local governmental authorities, and Indian tribes. The record shall identify those applicants that would use grant program funds to provide assistance to predominantly minority populations. The record shall also indicate which applications were rejected and accepted for funding.	Yes
A description of how the agency develops its competitive selection process or annual program of projects submitted to FTA as part of its grant applications. This description shall emphasize the method used to ensure the equitable distribution of funds to subrecipients that serve predominantly minority populations, including Native American tribes, where present. Equitable distribution can be achieved by engaging in outreach to diverse stakeholders regarding the availability of funds, and ensuring the competitive process is not itself a barrier to selection of minority applicants.	No
A description of the agency's criteria for selecting entities to participate in an FTA grant program.	Yes

The 2017 Title VI Program describes the decision-making process for 5310 and 5311 funding awards. Current 5311 subrecipients who submit an application will receive a funding level based on the prior year's expenditures and available Federal funds. IDOT did not describe the methodology used to ensure the equitable distribution of funds to subrecipients that serve predominately minority populations in the determination of current funding levels.

During interviews with IDOT Transit Operations staff, it was stated that the current funding distribution for 5311 subrecipients was determined through a 2007 Section 5311 Service Expansion Methodology analysis. The review team received a copy of this report during the site visit. In 2007, IDOT received a \$5,000,000 increase in 5311 funding. The analysis recommended a strategy that established Equity "Floor" Funding to equalize the distribution of funding across the rural population in the state. The 2007 recommendation states that *"Any existing project that received less than \$2.60 per capita (nonurbanized area population) would receive an adjustment in FY 2008 to ensure equitable distribution of funds among all existing projects. In subsequent years, this floor will rise three percent per year, consistent with other categories."* The underlying analysis provided in 2007 report appears to be sound, however the methodology used to determine the Equity "Floor" Funding of \$2.60 per capita did not include an analysis of nonurbanized populations that are predominantly minority. The methodology presented and currently used by IDOT does not ensure that the funding process is not a barrier to applicants or subrecipients that serve minority populations. The analysis is now 12 years old and was based on IDOT having five regions instead of the current nine regions.

IDOT provided a summary of Section 5311 FY 2017, 2018, and 2019 funding awards to counties and rural transit providers. The summary did not include the amount of funding requested or indicate if any applications were rejected. No additional documentation was provided by IDOT relating to these determinations or the transparency of the review and the fairness of the process or how IDOT ensured that FTA funds are passed through without regard to race, color, or national origin.

Corrective Actions and Schedule

For the next Title VI Program submission due on February 1, 2020, IDOT must submit to the FTA Office of Civil Rights a record of all Federal and state funding requests for the previous three years that indicates the amount of funding requested, the amount of funding awarded or rejected, and indicate if the funding will provide assistance to predominately minority populations. IDOT must also provide a description of the methodology used to ensure the equitable distribution of FTA funds to subrecipients who serve predominately minority populations in accordance with FTA C 4702.1B-V-4b.

This page intentionally left blank to facilitate duplex printing.

8. Summary of Findings/Corrective Actions

Item	Title VI Requirements	Site Review Finding	Deficiency(ies)	Corrective Action(s)	Response Days/Date
1.	Inclusive Public Participation	ND			
2.	LEP Language Assistance Plan	ND			
3.	Title VI Complaint Procedures	ND			
4.	Record of Title VI Investigations, Complaints and Lawsuits	D	IDOT codes all Civil Rights complaints as Title VI and does not clearly delineate EEO, ADA, or DBE complaints from Title VI	Submit to the FTA Office of Civil Rights a revised process for correctly classifying, separating, and tracking Title VI complaints from employment and other Civil Rights complaints. This process should also delineate transit-related complaints from highway-related complaints.	60 days
5.	Notice to Beneficiaries of Protection Under Title VI	ND			
6.	Annual Title VI Certification and Assurance	ND			
7.	Determination of Site or Locations	AC	IDOT has not sited nor does it have plans to site new facilities. This		

Item	Title VI Requirements	Site Review Finding	Deficiency(ies)	Corrective Action(s)	Response Days/Date
			should be explicitly stated in the Title VI program.		
8.	Minority Representation on Planning or Advisory Bodies	AC	IDOT does not have any non-elected planning or advisory boards. This should be explicitly stated in the Title VI program.		
9.	Monitoring Subrecipients	D	IDOT has not implemented a subrecipient monitoring process that ensures compliance with Title VI.	<p>Within 60 days of the issuance of the final report, IDOT must submit to the FTA Office of Civil Rights a plan for effectively collecting and reviewing subrecipients' Title VI Programs for compliance with FTA C 4702.1B.</p> <p>For the next Title VI Program submission due on February 1, 2020, IDOT must submit to the FTA Office of Civil Rights documentation of Title VI subrecipient monitoring.</p>	<p>60 days</p> <p>February 1, 2020</p>
10.	Prepare and Submit a Title VI Program	D	<p>IDOT did not:</p> <ul style="list-style-type: none"> • prepare a demographic profile of the state that identifies minority populations in the aggregate; • prepare demographic maps and charts that analyze the impacts 	<p>Submit to the FTA Office of Civil Rights Office:</p> <ul style="list-style-type: none"> • A demographic profile of the state that identifies minority populations in the aggregate; • Statewide and regional demographic maps at the Census tract or block group level with sufficient detail to clearly show the locations of minority 	February 1, 2020

Item	Title VI Requirements	Site Review Finding	Deficiency(ies)	Corrective Action(s)	Response Days/Date
			<p>of federal and state funding distribution; or</p> <ul style="list-style-type: none"> perform an analysis of the pass through of federal and state funding to identify disparate impacts of the distribution of funding. 	<p>populations within the state compared to non-minority populations;</p> <ul style="list-style-type: none"> Charts analyzing the impact of the distribution of state and Federal public transportation funding for the previous three years in the aggregate; An analysis of the previous three-years of state and Federal public transportation funding distributed by IDOT to determine if the funding distribution policy caused any disparate impacts on the basis of race, color, or national origin. If the analysis determines that a disparate impact has occurred, IDOT must submit alternatives that would have a less discriminatory impact or determine if there is a substantial legitimate justification for the disparate impact. 	
State DOT Requirements					
11.	Statewide Planning Activities	ND			
12.	Program Administration	D	IDOT did not describe the methodology used to ensure the equitable distribution of funds to subrecipients that serve	Submit to the FTA Office of Civil Rights a record of all Federal and state funding requests for the previous three years that indicates the amount of funding requested, the amount of funding	February 1, 2020

Item	Title VI Requirements	Site Review Finding	Deficiency(ies)	Corrective Action(s)	Response Days/Date
			predominately minority populations.	awarded or rejected, and indicate if the funding will provide assistance to predominately minority populations. IDOT must also provide a description of the methodology used to ensure the equitable distribution of FTA funds to subrecipients who serve predominately minority populations in accordance with FTA C 4702.1B-V-4b.	

Observations at the time of the site visit: ND = No Deficiencies; D = Deficiency; NA = Not Applicable; NR = Not Reviewed; AC = Advisory Comment

Attachment A: FTA Notification Letter to the Illinois DOT



U.S. Department
Of Transportation
Federal Transit
Administration

Headquarters

East Building, 5th Floor, TCR
1200 New Jersey Ave., SE
Washington, D.C. 20590

March 1, 2019

Matt Magalis
Acting Secretary of Transportation
Illinois Department of Transportation
Hanley Building
2300 S. Dirksen Parkway
Springfield, IL 62764

Dear Mr. Magalis:

The Federal Transit Administration (FTA) Office of Civil Rights is responsible for ensuring compliance with 49 CFR Part 21, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation (DOT)—Effectuation of Title VI of the Civil Rights Act of 1964 (Title VI)” by its grant recipients and subrecipients. As part of its ongoing oversight efforts, the FTA Office of Civil Rights conducts a number of on-site Title VI compliance reviews of these grant recipients. For this reason, the Illinois Department of Transportation (IDOT) has been selected for a review of its overall Title VI program to take place on **June 25-27, 2019**.

The purpose of this review will be to determine whether IDOT is honoring its commitment, as represented by certification to FTA, to comply with all applicable provisions of 49 CFR Part 21 and FTA Title VI Circular 4702.1B.

The review process includes data collection before the on-site visit, an opening conference, an on-site review of Title VI program implementation (including, but not limited to discussions to clarify items and matters previously reviewed and interviews with staff), interviews with external interested parties, and an exit conference. FTA has engaged the services of Milligan and Company, LLC (Milligan) of Philadelphia, PA to conduct this compliance review. The Milligan team and FTA representatives will participate in the opening and exit conferences, with FTA participating by telephone.

We request your attendance at an opening conference scheduled for **9:00 a.m. CST on Tuesday, June 25, 2019** to introduce the Milligan team and FTA representatives to IDOT. Attendees should include you and other key staff. During the opening conference, the review team members will present an overview of the on-site activities.

Because review team members will spend considerable time on site during the week, please provide them with temporary identification and a workspace within or near your offices for the duration of their visit. Please let us know if you will designate a member of your staff to serve as

the liaison with the review team and to coordinate the on-site review and address questions that may arise during the visit.

So that we may properly prepare for the site visit, we request that you provide the information described in **Enclosure 1**, which consists of items that the review team must receive within 21 days of the date of this letter.

Electronic copies of documents are preferred. Please upload them to Milligan's file transfer protocol (FTP) site. Your reviewer will reach out to you concerning the use of the FTP site. Please be prepared to designate a point of contact for your agency, for which user access should be provided. You also have the option of sending the documents via email to Kristin Szwajkowski Tighe at kszwajkowski@milliganpcpa.com.

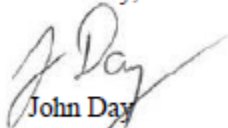
We request the exit conference be scheduled for **3:00 P.M. CST on Thursday, June 27, 2019** to afford an opportunity for the reviewers to discuss their observations with you and your agency. We request that you and other key staff attend the exit conference.

The FTA Office of Civil Rights will make findings and will provide a Draft Report. You will have an opportunity to correct any factual inconsistencies before FTA finalizes the report. The Draft and Final Reports, when issued to IDOT will be considered public documents subject to release under the Freedom of Information Act, upon request.

IDOT representatives are welcome to accompany the review team during the on-site activities, if you so choose. If you have any questions or concerns before the opening conference, please contact me at (202) 366-1671 or via e-mail at john.day@dot.gov.

Thank you in advance for your assistance and cooperation as we undertake this process. We look forward to working with your staff.

Sincerely,



John Day
Program Manager for Policy
and Technical Assistance

cc: Kelley Brookins, Regional Administrator, FTA Region V
Marjorie Hughes, Regional Civil Rights Officer, FTA Region V
Carlos Ramirez, IDOT, Chief, Bureau of Civil Rights
Holly Ostidick, IDOT, Chief, Bureau of Planning

Illinois Department of Transportation (IDOT)
Title VI Program Compliance Review

Enclosure 1

You must submit the following information in electronic format to the Milligan contact person within 21 calendar days from the date of this letter.

1. Current Title VI Program (which should include the IDOT organization chart).
2. A narrative that describes the individuals and resources dedicated to implementing the Title VI requirements, handling any Title VI inquiries, and educating the agency's staff on Title VI.
3. Demographic profile and demographic maps of the State of Illinois identifying minority and non-minority populations.
4. Any studies or surveys conducted by IDOT, its consultants or other interested parties (MPO, colleges or universities, community groups, etc.) regarding information on the race, color, national origin, English proficiency, language spoken at home, household income, and travel patterns, during the past five years.
5. Description of the statewide transportation planning process and public participation plan.
6. Documentation of efforts made by IDOT to notify members of the public of the protections against discrimination afforded to them by Title VI.
7. A list of any siting, locating, and/or constructing of transit-related facilities, and any associated Title VI equity analyses within the last three (3) years.
8. Current Title VI complaint/lawsuit or investigation list.
9. IDOT's procedures for identifying, investigating, and tracking Title VI complaints and documentation that the procedures for filing complaints are available to members of the public upon request.
10. Copy of the IDOT's Language Assistance Plan and four factor analysis of the needs of persons with Limited English Proficiency.
11. Table of IDOT non-elected planning, advisory boards, or committees depicting the racial breakdown of members and description of efforts to encourage minority participation.
12. Description of technical assistance provided to potential and current sub-recipient(s).
13. List of current sub-recipient(s) and their respective Title VI program status.
14. Copies of sub-recipient Title VI programs.

Illinois Department of Transportation (IDOT)
Title VI Program Compliance Review

15. Analysis of the distribution of state and federal public transportation funding and identification of any disparate impacts on race, color, or national origin for the past three years.
16. A list of all sub-recipient funding requests and funding status for the past three years.
17. Description of method used to ensure equitable distribution of funds and criteria for selecting subrecipients for FTA funding.
18. Names, titles, telephone numbers, and email addresses of interested parties (external organizations) with which IDOT has interacted on Title VI matters.
19. Other pertinent information determined by IDOT staff to be pertinent and demonstrative of its Title VI compliance efforts.



U.S. Department
of Transportation
**Federal Transit
Administration**

Headquarters

5th Floor – East Bldg., TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

November 25, 2019

Omer Osman
Acting Secretary
Illinois Department of Transportation
Hanley Building
2300 S. Dirksen Parkway
Springfield, IL 62764

RE: Title VI Specialized Review Final Report

Dear Mr. Osman:

This letter concerns the Federal Transit Administration's (FTA) Title VI Review of the Illinois Department of Transportation (IDOT) conducted from June 25–27, 2019. Enclosed is a copy of the Final Report, which will be posted on FTA's website on our Title VI page.

The FTA Office of Civil Rights is responsible for ensuring compliance with 49 CFR Part 21, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964" by its grant recipients and subrecipients. As part of our ongoing oversight efforts, FTA conducts a number of onsite reviews to ensure compliance with Title VI and the applicable departmental regulations. FTA utilizes the findings from these reviews to provide direction and technical assistance to transit agencies in order to achieve compliance with Title VI.

Unless otherwise noted, all corrective actions identified in the Final Report must be undertaken within 60 days of the date of this letter. Once we have reviewed your submissions, we will either request clarification or additional corrective action, or will close out the findings if your response sufficiently addresses the Title VI requirements. Please email your responses to me at john.day@dot.gov.

We appreciate the cooperation and assistance that you and your staff have provided us during this review, and we are confident IDOT will take steps to correct the deficiencies. If you have any questions about this matter, please contact Shavon Nelson at 202-366-0635 or via email at shavon.nelson@dot.gov.

Sincerely,

John Day
Program Manager
FTA Office of Civil Rights

cc: Kelley Brookins, Regional Administrator, FTA Region 5
Selene Faer Dalton-Kumins, Associate Administrator, FTA Office of Civil Rights