St. Joseph Missouri Transportation Organization
A METROPOLITAN PLANNING ORGANIZATION

TITLE VI / ADA PROGRAM
2015

Adopted: November 12, 2015
www.StJoeMPO.org
Title VI/ADA Program

SJATSO Office Location
1100 Frederick Ave. Room 202
St. Joseph, Missouri 64501

Phone: (816) 236-1471
Fax: (816) 271-4740

Email: Contact@stjoempo.org
Website: www.StJoeMPO.org
Contents

Title VI Program Requirements ............................................................... 4
Introduction .............................................................................................. 6
Boards and Committees .......................................................................... 7
Areas of Emphasis .................................................................................. 7
Title VI Coordination Responsibilities .................................................. 8
Program Area Responsibilities ............................................................... 9
Environmental Justice Responsibilities .................................................... 12
Public Notice – Appendix A ..................................................................... 16
Complaint Procedure – Appendix B ........................................................ 16
Complaint Form – Appendix C ................................................................. 18
Complaints Received – Appendix D .......................................................... 20
Public Participation Plan – Appendix E ..................................................... 20
Limited English Proficiency Plan – Appendix F ......................................... 23
Title VI Assurances – Appendix G ............................................................ 26
St. Joseph Public Transit Routes – Appendix H .......................................... 31
Low Income Population in the SJATSO Area - Appendix I ..................... 32
Minority Population in the SJATSO Area - Appendix J ............................. 33

Tables

Table 1: Environmental Justice Requirements .......................................... 12
Table 2: Complaints Received Log .............................................................. 20
Table 3: Safe Harbor LEP Threshold .......................................................... 24
Table 4: Analysis of LEP Persons ............................................................... 25
Title VI Program Requirements

Below is a summary of the required contents of a Title VI Program.

**FTA Circular 4702.1B-General Requirements (Chapter III)**

1. Title VI Notice to the Public, including a list of locations where the notice is posted.

2. Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)
   
   Title VI Complaint Forum

3. List of transit-related Title VI investigations, complaints, and lawsuits

4. Public Participation Plan, including information about outreach methods to engage minority and Limited English Proficient (LEP), as well as a summary of outreach efforts made since the last Title VI Program Submission.

5. Language Assistant Plan for providing language assistance to persons with Limited English Proficiency (LEP), based on the DOT LEP Guidance.

6. Description of membership including non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and description of the process the agency uses to encourage the participation of minorities on such committees.

7. Primary recipients shall include a description of how the agency monitors its sub recipients for the compliance with Title VI, and a schedule of sub recipient Title VI Program submissions. SJATSO is a sub recipient of MoDOT and is not directly responsible for monitoring activities of Title VI.

8. A Title VI equity analysis is required if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc.

9. Additional information as specified in Chapter IV, V, and VI, depending on whether the recipient is a transit provider, a State, or a Planning Entity.
FTA Circular 4702.1B-Requirements of MPOs (Chapter VI)

1. All requirements set out in Chapter III (General Requirements)
2. Demographic profile of the metropolitan area.
3. Listing of locations where notice information is posted.
4. A description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process. Including information about outreach methods to engage minority and LEP populations, as well as a summary of outreach efforts made since the last Title VI program.
5. Language Assistance Plan (LAP) to provide guidelines for providing language assistance upon request.
6. Demographic maps that show the impacts of the distribution of State and Federal funds in the aggregate for public transportation projects.
7. Analysis of the MPO’s transportation system investments that identifies and addresses any disparate impacts.
8. Analysis of the MPO’s transportation system investments that identifies and addresses any disparate impacts.
9. The requirements set out in Chapter IV (Transit Provider) if the MPO is a provider of fixed route public transportation.
10. Description of the procedures the agency uses to ensure nondiscriminatory pass through of FTA financial assistance (If requested).
11. Description of the procedures the agency uses to provide assistance to potential sub recipients in a nondiscriminatory manner.

Additional Requirements

1. A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program. For State DOT’s, the appropriate governing entity is the State’s Secretary of Transportation or equivalent. The approval must occur prior to submission to FTA.
Introduction

SJATSO’s Commitment to Civil Rights

“No Person shall, on the grounds of race, color, or national origin, be excluded from participating in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.” – Civil Rights Act of 1964

Your Civil Rights

Title VI, 42 U.S.C. § 2000d et seq., was enacted as part of the landmark Civil Rights Act of 1964. It prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. It is the full intent of the St. Joseph Area Transportation Organization (SJATSO) to operate its program without regards to race, color, and national origin.

Two Executive Orders define populations that are protected under Title VI:¹

- Executive Order 12898 is concerned with environmental justice for minority and low-income populations.
- Executive Order 13166 is concerned with providing equal access to services and benefits for individuals with Limited English Proficiency (LEP).

The St. Joseph Area Transportation Study Organization (SJATSO), serves as the federally designated Metropolitan Planning Organization (MPO) for the region. SJATSO is responsible for ensuring that transportation programs utilizing federal funds in the St. Joseph Metropolitan Region are based on a continuing, comprehensive, and coordinated planning process.

SJATSO seeks to build a stronger regional community through cooperation, leadership and planning. Through SJATSO’s leadership, area jurisdictions and diverse community interests sit down together to address the regions problems and identify the opportunities for cooperative solutions. These efforts, in turn, enhance the effectiveness of local government.

SJATSO plays an active leadership role in strengthening the metropolitan community by:

- Providing a forum for addressing regional objectives and diverse community issues;
- Long-Range planning and public policy coordination; and
- Technical assistance and services to enhance the effectiveness of local government

¹ Guidance for this Title VI program can be found in the Federal Transit Administration Circular 4702.1B, dated October 1, 2012.
SJATSO Boards & Committees

SJATSO serves the three-county St. Joseph region, which includes five separate city governments. A Bi-State MPO, SJATSOs boundaries include portions of the following counties in Missouri: Buchanan and Andrew and the following in Kansas: Doniphan.

SJATSOs Coordinating Committee (Policy Board) consists of locally elected and appointed leaders (individuals appointed to their positions directly by locally elected officials) representing these units of government. Transportation planning at SJATSO is overseen by the Technical Committee, which provides technical support and recommendations to the Coordinating Committee.

Committees are appointed by the individual boards based upon need. The following committees have been formed historically:

- Steering Committee – Metropolitan Transportation Plan
- Nominating Committee – Nomination/Elect individuals for various positions
- Transit – Job Access and Career Services
- Section 5310 Committee – Review/Prioritize agency funding applications.

Areas of Emphasis –

Five areas of SJATSOs work program have been identified as applicable to Title VI regulations – they are referred to as the five Title VI Program Areas:

1. Communications and Public Involvement
2. Planning and Programming
3. Environmental Affairs
4. Consultant Contracts
5. Education and Training

SJATSOs Title VI related responsibilities fall into two main categories – “General Responsibilities”, applicable to all five Title VI Program Areas, and “Program Area Responsibilities” that are specific to each Title VI program area. It is important to note that the first three Title VI Program Areas noted above are extremely interrelated – they have been treated separately for the purposes of clarity and corresponding to agency organization.
Title VI Coordination Responsibilities

SJATSO staff is responsible for the coordination of its Title VI program. Staff is responsible for directing Title VI implementation, coordination, and monitoring. Work task staff members are responsible for include: collecting data, creating reports, and continually updating and reviewing the Title VI program. SJATSO is responsible for the implementation and dissemination of information and policies regarding Title VI. Staff will work to enhance public participation in SJATSO activities, and execute all projects and activities in a nondiscriminatory manner.

As updated information becomes available pertaining Title VI, all SJATSO staff shall be notified. SJATSO encourages all staff to utilize Title VI professional development training opportunities as they become available. The National Highway Institute (NHI) and National Transit Institute (NTI) provide educational and training opportunities in regards to Title VI.

General Responsibilities –

The following general Title VI responsibilities are applicable to all five Title VI Program Areas (pg 8). SJATSO staff members are responsible for ensuring these elements of the plan are appropriately implemented and continually updated to stay current.

1. **Data Collection**: Statistical data on race, color, national origin, income level, language spoken, and sex of participants in, and beneficiaries of, federally funded programs is to be gathered and maintained as described in the “Program Area Responsibilities” section of this document. The data gathering process will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of the Title VI program.

2. **Annual Report and Update**: An annual report and update is to be submitted by the end of July each year to MoDOT and KDOT’s offices of Civil Rights, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). SJATSO staff is responsible for gathering information from appropriate staff members and consolidating this information into the final document. The final document shall include A) A report on the previous year’s Title VI related activities and efforts, including but not limited to accomplishments and program changes. B) An update on Title VI related goals and objectives for the upcoming year.

3. **Annual Review of Title VI Program**: SJATSO staff shall prepare an Annual Report and Update to ensure the Title VI program is in compliance with Title VI. During the reporting period, additional review of operational guidelines and publications shall be reviewed for assurance of Title VI language and provisions.
4. **Dissemination of Information Related to the Title VI Program**: SJATSO’s Title VI program shall be disseminated to staff, contractors, and beneficiaries, in addition to the general public as described in the “Program Area Responsibilities”. Translations of program shall be provided on an as needed basis.

5. **Resolution of Complaints**: Any individual may exercise his or her right to file a complaint with SJATSO, if that person believes that he or she or any other program beneficiaries have been subjected to unequal treatment or discrimination, in their receipt of benefits/services or on the grounds of race, color, or national origin. SJATSO will make a concerted effort to resolve complaints as put forth in Title VI Complaint Procedure (Appendix B).

6. **Procedures Manual**: A procedures manual for SJATSOs Title VI program, incorporating the day-to-day procedures necessary to maintain the program, will be developed by SJATSO, and shall be updated regularly to incorporate changes and additional responsibilities.

## Program Area Responsibilities –

### Program Area 1: Communications and Public Involvement

**Principles of SJATSOs Public Participation Plan:**

- The PPP ensures the public to have ample opportunity to participate in SJATSO activities and provide direction to SJATSO staff to help engage public involvement.
- The PPP provides the public with thorough information on transportation planning services and project development in a convenient and timely manner.

**Title VI Responsibilities:**

SJATSO staff will be involved in the public involvement process, and is responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of SJATSOs public involvement process.

- Ensure that all communications and public involvement efforts comply with Title VI.
- Develop and distribute information on Title VI and agency programs to the general public. Provide information in languages other than English, as needed.
- Disseminate information to minority media and ethnic/gender related organizations, to help ensure all social, economic, and ethnic interest groups in the region are represented in the planning process.
- Include the Title VI Notice to the Public, full or abbreviated versions, in relevant press releases and on the agency website.
- SJATSO staff will identify and work to notify affected protected groups, of public hearings regarding proposed actions, and make the hearings and agendas accessible to all residents. This
includes the use of interpreters when requested, or when a strong need for their use has been identified.

Performance Measure:

SJATSO staff will monitor and annually report its communication and public engagement efforts, including use of language assistance services, outreach efforts, and notification methods/results. SJATSO staff will continually seek to enhance the number of individuals notified and engaged.

Program Area 2: Planning and Programming

SJATSO is responsible for developing long- and short-range transportation plans to provide efficient transportation services to the St. Joseph metropolitan area. A comprehensive transportation planning process is used, which entails the monitoring and collection of carried data pertaining to transportation issues. SJATSO coordinates with MoDOT, KDOT, cities, counties, and area transit agencies; seeks public involvement; and provides technical support when needed.

Title VI Responsibilities:

Staff members involved in planning and programming are responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of SJATSOs planning and programming processes.

- Ensure that all aspects of the planning and programming process operation comply with Title VI.
- Prepare and update a demographic profile of the region using the most current and appropriate statistical information available on race, income, and other pertinent data. Make the document available to the public and member agencies on SJATSOs website or in hard copy format, if requested.
- Develop a process for assessing the distributional effects of transportation investments in the region as part of actions on plan and programming documents.
- Continue to ensure that staff makes concerted efforts to involve members of all social, economic, and ethnic groups in the planning process.

Performance Measure:

SJATSO staff will continually update the demographic profile of the region to ensure all members of the general public are involved in SJATSOs planning processes. The SJATSO regions demographic report will be annually published to provide the latest data for planning activities.

Program Area 3: Environmental Affairs:

The concept of environmental justice includes the identification and assessment of disproportionately high and adverse effects of programs, policies, or activities on minority and low-income population groups. Within the context of regional transportation planning, environmental justice considers relative distribution of costs and benefits from transportation investment strategies and policies among different segments of society.
Title VI Responsibilities

Staff members are responsible for evaluating and monitoring environmental justice compliance with Title VI.

- Ensure Title VI environmental justice compliance
- Analyze and make findings regarding the population affected by the action
- Analyze and make findings regarding the impacts of planned projects on protected Title VI groups, and determine if there will be a disproportionately high and adverse impact on these groups.
- Disseminate information to the public on the processes used and findings of any analysis, in accordance with all SJATSOs public involvement procedures. This includes dissemination to groups representing minority media and ethnic/gender related organizations, and the use of public comment periods and public hearings, interpreters, and materials in other languages, as needed.

Performance Measure:

SJATSO staff will annually analyze and report the disproportionately high and adverse effects of SJATSOs activities, policies, and programs.

Program Area 4: Consultant Contracts:

SJATSO is responsible for selection, negotiation, and administration of its consultant contracts. SJATSO operates under all relevant federal and state laws.

Title VI Responsibilities:

Title VI responsibilities associated with consultant contracts include the following.

- Ensure inclusion of Title VI language in contracts and Requests for Qualifications (RFQ).
- Review consultants for Title VI compliance: Ensuring that all consultants verify their compliance with Title VI procedures and requirements. If a recipient of sub recipient is found to not be in compliance with Title VI, the SJATSO staff and relevant staff will work with the recipient or sub recipient to resolve the deficiency status and will write a remedial action if necessary.

Performance Measure:

SJATSO staff will annually review consultant for compliance with Title VI procedures and requirements.

Program Area 5: Education and Training:

Minorities, women, veterans, individuals with a disability, and other individuals protected under Title VI and federal and state anti-discrimination laws are provided with equal opportunity and fair treatment in all employment-related decisions, including opportunities for education and training.
Title VI Responsibilities:

Under the category of education and training, Title VI responsibilities include:

- Assisting in the distribution of information to SJATSO staff on training programs regarding Title VI and related statutes.
- Ensure equal access to, and participation in, applicable NHI and NTI course for qualified SJATSO staff.
- Track staff participation in Title VI, NHI and NTI courses.
- Establish, maintain, and update a Title VI procedures manual containing general information pertaining to the administration of SJATSOs Title VI program, as well as related documents (such as complaint form).

Performance Measure:

SJATSO staff will annually review its Title VI procedures manual to ensure compliance.

Environmental Justice Responsibilities –

SJATSO will comply with Federal Actions to address Environmental Justice in Minority and Low Income Populations (FTA C 4702.1B). Executive Order 12898 was signed by President Bill Clinton on February 11, 1994. Subsequent to issuance of the Executive Order, the U.S. Department of Transportation (DOT) issued a DOT Order for implementing the Executive Order on environmental Justice (EJ). The DOT Order (Order 5610.2(a), “Actions to address environmental justice in Minority and Low Income Populations,” 77 FR 27534, May 10, 2012) describes the process the Department and its modal administrations will use to incorporate EJ principles into programs, policies, and activities.

The Presidential memorandum accompanying EO 12898 identified Title VI of the Civil Rights Act of 1964 as one of several Federal laws that should be applied “to prevent minority communities and low-income communities from being subject to disproportionately high and adverse environmental effects.” According to the U.S. Department of Justice,”...the core tenet of environmental justice – that development and urban renewal benefitting a community as a whole not be unjustifiably purchased through the disproportionate allocation of its adverse environmental and health burdens on the community’s minority – flows directly from the underlying principle of Title VI itself.

SJATSO will incorporate DOT Order 5610.2(a) goals of environmental justice into their existing operations to ensure that consideration of EJ principles is an integral part of all programs, policies, and activities, from the inception of the planning process through to project completion, operations, and evaluation.
Because of the connection between EJ and Title VI, the consideration of EJ principles has sometimes been confused with the requirements of Title VI. Here is a summary of the key differences between the two:

**Table 1: Environmental Justice Responsibilities**

<table>
<thead>
<tr>
<th>Key Aspects of the Authorities</th>
<th>Title VI</th>
<th>Environmental Justice</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>What is the basis for the authority?</strong></td>
<td>Title VI is a Federal statute and provides that no person shall, on the grounds 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</td>
<td>The basis for addressing environmental justice is an Executive Order: EO 12898 directs each Federal agency to “make achieving environmental justice part of its mission.” The EO is intended to improve the internal management of the</td>
</tr>
<tr>
<td>Key Aspects of the Authorities</td>
<td>Title VI</td>
<td>Environmental Justice</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>----------</td>
<td>-----------------------</td>
</tr>
<tr>
<td>What is the purpose of the authority?</td>
<td>Title VI prohibits recipients of Federal financial assistance (e.g., states, local governments, transit providers) from discriminating on the basis of race, color, or national origin in their programs or activities, and it obligates Federal funding agencies to enforce compliance.</td>
<td>EO 12898 calls on each Federal agency to achieve &quot;environmental justice...by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations....&quot;</td>
</tr>
<tr>
<td>To whom does the authority apply?</td>
<td>Title VI is a Federal law that applies to recipients and subrecipients of Federal financial assistance (e.g., States, local governments, transit providers), and not to DOT itself.</td>
<td>EO 12898 applies to Federal agency actions, including DOT’s and FTA’s actions. Title VI is one of the tools used by Federal agencies to implement this directive.</td>
</tr>
<tr>
<td>What does the authority require, and of whom?</td>
<td>Under Title VI, DOT has the responsibility to provide oversight of recipients and to enforce their compliance with Title VI, to ensure that recipients do not use DOT funds to subsidize discrimination based on race, color, or national origin.</td>
<td>EO 12898 is a directive from the President of the United States to Federal agencies intended to improve the internal management of the Federal government. DOT issued its own Order implementing EO 12898, and updated the Order in May 2012 (Order 5610.2(a)).</td>
</tr>
<tr>
<td>What does the authority say with regard to negative effects or impacts?</td>
<td>In accordance with 49 CFR part 21 and Title VI case law, if an otherwise facially neutral program, policy, or activity will have a discriminatory impact on minority populations, that program, policy, or activity may only be carried out if (1) the recipient can demonstrate a substantial legitimate justification for the program, policy, or activity; (2) there are</td>
<td></td>
</tr>
<tr>
<td></td>
<td>In accordance with EO 12898 and the DOT Order on EJ, if a DOT program, policy, or activity will have a disproportionately high and adverse effect on minority or low-income populations, that program, policy, or activity may only be carried out if further mitigation measures or alternatives that would reduce the disproportionately high and</td>
<td></td>
</tr>
</tbody>
</table>
### Actions to Address Disproportionately High/Adverse Effects

a. SJATSO shall determine whether programs, policies, or activities for which they are responsible will have an adverse human health or environmental effect on minority and low-income populations and whether that adverse effect will be disproportionately high.

b. In making determinations regarding disproportionately high and adverse effects on minority and low-income populations, mitigation and enhancements measures that will be implemented and all offsetting benefits to the affected minority and low-income populations may be taken into account, as well as the design, comparative impacts, and
the relevant number of similar existing system elements in non-minority and non-low-income areas.

c. SJATSO will ensure that any of their respective programs, policies or activities that will have a disproportionately high and adverse effect on minority populations or low-income populations will only be carried out if further mitigation measures or alternatives that would avoid or reduce the disproportionately high and adverse effect are not practicable. In determining whether a mitigation measure or an alternative is "practicable," the social, economic (including costs) and environmental effects of avoiding or mitigating the adverse effects will be taken into account.

d. SJATSO will also ensure that any of their respective programs, policies, or activities that will have a disproportionately high and adverse effect on populations protected by Title VI ("protected populations") will only be carried if:

1. (1) a substantial need for the program, policy, or activity exists, based on the overall public interest; and

2. (2) alternatives that would have less adverse effects on protected populations (and that still satisfy the need identified in subparagraph d(1) above), either

1. (a) would have other adverse social, economic, environmental or human health impacts that are severe; or

2. (b) Would involve increased costs of extraordinary magnitude.

e. SJATSO’s responsibilities under Title VI and related statutes and regulations are not limited by this paragraph, nor does this paragraph limit or preclude claims by individuals or groups of people with respect to any SJATSO programs, policies, or activities under these authorities. Nothing in this Order adds to or reduces existing Title VI due process mechanisms.

f. The findings, determinations, and/or demonstration made in accordance with this section must be appropriately documented, normally in the environmental impact statement or other NEPA document prepared for the program, policy, or activity, or in other appropriate planning or program documentation.

DOT Order 5610.2 (a)

SJATSO Contact Information

For questions on SJATSOs Title VI Plan and Procedures, please contact the Title VI Coordinator at (816) 236 – 1471 or by email at Nhutchison@ci.st-joseph.mo.us. For more information on SJATSOs work programs or publications, please see www.StJoeMPO.org
Public Notice – Appendix A

In compliance with 49 CFR Section 21.9(d), the St. Joseph Area Transportation Study Organization posts a notification on the SJATSO website and agendas. This notice provides the public with notification and guidance pertaining to SJATSO’s complaint procedure and form. The paragraph below will be inserted into all significant publications that are distributed to the public, such as future versions and updates of the Metropolitan Transportation Plan (MTP). The text will be place permanently on the SJATSO website. The version below is the preferred text, but where space is limited the abbreviated version can be used in its place.

The St. Joseph MPO (SJATSO) hereby gives public notice that it is the policy of the agency to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related statues and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the ground of race, color, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which SJATSO receives federal financial assistance. Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with SJATSO. Any such compliant must be in writing and filed with SJATSO’s Title VI Coordinator within one hundred and eighty (180) days following the date of the alleged discrimination occurrence. For more information, or to obtain a Title VI Discriminatory Complaint Form, please see www.stjoempo.org

Abbreviated Version

SJATSO fully complies with Title VI of the Civil Rights Act of 1964 and related statues and regulations in all programs and activities. For more information or to obtain a Title VI Complaint Form please visit www.stjoempo.org or call (816) 236-1471.

Complaint Procedure – Appendix B

SJATSO’s complaint process includes the following steps:

1. Identification of an alleged act of discrimination
2. Formal complaint is received and filed by SJATSO
3. Formal complaint is reviewed by SJATSO staff
4. SJATSO submits letter of response to complainant
5. Corrective action or closure letter is issued
Alleged Act of Discrimination: If an individual or party believes SJATSO has discriminated their civil rights on the basis of race, color, national origin, age, disability, religion, sex or English Proficiency, then they are entitled to file a formal complaint by following the Title VI complaint procedure.

Formal complaint is received and filed by SJATSO: SJATSO implemented a Title VI Complaint Procedure to provide guidance through the Title VI process that is compliant with the guidelines found in Chapter VII of the Federal Transit Administration Circular 4702.1B, dated October 1, 2012. SJATSO does not discriminate on the basis of race, color, national origin, age, disability, religion, sex or English Proficiency. SJATSO is responsible for providing guidance and guidelines pertaining to its complaint procedures against SJATSO. All alleged acts of discrimination shall be submitted to SJATSO immediately. Formal complaints shall be filed with SJATSO within 180 calendar days of the date in which the alleged act occurred. If the individual could not reasonably be expected to know the act was discriminatory within the 180 day period, the individual may file complaint up to 60 days after becoming aware.

Formal complaint is reviewed by SJATSO: SJATSO staff shall meet with the complainant within 45 calendar days after receiving the official complaint to clarify any possible questions.

SJATSO submits letter of response to complainant: SJATSO staff shall provide the complainant with a response to initial complaint, detailing the review process.

Corrective action or closure letter issued to complainant: In the event that SJATSO staff and Director feel that there is no Title VI violation, a letter of closure shall be issued to complainant summarizing the allegations and providing reasoning as to why no violation occurred. If a violation in fact did occur, then a letter of finding shall be issued to complainant stating the corrective action that is being taken. Either response will serve as final notification that the complaint has been resolved and closed.

Shall that complainant feel the violation has not been addressed or resolved, complainant may appeal to the SJATSO Coordinating Committee to determine whether the decision was appropriate or not. Complainant may also submit complaint no later than 180 days after the alleged date of discrimination to the State of Missouri Department of Transportation or Federal Transit Administration.
Complaint Form – Appendix C

**Title VI – COMPLAINT FORM**

This form may be used to file a complaint with the St. Joseph Area Transportation Study Organization (SJATSO) for alleged violations of Title VI of the Civil Rights Act of 1964. If you need assistance completing this form due to a physical impairment or other reasons, please contact us by phone at (816) 236-1471 or via FAX (816) 271-4740 or at the SJATSO Office located at 1100 Frederick Ave Room 202 St. Joseph, MO 64501.

| Only the complainant or the complainant’s designated representative should complete this form. |
| NAME |
| STREET ADDRESS |
| CITY | STATE | ZIP CODE |
| HOME TELEPHONE | WORK TELEPHONE | FAX |

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

| NAME |
| STREET ADDRESS |
| CITY | STATE | ZIP CODE |
| HOME TELEPHONE NO. | WORK TELEPHONE NO. | FAX NO. |

**PLEASE EXPLAIN YOUR RELATIONSHIP TO THE INDIVIDUAL(S) INDICATED ABOVE**

**Name of Agency and department or program that discriminated:**

| AGENCY AND DEPARTMENT NAME |
| NAME OF INDIVIDUAL (If known) |
| STREET ADDRESS |
| CITY | STATE | ZIP CODE |
| TELEPHONE NO. | FAX NO. |

**Date(s) of alleged discrimination:**

| DATE DISCRIMINATION BEGAN | LAST OR MOST RECENT DATE OF DISCRIMINATION |
Alleged discrimination:
Complaints should be filed within 180 days of the alleged discrimination. If you could not reasonably be expected to know the act was discriminatory within the 180 days period, you have 60 days after you became aware to file your complaint.

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

Example: If you believe that you were discriminated against because you are African American, you would mark the box labeled race/color and write African American in the space provided.

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

☐ Race ☐ Religion
☐ Color ☐ Age
☐ National origin ☐ Disability
☐ Sex ☐ Income

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

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

SIGNATURE

DATE
Complaints Received – Appendix D

SJATSO’s practice and policies are established on nondiscriminatory measures, shall a formal complaint arise, it will be addressed through the complaint procedure at the local level. A list of complaints shall be kept and made available for semiannual reporting requirements. In compliance with 49 CFR Section 21.9(b), SJATSO shall continually update a list of complaints and investigations conducted. The list shall consist of lawsuits/official complaints against SJATSO that alleged discrimination is to have believed to occur.

<table>
<thead>
<tr>
<th>TABLE 2: Complaints Received Log</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type</td>
</tr>
<tr>
<td>Complaint Date</td>
</tr>
</tbody>
</table>

Public Participation Plan – Appendix E

SJATSO’s Public Participation Plan (PPP) has been prepared to ensure that the public has ample opportunity to participate in SJATSO activities and is also intended to provide direction for SJATSO staff to help engage public involvement. It is SJATSO’s goal to provide the public with thorough information on transportation planning services and project development in a convenient and timely manner. The PPP contains goals, strategies and policies used by SJATSO staff for all public involvement and ensure that goals and policies are embraced.

Goals

1. SJATSO shall actively engage the public in the transportation process according to the policies contained in the Public Participation Plan (PPP), State and Federal Law.
2. SJATSO shall inform the public of all on-going transportation related actives regularly.
3. SJATSO shall encourage citizens to become involved in the transportation planning process.
4. SJATSO shall follow these goals to ensuring that adverse human and environmental effects of governmental activities do not fall disproportionately upon minority or low-income populations.
5. SJATSO shall continue to enhance and improve its public participation.
Policies

- Press releases shall be provided to local newspapers, television stations, radio stations, social media, public library system, and transit services.
- Public Notification and commenting periods comply with regulations.
- Additional measures shall be taken to identify and encourage active participation from key community groups.
- SJATSO’s website shall be maintained to stay current with meetings, agendas, activity calendar, events, contact information, organization membership, public comment/question capacity, plans, policies, and programs.
- Adherence to Environmental Justice guidelines
- Work products shall be available for download via SJATSO website.
- Current database of contacts shall be maintained to ensure stakeholders and the general population is notified of SJATSO work products and efforts.

Participation Techniques

SJATSO acknowledges that public participation is a critical component to the transportation planning process. SJATSO is continually looking for ways to enhance traditional techniques to improve its public outreach. Traditional techniques that SJATSO has utilized in the past include: website, blog/Q&A, social media, press releases, surveys, and advertisements. Many of these techniques are used in conjunction to enhance the effectiveness.

Measuring Effectiveness

It is important to ensure that diverse group of citizens are aware of the activities carried out within the Metropolitan Area. At the basic policy level, the MPO aims to consistently promote the common goal of exploring new and innovative ways to communicate with the public, target audience, and key stakeholders. As well as taking additional measures to engage with Title VI/EJ populations. The following activities are recorded on an annual basis as a way of measuring public involvement effectiveness:

- Tracking information dissemination via electronic means
- Recording SJATSO website traffic data
- Surveying public transit users
- Document quarterly press releases and publications
Public Commenting Periods

All SJATSO drafted documents shall go through appropriate public commenting period prior to approval from the Coordinating Committee. During the designated public commenting period of a draft document, the document shall be made available to the general public for commenting and questions.

- **Public Comment Period**
  - **45 Calendar Days**
  - Prior to adoption
  - **Long Range Transportation Plan & Public Participation Plan**
  - Press Release sent. Newspaper notice is advertised prior to commencement of the comment period.

- **Public Comment Period**
  - **30 Calendar Days**
  - Prior to adoption
  - **Transportation Improvement Program (Update), Unified Planning Work Program, Major Studies**
  - Press Release sent in conjunction with Newspaper advertisement

- **Public Comment Period**
  - **14 Calendar Days**
  - Prior to adoption
  - **Amendments & Updates of TIP, UPWP, LRTP, and other plans and projects.**
  - Press Release sent
Limited English Proficiency Plan – Appendix F

It is the policy of SJATSO to provide meaningful access to its programs and persons who, as a result of national origin, are Limited in English Proficiency (LEP). The LEP Plan shall be established in accordance with Executive Order 13166, and applies to all program areas within the MPO. LEP addresses barriers in speaking, reading, writing, and understanding the English language. Working to overcome those barriers and incorporate those individuals in the process to provide them with access to SJATSOs programs and services.

To ensure that all individuals have access to SJATSO’s programs and activities, the LEP was developed using the Four Factor Analysis. This guides SJATSO in determining specific LEP needs. The Four Factor Analysis is an assessment of local populations and considers the following factors:

**Factor 1:** The Number and Proportion of LEP Persons Served or Encountered in the Eligible Service Population.

**Factor 2:** The frequency with which LEP individuals come into contact with an MPO program, activity, or service.

**Factor 3:** The nature and importance of the program, activity, or service provided by the MPO to the LEP community.

**Factor 4:** The resources available to the MPO and overall costs.

**Factor 1: The Number of Proportion of LEP Persons Served or Encountered in the MPOs Population.** An updated analysis is needed to identify and understand the elements that are needed in the LEP Plan Update to ensure all needs can be accommodated by the MPO. For this factor, an analysis of Census Data on the city and county level should be performed. Current LEP procedures indicate that approximately 3% of the MPOs populations speak a language other than English at home. Spanish comprised only 1% of the LEP community; additional analysis is needed to identify other languages spoken by the population over the age of years.
**Factor 2: The Frequency in which LEP Individuals Come into Contact with an MPO Program, Activity, or Service.** The MPO does not currently have any documentation or knowledge of an interaction with an LEP person in any of its programs or activities. Annual surveys are to be conducted to help better understand and identify the LEP community in the St. Joseph metropolitan area.

**Factor 3: The Nature and Importance of the Program, Activity, or Service Provided by the MPO to the LEP Community.** SJATSO is responsible for the coordination of the metropolitan planning process, and ensuring that all segments of the population are involved or have had the opportunity to be involved with the planning process. The impact of proposed transportation investments on underserved and underrepresented population groups is part of the evaluation process. SJATSO is responsible for providing oversight and helping to ensure that LEP persons and other protected classes of persons are not overlooked in the transportation planning process.

SJATSO’s main function is to support cooperative, comprehensive, and continuing transportation planning as outlined in federal transportation acts. In order to maintain compliance, SJATSO develops three main documents – the Metropolitan Transportation Plan (MTP), Transportation Improvement Program (TIP), and the Unified Planning Work Program (UPWP), in addition to other studies on an as needed basis. The Metropolitan Transportation Plan provides direction for transportation investments over the next 20 years. The TIP is a program developed to provide a schedule for short-range transportation improvements and activities intended to be implemented with the support of Local, State, or Federal funding. The UPWP outlines tasks to be performed in the upcoming year.

Denial or delay to services or information provided by SJATSO would not have life threatening implications on a LEP individual. It is also believed that denial or delay of access to services or information provided by SJATSO would not have serious implications on a LEP individual, especially compared to the services, such as health, emergency transportation, fire protection, and other emergency services, provided by other local organizations.

**Factor 4: The Resources Available to the MPO and Overall Costs.** SJATSO will continually update the resources and service that can be used to provide assistance to LEP individuals. Services include: volunteer language interpreters, document translation, translation of publications and outreach materials, and identifying training for MPO personnel. SJATSO uses Table 2 to determine what language assistance is needed based on the Safe Harbor LEP Threshold.
### Table 3: Safe Harbor Threshold for LEP assistance

<table>
<thead>
<tr>
<th>Size of Language Group</th>
<th>Recommended Provision of Written Language Assistance</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,000 or more in the eligible population in the market area or among current beneficiaries</td>
<td>Translated vital documents</td>
</tr>
<tr>
<td>More than 5% of the eligible population or beneficiaries and more than 50 in number</td>
<td>Translated vital documents</td>
</tr>
<tr>
<td>More than 5% of the eligible population or beneficiaries and 50 or less in number</td>
<td>Translated written notice of right to receive free oral interpretation of documents.</td>
</tr>
<tr>
<td>5% or less of the eligible population or beneficiaries and less than 1,000 in number</td>
<td>No written translation is required.</td>
</tr>
</tbody>
</table>

### Table 4: Analysis of LEP Persons in St. Joseph MPO – MO and KS

<table>
<thead>
<tr>
<th></th>
<th>Total St. Joseph MPO – MO and KS</th>
<th>Total Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Non-English Indo-European, Asian, and Other who Speak English Less than “Very Well”</td>
<td>1,177</td>
<td>2,389</td>
</tr>
<tr>
<td>Number of Spanish Speaking Persons who Speak English Less than “Very Well”</td>
<td>1,165</td>
<td>2,987</td>
</tr>
<tr>
<td>Number of All Persons who Speak English Less than “Very Well”</td>
<td>2,363</td>
<td>5,496</td>
</tr>
<tr>
<td><strong>PERCENTAGE</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percentage of Non-English Indo-European Persons who Speak English Less than “Very Well”</td>
<td>32.9%</td>
<td>0.7%</td>
</tr>
<tr>
<td>Percentage of Non-English Asian Persons who Speak English Less than “Very Well”</td>
<td>64.9%</td>
<td>0.7%</td>
</tr>
<tr>
<td>Percentage of Non-English Other Origin Persons who Speak English Less than “Very Well”</td>
<td>49.1%</td>
<td>0.6%</td>
</tr>
<tr>
<td>Percentage of Spanish Speaking Persons who Speak English Less than “Very Well”</td>
<td>38.7%</td>
<td>2.5%</td>
</tr>
<tr>
<td>Percentage of All Persons who Speak English Less than ”Very Well”</td>
<td></td>
<td>2%</td>
</tr>
<tr>
<td><strong>Total Number of Persons in MPO</strong></td>
<td></td>
<td><strong>119,472</strong></td>
</tr>
</tbody>
</table>

Source: 2009-2013 American Community Survey 5-year Estimates
SJATSO Title VI Assurances – Appendix G

The St. Joseph Area Transportation Study Organization (SJATSO) HEREBY CERTIFIES THAT, as a condition of receiving federal financial assistance under the Federal Transit Act of 1964, as amended, it will ensure that:

1. No person on the basis of race, color, or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.
2. SJATSO will compile, maintain, and submit a timely manner Title VI report required by FTA Circular 4702.1 and in compliance with the Department of Transportation’s Title VI regulation, 49 CFR Part 21.9.
3. SJATSO will make it known to the public that those person or persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.

Part A – Department of Transportation Title VI Assistance

The St. Joseph Area Transportation Study Organization (Hereinafter referred to as the “Recipient”) HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, or national origin, be excluded in participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of transportation, including the Federal Transit Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its FTA Programs 5307 and 5309:
1. That the Recipient agrees that each “Program” and each “facility” as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a “program”) conducted, or will be (with regard to a “facility”) operated in compliance with all requirements imposed by, or pursuant to, the Regulations.

2. That the Recipient shall insert the following (or the most current approved clause approved by the FTA) notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all FTA Programs 5307 and 5309 and, in adapted from in all proposals for negotiated agreements:
   a. The St. Joseph MPO, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 200d to 2000d-4 and Title 49, Code of Federal Regulations, Department of transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

3. That the Recipient shall insert the most current and approved contractual clauses relative to this subject in every contract subject to this Act and the Regulations.

4. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.

5. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub grantees, contractors, sub-contractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.

6. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations and this assurance.
THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the FTA Programs 5307 and 5309 and is binding on it, other recipients, sub grantees, contractors, transferees, successors in interest and other participants in the FTA Programs 5307 and 5309.

Part B – Contract Assurance

During the performance of this Contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the “contractor”) agrees as follows:

1. **Compliance with Regulations**: The contractor shall comply with Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter, “DOT”) title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

2. **Nondiscrimination**: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Part B of the Regulations.

3. **Solicitations for Subcontracts, including Procurements of Materials and Equipment**: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

4. **Information and Reports**: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the St. Joseph MPO or the Federal Transit Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor
shall so certify to the St. Joseph MPO, or the Federal Transit Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

5. **Sanctions for Noncompliance:** In the event of the contractor’s noncompliance with nondiscrimination provisions of this contract, the St. Joseph MPO shall impose contract sanctions as it or the Federal Transit Administration may determine to be appropriate, including, but not limited to:
   a. Withholding or payments to the contractor under the contract until the contractor complies; and/or
   b. Cancellation, termination, or suspension of the contract, in whole or in part.

6. **Incorporation of Provisions:** The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the St. Joseph MPO or the Federal Transit Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the St. Joseph MPO to enter into such litigation to protect the interests of the St. Joseph MPO, and, in addition, the contractor may request the United States to enter into litigation to protect the interests of the United States.

**Part C – Certification**

The St. Joseph Area Transportation Study Organization (SJATSO), which is the Metropolitan Planning Organization for the St. Joseph Metropolitan Area, and the Missouri Department of Transportation hereby certify that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements including:

2. In nonattainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 CFR part 93; (NOT APPLICABLE);
3. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
4. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
5. Section 1101(b) of MAP-21 and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
6. 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal Aid highway construction contracts;
8. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
9. Section 324 of the 23 U.S.C. regarding the prohibition of discrimination based on gender; and
St. Joseph Public Transit Routes – Appendix H
Low Income Population in the SJATSO Area—Appendixes I

Estimated percent of all people that are living in poverty as of 2009-2013.
Minority Population in the SJATSO Area–Appendixes J

Estimated percent of all people who were of a race other than White between 2009-2013.